



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Official Languages

LANG • NUMBER 024 • 1st SESSION • 41st PARLIAMENT

EVIDENCE

Thursday, February 9, 2012

Chair

The Honourable Michael Chong

Standing Committee on Official Languages

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• (0845)

[Translation]

The Vice-Chair (Mr. Yvon Godin (Acadie—Bathurst, NDP)): Welcome, everyone. On this Thursday, February 9, 2012, we are starting the 24th meeting of the Standing Committee on Official Languages.

We are discussing the motion of Costas Menegakis, which reads as follows: That all Committee business of the Committee be conducted in camera.

Dan Harris has introduced an amendment which reads as follows: That the motion be amended by adding after the words "in camera" the following: "with the consent of at least one member of the opposition or a vote by committee at the start of any sitting of the Standing Committee on Official Languages where Committee business is to be discussed."

Robert Aubin had the floor at the end of Tuesday's meeting.

Consequently, Mr. Aubin, you may begin.

Mr. Robert Aubin (Trois-Rivières, NDP): Thank you, Mr. Chairman.

Welcome to all the members and the new faces that have joined us. This is quite curious. In fact, I have two hypotheses. Mr. Trottier, our ideas are similar on this point. My first hypothesis is that we have become the most popular committee and that everybody wants a piece of it. The second is that everyone wants to find out what is going on. We shouldn't go so far as to sell tickets because we are quite well paid for the work we do. In fact, we really are overpaid for the work we are unfortunately unable to do as a result of the motion we are discussing. I will come back to that point.

That being said, I want to welcome all the newcomers who are joining us. Since the newcomers are on the government side, I hope that, having heard the arguments around this table, more and more of you will discuss among yourselves the necessity—I don't believe there is any other word for it—of persuading Mr. Menegakis, or Mr. Gourde, or any other person in authority, to withdraw this motion, which interferes with not only the right of parliamentarians, but also that of all citizens of this country, to see and hear the issues debated by the various parties seated around this table.

For those joining us, welcome to Democracy 101. This is the second class. We started on Tuesday. The time goes by so quickly. Before me, there was an excellent introduction by Ms. Michaud, whom I thank once again. She was preceded by Mauril Bélanger, whom I thank enormously and to whom I wish *bon appétit*.

Some hon. members: Oh oh!

Mr. Robert Aubin: It seems to me your turn will come later, and I wouldn't want to disclose any information on work that might have been done at a previous in camera session.

Mr. Harris, it seems to me your turn to speak will come soon in this public session, "soon" being a somewhat vague term; let's say that is an objective.

So I am putting on my teacher's hat this morning. Unfortunately, I miss the blackboard and chalk. There aren't any here. Am I entitled to that?

• (0850)

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): You should ask for it.

Mr. Robert Aubin: All right, I'll request it next week.

When I taught, I used to outline the course plan at the start so that students would have an idea of what the course would look like. I wanted them to be eager for me to get to point 3, if that was the one that interested them the most. Unfortunately, this morning, we will have to go at it point by point. You will see as we go along what ideas and concerns I want to put on this table.

You are not required to note down everything I say on your computers because it will be recorded by the House Reporting Service and distributed to you. You can just cheerfully follow along.

Unfortunately, the fundamental difference between my course and the committee is that, as a result of procedural rules, it is impossible to entertain your questions. I admit that is somewhat unfortunate because, in the next few minutes, I will have to try as hard as I can to anticipate your questions, to imagine them, to state them for you and then to answer them. Perhaps we could use tricks like the one Mr. Gourde seems to want to present to us. I'm open to everything.

As I said at the last meeting, there are two hypotheses regarding the dispute between us. I remind you that we are discussing a motion, and I say that for those who may have just joined us, since we are sitting in public. Our discussion is about a motion that was introduced by Mr. Menegakis and that reads as follows: "That all Committee business of the Committee be conducted in camera."

I read it well, didn't I? That is really important. I would emphasize one thing that I underscore in all my press releases. I repeat that the word that divides us in this motion, if there is one, is the word "all". The word "all" allows for no exceptions. The words "all" and "none" are the two extreme ends of the spectrum. We can do absolutely nothing about that.

The French language is so precise that it allows for no interpretation. In fact, there may be one exception. In this case, I appreciate the English language, in which a distinction is drawn between the words "like" and "love". There is no such distinction in French, as a result of which I can and must use exactly the same verb to say "I love my wife" and that "I love ice cream." It's the same thing. I believe there really is a flagrant lack of precision in French in this regard.

However, as regards vocabulary as a whole, it can practically be said that no language in the world is as precise as the French language. That moreover is why many international treaties have been drafted in French. When it comes to interpreting what has been written—we all know that you have to interpret both the spirit and the letter of a treaty, convention or any signed contract—the French language is clearly the most precise.

The expression "all Committee business of the Committee" is what divides us. Mr. Harris, in an obvious attempt to bring the two sides closer, moved an amendment that started with the words "That the motion be amended by adding after the words 'in camera' the following: 'with the consent of at least one member of the opposition'..." Personally, I would have stopped there. It seems to me that would have been a sign of genuine collaboration and of our ability to get along with each other and to debate the issues dividing us. However, Mr. Harris is, by nature, probably far more generous than I am.

● (0855)

Mr. Dan Harris (Scarborough Southwest, NDP): I love everyone.

Mr. Robert Aubin: He went even further and added "...or a vote by Committee at the start of any sitting of the Standing Committee on Official Languages where Committee business is to be discussed."

The Vice-Chair (Mr. Yvon Godin): Pardon me for interrupting, but Ms. Michaud has a point of order.

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): I have a point of procedure. I would like this meeting to be televised.

The Vice-Chair (Mr. Yvon Godin): We need the unanimous consent of the committee members. Is there unanimous consent to have the meeting televised?

Some hon. members: No.

The Vice-Chair (Mr. Yvon Godin): Thank you.

Continue then, Mr. Aubin.

Mr. Robert Aubin: I am disappointed, but perhaps relieved as well, that it's not being televised. I believe I'm late in paying my membership dues to the Union des artistes. I might not be in good standing, although that's probably not necessary on CPAC.

Where was I? I was talking about this amendment by Mr. Harris, which I believe was the broadest possible compromise. Briefly, for those joining us for the first time, here is the issue of our debate: it is absolutely unthinkable—I believe there is no other word for it—in a democracy such as Canada's, for us to accept a permanent gag order. That is ultimately what this means. All committee proceedings, without exception, would be held in camera. Since the public and the

media would constantly be kept in the dark, they would never—that's also a word of quite extreme scope, but one that says what it means—be able to follow our proceedings, to form their own opinion or at least to inform the member who represents them of their satisfaction or dissatisfaction.

This utterly unacceptable situation has led us to undertake this marathon of indignation. That is the expression I used on the spur of the moment on Tuesday. We must use every means at our disposal to prevent this procedure from being implemented.

I said there were two hypotheses regarding this motion. I admit I did not specifically say that, under the first hypothesis, this is an ideological approach by the government party. I dare hope that is a pure fabrication on my part and that a Canadian government represented by any party whatever simply cannot have such an obtuse and closed vision of democracy. In a way, I consider it a duty to rule out that first hypothesis. The fact remains, however, that the more time goes by, the more it tends to become settled in my mind.

The second hypothesis, which I hope is the more plausible, is that the government has introduced such a strong motion as a result of proceedings that might divide us, of undesired behaviour that it would not like to see repeated. In saying that, however, I find it hard to imagine what the opposition parties could have done that was so serious and immoral for such a motion to be introduced. However, I still hope that the second hypothesis is the valid one and that, if so, we will collectively be able to find a way to debate the motion. In that way, rather than avoid the issue by saying it will deprive us of our right to speak in public, which amounts to a form of gag order, we would be able to resolve the issue on the merits.

Unfortunately, gag orders are increasingly being imposed. We saw that again in the House of Commons yesterday. That leaves a bitter taste in my mouth to say the least. Like a number of others, I am a newly elected politician. Although I am 51 years old, I arrived in Ottawa full of ideals, probably like those of a young adult who still strongly believes in democracy. I taught that approach for years. I tried to replace the cynicism toward politics with a wave of positivism. I even believe I achieved modest success in that respect in my constituency. That at least was one of the objectives of my campaign. I had three objectives.

● (0900)

The day I won the New Democratic Party's nomination, three close friends who follow politics in Montreal congratulated me. They thought it was interesting that I had won and they were pleased that someone was going to defend those ideas in the public arena. However, they asked me if I really expected to get elected. I thanked them and answered that I had entered the race because I believed in it. I felt I belonged to the Cinderella team. I said to myself that, on May 2, we would see which candidates would be going to the ball. We know how the story ends: I am here because I went to the ball.

My first objective was therefore to defend ideas, which I am doing this morning, in a somewhat bigger forum.

My second objective was to increase the voter turn-out rate and the vote associated with the ideas I advocate in my riding of Trois-Rivières. I admit we started off a few lengths behind, but I thought the goal was achievable. If memory serves me, I had to beat a rate of 9%, the rate from the previous election. I thought that was possible.

My third objective was to achieve critical success, that is to say to conduct a campaign good enough to finish second, hot on the heels of the Bloc Québécois.

My ultimate objective, which I kept secret, was to win. I did everything in my power to win, and I am here today to defend those ideas. That is why I am opposing this motion this morning. And I will do so as long as that is necessary.

This motion reminds me of a French, or at least francophone, expression. I do not know the origin of that expression, but I get the feeling this motion is like killing a fly with a cannon. It's difficult to use a cannon to kill a fly. First of all, the fly is very quick. Even with a cannon, you might not hit the fly, the target. However, no one can fail to see the damage caused by a cannon. Unfortunately, I get the impression this is the image we are projecting to the public through the debate we are conducting on this motion. We are using a cannon to kill a fly. It's a fly that citizens can no longer see, but we are forcing Canadians to see the damage we are making. That is utterly unacceptable.

I fought on Tuesday, I am fighting this morning, and I will fight as long as it is necessary to do so. Why and for what am I fighting? Those are probably the first two questions I had to ask myself. It's all well and good to fight, but I don't think I deserve to be more popular because I have debated this motion for several minutes. That is not what I am seeking either. What are the reasons for, and who are the people related to, my actions?

First, I will talk about the "why" and then I will finish by talking about the "for whom". The reasons concern all the people whom I will then name.

The first reason is to safeguard, as far as possible, a fundamental principle of our democracy, freedom of speech or freedom of expression. I can't imagine how anyone could conceive of the idea, even for one second, of introducing a motion that interferes with freedom of speech. We have seen a lot of this with all the time allocation motions introduced in the House of Commons since the election. This cuts off the right to speak by limiting time and ensuring that every member who wishes to speak on a bill does not necessarily have the time to do so. This is just a cut-off, and it is already horrific. In this case, however, we are no longer even talking about a cut-off, but rather about a clinical death. There is no longer any right to speak in public, which is unacceptable.

● (0905)

I am also fighting this fight—and others are doing it with me—because it seems obvious to me that this way of doing things and this motion, if adopted, can only further foster Canadians' cynicism toward the parliamentary system. The voter turn-out rate is already a fundamental problem. Many people are tearing their hair out—although there isn't much to pull out in my case—trying to make our institution credible. I will have occasion to return to this point later on and to present various statistics and studies.

Consequently, we would be shooting ourselves in the foot by adopting a motion banning elected representatives' right to speak. I hope no one finds a way to strip citizens of their right to speak, which would really take the cake. The fact remains that I am already hearing talk about action, bills designed to limit the speaking time of pressure groups on certain development projects and problems with environmental consequences. People who want to speak on those issues are already being characterized as extremists. We are headed toward a society that is not one I want to grow up in. I have finished growing up, but as my father always said, greatness is measured from the shoulders up. So I still have a chance. This also isn't a society I want to hand on to my children or to all my descendants. This fight is vitally important.

For whom is it vitally important? It is undoubtedly very important to give a face to the people for whom we are fighting this fight. I remind you that we are on the Standing Committee on Official Languages. The first persons or first groups I am thinking of are obviously all those groups across Canada that are living in a linguistic minority setting. What is the exact term? Are we talking about linguistic minority groups? I constantly mix up those expressions. Can someone help me?

Ms. Éline Michaud: They are official language minority communities.

Mr. Robert Aubin: Thank you very much, Ms. Michaud. I will take note of that. I'll get there. For one reason or another, there are some expressions that I am unable to state. I usually speak quite fluently, but in this case—

[English]

Mr. Dan Harris: [Inaudible—Editor]

[Translation]

Mr. Robert Aubin: Thanks for the translation. Incidentally, I want to tip my hat to those people doing on the interpretation and to welcome them. They have to try to follow my remarks without knowing in advance where I am headed. They do a colossal job, and I want to express my admiration to them.

So for whom are we fighting this fight? It is for all the linguistic minority communities. First, I am obviously thinking of all those that form the Canadian francophone community because they are by far the most numerous. They are also the ones who have to work hardest to try to live in their native language and culture. In saying that, however, I am not forgetting the anglophone minority community in Quebec, which has its own characteristics and problems. We will have occasion to return to that point.

I am talking about the francophonie. I've laid my hands on an absolutely magnificent book entitled, *La francophonie canadienne: Portraits*. I don't know whether you're familiar with it. I'll probably have the opportunity to read you a few excerpts from it.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): It's by a Sudbury author.

Mr. Robert Aubin: Oh, thank you.

A preposterous idea has just come to mind, that I might read the entire work so that an English version, translated from the French, appears in the committee's record. The book would then be available and that would enable me to bring the two linguistic communities closer together.

• (0910)

Hon. Mauril Bélanger: That has already been done.

Mr. Robert Aubin: Then I will stop. I thought I was being original, but the wheel had already been invented. Thanks to that experienced parliamentarian, Mauril Bélanger. He is a constant source of knowledge and wisdom. I will call you the next time I have what I think is an original idea.

What I found most interesting about the book is its publisher. Do you know its name? You'll never guess: the book is published by Les Éditions Prise de parole, that's really quite curious. As we are discussing this freedom of speech that the government wants to take away from us, I am suggesting that you read a book entitled *La francophonie canadienne: Portraits*, which has been published by Les Éditions Prise de parole. That is a great coincidence, to say the least, or an interesting combination of circumstances. I am not familiar with that company, but I imagine it must be a francophone publishing house. Is that indeed the case, Mr. Bélanger?

Hon. Mauril Bélanger: I would even say its Franco-Ontarian.

Mr. Robert Aubin: The name was not selected at random. It seems to me that that publishing house is entirely consistent with the debate we are conducting. It is important to preserve the right to speak and to speak at all costs, not merely for francophones, but for all official language minority communities as a whole and for all the citizens of this country. I will come back to this point.

When I asked for whom we were fighting this fight, I was talking about the anglophone and francophone minorities of this country. It is also for all Canadians who have been muzzled by this motion because they would be unable to get information. It is also for us politicians. We have been elected at high cost. Everyone feels that an election is a bit expensive. I don't remember, but I did the calculation during the last election. It seems to me it worked out to about \$1 per citizen per year to establish a democratic system.

Is it more than that? How much does an election cost, Mr. Gourde?

Mr. Jacques Gourde: It's \$1 million per constituency.

Mr. Robert Aubin: I'd like to have an overall figure so that we can do a mathematical division.

Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC): We're talking about \$300 million.

Mr. Robert Aubin: So it's \$300 million divided by 34 million Canadians. Then you divide it by four years.

Mr. Bernard Trottier: It's perhaps 10—

Mr. Robert Aubin: So it works out to, say, \$2.50.

Mr. Bernard Trottier: Don't forget there were elections every two years.

Mr. Robert Aubin: That's my mistake; we are not talking about \$1, but rather \$2.50.

Mr. Bernard Trottier: That's only when the government is a majority government.

Mr. Jacques Gourde: It's less expensive when it's a majority government.

Mr. Robert Aubin: That's what will happen one day.

Mr. Dan Harris: However, aircraft-related expenses should not be taken into account.

Mr. Robert Aubin: Of course.

Let's say it's \$2.50, which is probably less expensive than a café au lait at a lot of businesses specializing in that kind of beverage.

I also want to preserve the right to speak for all of us politicians. And I apologize for reminding you very humbly, dear friends of the government party, that your days are numbered. It's not because I don't like you, but because, throughout history, I have never known a government to be eternal. Otherwise we would probably be living under the rule of some Caesar. It goes without saying that, in their great wisdom, voters feel a need to clean house once in a while or to make some beneficial change, to open the windows and let in some fresh air. So you are shooting yourselves in the foot with a motion like this. I will be working to make sure you still have your right to speak the day you return to the opposition benches. I am doing it for myself, but I am also doing it for you.

I am also doing it for all the media, which are a major power. They are often the link between the public and this somewhat esoteric Parliament Hill, where we work every day for the good of every citizen of this country. You have to admit that, as a result of procedures, jargon and the way things are done, you have to be one of the initiated to be able to follow that. The media have that pleasant task. First they have to try to put their finger on the most important stories because it would be impossible for citizens to follow all the issues handled on Parliament Hill in a single day. Then they have to try to provide a popularized account of the work we do and to inform citizens about it. An informed society can only be more productive and richer in all respects.

For all those people and for all those reasons, I will continue the fight until this motion has been withdrawn. I remind every one of you on the government side that the most important thing that needs to be said unfortunately cannot come from me, but rather from one of you, to whom I would gladly hand over the floor if you had the good fortune to announce that you were withdrawing this motion and that we were returning to the committee's business on a basis allowing for discussion.

The consequence of this motion, which Mr. Harris's amendment is designed to correct, is to disrupt the climate of trust.

• (0915)

Mr. Jacques Gourde: Are you giving me the floor?

Mr. Robert Aubin: No, you have no right to speak; it's my turn.

Mr. Jacques Gourde: Oh, all right.

The Vice-Chair (Mr. Yvon Godin): Just a moment. I believe Mr. Aubin had offered to hand the floor over to a government representative if he wanted to withdraw the motion.

Is the government prepared to withdraw its motion?

Mr. Jacques Gourde: Mr. Chairman, are you giving me the floor?

The Vice-Chair (Mr. Yvon Godin): No, I'm simply asking whether you are prepared to withdraw the motion.

Mr. Jacques Gourde: I'm asking you whether you are giving me the floor—

The Vice-Chair (Mr. Yvon Godin): No, I am not giving you the floor.

Mr. Jacques Gourde: Well, if I don't have the floor, I can't speak.

Mr. Dan Harris: Mr. Chairman, I have a question of procedure.

Can any member of the government party withdraw the motion, or does the person who moved it have to withdraw it?

The Vice-Chair (Mr. Yvon Godin): Based on the information I have, anyone may withdraw the motion, but that person must obtain the unanimous consent of the members.

Mr. Jacques Gourde: But you have to have the floor in order to speak. If the party—

The Vice-Chair (Mr. Yvon Godin): If you have a point of order, I will give you the floor.

Are you raising a point of order?

Mr. Jacques Gourde: If I raise a point of order, will you give me the floor?

The Vice-Chair (Mr. Yvon Godin): Yes.

Mr. Jacques Gourde: You'll give me the right to speak?

The Vice-Chair (Mr. Yvon Godin): Yes, I'll give it to you.

Mr. Jacques Gourde: May I move my motion?

The Vice-Chair (Mr. Yvon Godin): No, no motion may be moved when a point of order has been raised.

Mr. Bernard Trottier: He's right.

Mr. Jacques Gourde: That's fine.

The Vice-Chair (Mr. Yvon Godin): Continue, Mr. Aubin.

Mr. Robert Aubin: We could—

Mr. Jacques Gourde: May I move an amendment to the amendment?

The Vice-Chair (Mr. Yvon Godin): No, you may not move an subamendment or a sub-subamendment or a sub-sub-subamendment.

Mr. Jacques Gourde: No, it would just be once.

The Vice-Chair (Mr. Yvon Godin): That's in case you had other questions.

Continue, Mr. Aubin.

Mr. Jacques Gourde: But when will we be allowed to speak?

Mr. Robert Aubin: In that case, let's continue our backroom dealings. Perhaps we'll come up with something soon.

Getting back to this motion, the fundamental problem is that it has the effect of permanently disrupting—well, no, I withdraw the word "permanently" because there always has to be a glimmer of hope—the relationship of trust between parliamentarians, governments and the public, particularly within this committee. According to the research, comments that have been reported to me and information

that I have received, the Standing Committee on Official Languages was probably the model or perfect example of this joint work that we wanted to accomplish. That work was not intended to be 100% partisan. Although each person addressed the various issues using a different approach, from a different angle, there was a genuine collaborative effort.

I spent an entire campaign with the lamented Jack Layton promoting the theme of "Working Together", not only because it was a slogan, but especially because I fundamentally believed in it. That's precisely what the public expect of us. They elect a number of representatives of various stripes and ideas with the clear and avowed notion that, from the clash of ideas, light will spring forth. It expects those parliamentarians to combine their efforts to find the best possible solutions to the issues that concern them.

With regard to those issues and the official languages field, I go back to the situation of the francophone communities. The clear and relevant examples of that disruption of the relationship of trust are many. Among others, we can recall the appointment of a unilingual anglophone justice to the Supreme Court. I would not want anyone to find himself one day before a court—even less before the Supreme Court, as that would mean that proceedings had gone on for a very long time—and to feel that the judge does not understand the relevance or details of his comments or the underlying emotion. That comes with language and culture. It is utterly unacceptable, in a country such as ours, for a unilingual judge to be appointed and for the claim to be made that a qualified bilingual judge could not be found. It is a recognized fact that the population of this country is approximately 34 million inhabitants, and I don't know how many of that number are experienced bilingual lawyers and judges.

There was also the appointment of a unilingual anglophone auditor general. With two appointments of that kind in quick succession, that begins to undermine trust in this Parliament. However, it doesn't stop there. There have been numerous appointments. We could also talk about the cuts in the number of translators at the Translation Bureau. That is a tough blow for the official language minority communities.

More recently, the Canada School of Public Service stopped teaching English and French as second languages. On that subject, I have information that gives us an idea of the scope of that measure and of the damage it is causing.

Following the cuts to the number of translators at the Translation Bureau in the fall of 2011, we learned that the Canada School of Public Service would no longer be teaching English or French as second languages. Nearly 200 teachers will therefore lose their jobs, and federal institutions will have to resort to the private sector for language training purposes. In so doing, the government is attacking its own expertise, which it has developed over the years.

The government justifies this change of direction as a cost-cutting issue, claiming it would cost the private sector less to provide the same services, but is that true? Since every department is responsible for providing language training to its employees, it is very difficult to obtain information on actual training costs.

• (0920)

However, this past December, the *Ottawa Citizen* reported that the costs of language training to the Treasury Board Secretariat had increased. According to the paper, the average expenditure by the department had risen from \$429 to \$943 between 2006 and 2010. We're talking about \$2 million a year. It appears that resorting to the private sector does not necessarily result in less spending.

We have to question this decision since it involves a loss of expertise, which is just as important as money, because this government does not appear to have a consistent policy on decentralization. On the one hand, the government is seeking to centralize pay services and information technology to achieve savings, while, on the other hand, it is utterly decentralizing language training in the hope of saving money. What consistency!

We also have to question the quality of the courses being offered by the private sector. How is that market regulated? Have those services been evaluated? We know that the Public Service Commission monitors the evaluation of government employees' language skills, but if course quality isn't there, public servants will have to take a lot of courses to reach the bilingualism level required by their positions.

On the one hand, the figures show that training costs are on the rise. On the other hand, in its last annual report, the Public Service Commission stated that, in the last five fiscal years, the number of persons entitled to language training appointed to non-imperative positions for which they did not meet language requirements had declined as a percentage of the total number of appointments from 1.7% in 2005-2006 to 0.8% in the current fiscal year. Those individuals must meet the language requirements of their positions before the end of the maximum period prescribed by order and regulation.

• (0925)

The Vice-Chair (Mr. Yvon Godin): Yes, Mr. Gourde?

Mr. Jacques Gourde: May I introduce a unanimous motion for the debate to return to the amendment, please?

The Vice-Chair (Mr. Yvon Godin): A unanimous motion?

Mr. Jacques Gourde: Its purpose is to return to the debate on the amendment. I believe we have gone too far. I don't understand.

Mr. Robert Aubin: I'm getting there. I only have a few more sentences, Mr. Gourde.

Mr. Jacques Gourde: We have not been talking about the amendment at all for the past 10 minutes. May we adopt a unanimous motion to have the debate return to the amendment?

The Vice-Chair (Mr. Yvon Godin): You may not introduce any motions, but you may request unanimous consent to introduce a motion.

Mr. Jacques Gourde: May we unanimously present a motion to go back to the study of the amendment?

The Vice-Chair (Mr. Yvon Godin): Is there unanimous consent?

Some hon. members: No.

The Vice-Chair (Mr. Yvon Godin): Go ahead, Mr. Aubin.

Mr. Robert Aubin: I will nevertheless try to meet Mr. Gourde's request by saying that I'm getting there. Please be reassured.

Mr. Jacques Gourde: Thank you.

Mr. Robert Aubin: I wanted to say that the example I have just cited is a precise reflection of the work we should be doing. That moreover is the work that we are being prevented from doing or that we are preventing ourselves from doing as a result of the motion before us. I will recall that the text of that motion is as follows: "That all Committee business of the Committee be conducted in camera." That is what we obviously refuse to allow.

Now I would like to read from a document that concerns House procedure. It may help us understand what promotes this relationship of trust that we are seriously undermining. I know that you feel time is dragging on, Mr. Gourde, but this will barely take a few minutes. As you will see, it is directly related to the amendment. It reads as follows:

The House of Commons and its Members enjoy certain constitutional rights and immunities which are collectively referred to as parliamentary privilege (or simply "privilege").

Parliamentary privileges were first claimed centuries ago when the English House of Commons was struggling to establish a distinct role for itself within Parliament. These privileges were necessary to protect the House of Commons and its Members, not from the people, but from the power and interference of the King and the House of Lords.

The privileges enjoyed by the House and its Members continue to be vital to the proper functioning of Parliament. From time to time the House of Commons in Canada has had to challenge the Crown, the Executive (Cabinet) or the Upper House (the Senate), by asserting its independence based on parliamentary privilege.

Further on, it states: Rights that are protected by privilege are those that are necessary in order to allow Members of the House of Commons to perform their parliamentary functions.

I am not making these words up; they are here. It seems to me that is what I am doing.

Then it states: These rights are enjoyed both by individual Members of Parliament—because the House cannot perform its functions without its Members—and by the House, as a whole, for the protection of its Members as well as its own authority and dignity.

I admit I did not expect to see the word "dignity". I smiled and felt a wave of fresh air and satisfaction in reading that it was a matter of dignity. In my view, the motion before us distances us from that.

I continue: The rights and immunities related to Members individually may be grouped under the following headings:[...]

I'll give you the first right. You don't have the right to respond, and I am sorry about that, but I'll give you the response: it is freedom of speech.

• (0930)

The Vice-Chair (Mr. Yvon Godin): Mr. Gourde, do you have a point of order?

Mr. Jacques Gourde: Yes. If my colleague absolutely wanted me to ask him a question, I could—

Mr. Robert Aubin: In fact, I didn't want you to ask me a question.

The Vice-Chair (Mr. Yvon Godin): The Standing Orders are clear: he may deliver his speech, but there is no conversation or questions and answers between members.

Mr. Jacques Gourde: Mr. Chairman, does that apply even if the member asks me whether I can ask him a question? He did ask me that.

The Vice-Chair (Mr. Yvon Godin): No, you may not.

Go ahead, Mr. Aubin.

Mr. Robert Aubin: Thank you.

In fact, that was not a question, but rather a suggested response. I admit I sometimes give in to my old habits as a teacher who wants and seeks cooperation, who wants and seeks exchange, actions that are not provided for by the Standing Orders. I'll get used to that and —

The Vice-Chair (Mr. Yvon Godin): Mr. Aubin, to settle the matter, you must address the chair rather than members.

Mr. Robert Aubin: Thank you, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): That will put an end to the confusion.

Mr. Robert Aubin: I'll take note of that. Thank you for that wise reminder.

Mr. Jacques Gourde: I have a point of order.

Since my colleague showed some openness, how could we conduct an exchange?

Hon. Mauril Bélanger: That's not a point of order, Mr. Chairman.

Mr. Jacques Gourde: Mr. Bélanger, it is the duty of the chair and the clerk to—

The Vice-Chair (Mr. Yvon Godin): Pardon me, but that is not a point of order.

Continue, Mr. Aubin.

Mr. Robert Aubin: Thank you, Mr. Chairman.

So I was talking about the rights and immunities related to members individually. First of all, there is freedom of speech. The others are less directly related to the motion, but I will mention them all the same, to provide an idea of the rights and privileges that the parliamentarians of this institution enjoy. They are freedom from arrest in civil actions, exemption from jury duty and the exemption from being subpoenaed to attend court.

Let's talk about what concerns us first of all, that is to say freedom of speech. That freedom is interfered with by the motion introduced by the government party, "That all Committee business of the Committee be conducted in camera."

On the subject of freedom of speech, we have a highly instructive text here, if ever there was one, which states:
The privilege of freedom of speech in parliamentary debates or proceedings is generally regarded as the most important of the privileges enjoyed by Members of Parliament and witnesses that appear before parliamentary committees.

I will repeat that simply to ensure we clearly understand it:
The privilege of freedom of speech in parliamentary debates or proceedings is generally regarded as the most important of the privileges enjoyed by Members of Parliament and witnesses that appear before parliamentary committees.

Mr. Jacques Gourde: I have a point of order, Mr. Chairman.

I agree with my colleague on what he has just said, but I would like to know when we will be able to exercise that privilege.

The Vice-Chair (Mr. Yvon Godin): That is not a point of order, but, since you asked me the question, Mr. Gourde, I will tell you what the situation is. Following Mr. Aubin, we will move on to Dan Harris, then to Mr. Godin. Then it will be the government party's turn.

Mr. Jacques Gourde: Thank you for that information, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): You may continue, Mr. Aubin.

Mr. Robert Aubin: Thank you, Mr. Chairman.

Then I will continue reading:

The right of parliamentarians to freedom of speech is protected by the Constitution Act, 1867 and the Parliament of Canada Act, R.S.C., 1985. Section 4 of the Parliament of Canada Act confirms that the Senate and the House of Commons each enjoy all of the privileges of the British House of Commons at the time of Confederation. This includes the parliamentary freedom of speech guaranteed by Article 9 of the British Bill of Rights of 1689.

This appears to be a right that has been recognized for more than one generation; let's be conservative. I therefore find it hard to see how anyone could attempt to cut it off by means of a motion.

Freedom of speech permits Members to speak freely in the Chamber during a sitting, and Members and witnesses to do so freely in committee meetings, while enjoying complete protection from prosecution or civil liability, or, in the case of witnesses, reprisals, for any comment they might make.

I will not go so far as to say that the wording of the motion suggests any reprisals, but I will be confused, to say the least, until the reasons for it, the ins and outs of it, are explained to us, and no one wanted to do that when the motion was introduced.

Members are able to make statements or allegations about outside groups or people, which they may hesitate to make without the protection of privilege. Though this is sometimes criticized, the freedom to make allegations which the Member genuinely believes at the time to be true, or at least worthy of investigation, is fundamental to the privileges of all Members. The House of Commons could not work effectively unless its Members, and witnesses appearing before House committees, were able to speak and criticize without being held to account by any outside body.

Although the parliamentary privilege of freedom of speech applies to a Member's speech in the House of Commons and in other proceedings of the House, including committee meetings, it may not fully apply to reports of proceedings or debates published by newspapers or others outside Parliament. Privilege may not protect a Member republishing his or her own speech separately from the official record of the House of Commons or one of its committees. Comments made by a Member at a function as an elected representative—but outside of Parliament—would likely not be covered by this privilege, even if the Member were quoting from his or her own speech made in a parliamentary proceeding.

I am going to read one final passage on the fundamental importance of freedom of speech:

[...] a fundamental right without which they would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents.

Mr. Chairman, it seems to me that that is precisely what I am doing this morning. I am saying what I feel needs to be said in the furtherance of the national interest and the aspirations of the electors of my constituency, and a number of other constituencies.

● (0935)

When I became a member of Parliament last May, I was given a number of training sessions, each more relevant than the next. My moment of greatest fear came the day when I was handed a green brick: the book on House procedure. I wondered whether I had to read it all. The answer is obviously yes. How much time do we have to try to understand this highly technical language? Political life has made me see that I am learning pages day after day through the conduct of our proceedings and the political life around me.

So I consulted this reference document to see what it said about in camera proceedings. That is the subject that concerns us here. Here is what I found in chapter 20, which concerns committees. I found it particularly instructive, and I want to share it with you. If you are like me, *House of Commons Procedure and Practice* probably is not on your bedside table and you must not spend your days or evenings reading a chapter just before going to sleep. And yet it could be an easy way to get to sleep quickly. Rather than count sheep, perhaps you could read a chapter of *House of Commons Procedure and Practice*.

This morning, I will read you a very brief excerpt, but one that I think is utterly relevant in view of the motion we are debating. "Types of Meetings and Activities" is the title of the section I want to talk to you about. It reads as follows:

Committees conduct their deliberations and make decisions within the framework of meetings. In order to accommodate the wide variety of subjects that they may be called upon to examine, committees have a range of meeting formats from which to choose. They sometimes engage in other types of activities in addition to regular meetings.

I admit that all this is still a little vague. Does it refer to informal meetings? Perhaps it is a meeting of the steering committee, but I admit this is still a little bit vague.

Further on, reference is made to public meetings. This is interesting:

Committee meetings are ordinarily open to the public [...]

It states that there may be exceptions because there are very definitely situations where in camera meetings are called for, required, even necessary, but meetings are ordinarily open to the public and to the representatives of the media. That's interesting.

The document adds:

Simultaneous interpretation services are offered to committee Members, witnesses and members of the public.

So there is a concern not only that all Canadians should be able to follow the proceedings of the committees, but that they should be able to do so in their language, to be sure they grasp and understand the essential points, and I would even say the details.

The best paragraph is the following one, entitled "In Camera Meetings". It seems to me this is entirely related to the motion. I remind you that the French language is so precise that I find it hard to see how this can even be debated. The paragraph begins with the words "On occasion". Do I need to extrapolate, to define or to say more about what "on occasion" means?

On occasion, a committee may decide to hold an in camera meeting to deal with administrative matters, to consider a draft report or to receive a briefing.

It specifically states that committees may sit in camera on occasion. The paragraph even indicates the reasons why that should be done on occasion. It seems to me, Mr. Chairman, that this is light-years away from the motion "That the Committee business of the Committee be conducted in camera."

Subcommittees on Agenda and Procedure usually meet in camera.

I don't think our committee is a subcommittee on agenda and procedure.

Committees also meet in camera to deal with documents or matters requiring confidentiality, such as national security.

● (0940)

Perhaps I need some help from my colleagues because it does not seem to me that we have dealt with national security issues calling for in camera sessions in the past nine months. Nor does it seem to me that we have dealt with delicate issues calling for confidentiality. Consequently, I find it even more difficult to understand why Mr. Menegakis has introduced this motion.

Depending on the needs, a committee may conduct one part of a meeting in public and the other part in camera.

We have never been formal about that; we have even accepted it. I would even say that this is probably the essence of the amendment introduced by Mr. Harris.

Committees usually switch from meeting in public to meeting in camera (and vice versa) at the suggestion of the Chair, with the implied consent of the members. If there is no such consent, a member may move a formal motion to meet in camera. The motion is decided immediately without debate or amendment.

This is precisely what has put us in our current situation.

The committee decides, either on a case-by-case basis [...]

All these words tell us that we cannot establish as a permanent rule something that must be occasional. As I was saying:

The committee decides, either on a case-by-case basis or as a routine motion, whether a transcript of in camera proceedings is to be kept.

That goes without saying.

Minutes of in camera meetings are publicly available, but certain information usually found in the minutes of committee meetings is not included.

Neither the public nor the media is permitted at in camera meetings [...]

That goes without saying. This is what we are fighting.

[...] and there is no broadcasting of the proceedings. Usually, only the committee Members, the committee staff and invited witnesses [...]

I admit that brings a little smile to my face. I repeat:

Usually, only the committee Members, the committee staff and invited witnesses, if any, attend in camera meetings.

Every time we have gone in camera, we have asked the witnesses to leave.

Members of the House who are not Members of the committee normally withdraw when the committee is meeting in camera. However, the committee may allow them to remain in the meeting room [...]

We are even more generous.

[...] just as it may allow any other individual to remain.

I find this document particularly instructive. I hope you do as well because we would do well to comply more with the letter, or at least the spirit, of our parliamentary procedure guide in this chapter and in the chapter on in camera proceedings.

We are wondering whether we in this country want a government that governs openly or whether, as I said on Tuesday or last week, we want to go back to an obscurantist approach. Is it in *The Best of All Worlds*, by Aldous Huxley, that everyone except the main character is monitored and controlled by Big Brother?

An hon. member: That's in 1984.

Mr. Robert Aubin: So it's 1984?

• (0945)

Mr. Jacques Gourde: When you ask a question, is it just for your side or for our side as well?

Mr. Robert Aubin: I was thinking out loud, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): Mr. Gourde, do you have a point of order?

Mr. Jacques Gourde: Do I have a point of order? When Mr. Aubin asks a question, I would like him to put it to all the members of this committee, not just to those on the opposition side.

The Vice-Chair (Mr. Yvon Godin): I understood he was asking himself a question.

Mr. Jacques Gourde: No, he was looking—

The Vice-Chair (Mr. Yvon Godin): I want this to go through the chair.

Mr. Robert Aubin: Thank you, Mr. Chairman. I apologize for moving around in my chair. It's a new rule: I can't look anywhere when I ask myself a question. So I will look you straight in the eyes in the next few minutes, Mr. Chairman, since it appears—

The Vice-Chair (Mr. Yvon Godin): Mr. Aubin, I do not want to strip you of your right to look around you 360 degrees.

Mr. Robert Aubin: Thank you, Mr. Chairman. Be assured that I will continue asking myself questions because the motion introduced raises numerous questions, but I will try not to speak to my colleagues so as to abide by the rules.

Following this reading of an excerpt from *House of Commons Procedure and Practice*, I have come to the point where I ask myself whether we are really dealing with a government that wants openness or whether we are dealing with an enormous image or show.

I found another document absolutely extraordinary. It's the one the government published on the subject of open, transparent government. There are a lot of policies. I am going to read a few, just so we have an idea of the government's tone and desire to be open. If that is the case, I will find it even harder to make a connection between the idea of a government that wants to govern openly and the motion that is being put before us this morning. This states that the Government of Canada is developing its open government policy through three main streams, and committee work is likely not one of them.

The first stream is open data. It states:

Open data makes Government data available in machine-readable formats for citizens, private sector organizations and not-for-profit organizations [...]

I believe this is drifting away slightly from citizens.

[...] to reuse in innovative ways. It's about letting Canadians explore our data sets to find information that is of value to them.

Why Open Data?

Open data initiatives foster innovation, job creation and improved community services for Canadians and help create new business or research opportunities. They also allow citizens to access data to learn about and participate in the Government.

I almost feel like applauding. On the one hand, they want people to participate in government, and, on the other hand, they slap them and tell them they won't know what is being said.

How do we achieve this?

The Government of Canada launched the Open Data Portal:

to provide single-window access to federal datasets;

to make data available for commercial or research purposes to benefit all Canadians.

However, making our discussions available for all Canadians does not seem possible in view of the motion before us.

For our purposes, open information may be even more relevant than statistical data, although I don't deny the importance of having access to statistical data. This states:

Open information [...] is about proactively releasing information, including on Government activities, to Canadians on an ongoing basis.

The wording is absolutely extraordinary. It seems to me that the proceedings of a committee must be part of government and that it should be possible to have information that is made accessible to all citizens on an ongoing basis.

I will continue reading:

By proactively making Government information available, it will be easier to find and more accessible for Canadians.

Since the launch, many additional departments are now posting completed access to information summaries on their websites. In addition, all departments are now posting quarterly financial reports on line.

I told you there were three major streams. The third and final major stream of this policy of an open government, hold on to your hat, as we say back home, is entitled "Open Dialogue". The expressions "open dialogue" and "in camera" are stuck in my mind; they won't go away. It states:

Open dialogue [...] is about giving Canadians a stronger say in [...]

Mr. Jacques Gourde: It is in camera where we have an open dialogue.

Mr. Robert Aubin: Pardon me, Mr. Chairman, but I was interrupted and lost my train of thought. So I will start over:

Open dialogue [...] is about giving Canadians a stronger say in [...]

Mr. Jacques Gourde: It is in camera—

• (0950)

The Vice-Chair (Mr. Yvon Godin): Mr. Gourde—

Mr. Jacques Gourde: Mr. Chairman, since you have given me the floor, I ask that we go in camera.

The Vice-Chair (Mr. Yvon Godin): Mr. Gourde—

Mr. Jacques Gourde: That is consistent with procedure. You gave me the floor, since you said, "Mr. Gourde", and I therefore ask that we go in camera.

The Vice-Chair (Mr. Yvon Godin): I said: "Mr. Gourde, order, please."

Mr. Jacques Gourde: No, Mr.—

The Vice-Chair (Mr. Yvon Godin): Then if you didn't understand it, I'm telling you now: Mr. Gourde, order, please.

• (0955)

Mr. Jacques Gourde: Mr. Chairman, you gave me the floor.

The Vice-Chair (Mr. Yvon Godin): Mr. Gourde, order!

Mr. Jacques Gourde: You gave me the floor.

The Vice-Chair (Mr. Yvon Godin): Order!

Mr. Jacques Gourde: You gave me the floor, so I'm asking that we go in camera.

The Vice-Chair (Mr. Yvon Godin): Order, Mr. Gourde!

Go ahead, Mr. Aubin.

Mr. Jacques Gourde: Mr. Clerk, according to procedure, if the chair gives me the floor, I can ask that we go in camera. That is not a matter for debate.

The Vice-Chair (Mr. Yvon Godin): Mr. Gourde—

Mr. Jacques Gourde: That is what the procedure states. Check with the clerk, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): Order, Mr. Gourde.

Mr. Jacques Gourde: Check with the clerk. You gave me the floor—

The Vice-Chair (Mr. Yvon Godin): There is no motion—

Mr. Jacques Gourde: You gave me the floor, Mr. Chairman. I ask that we go in camera. That is part of procedure.

The Vice-Chair (Mr. Yvon Godin): Order!

Mr. Jacques Gourde: Please, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): Continue, Mr. Aubin.

Mr. Jacques Gourde: Mr. Chairman, according to procedure—

Mr. Robert Aubin: I'll continue then:

Open dialogue [...] is about giving Canadians a stronger say in Government policies and priorities and expanding engagement through [...]

The Vice-Chair (Mr. Yvon Godin): Pardon, Mr. Aubin.

Yes, Mr. Trottier?

Mr. Bernard Trottier: That is nevertheless the chair's decision. He was given the floor.

The Vice-Chair (Mr. Yvon Godin): Based on what I have seen in the Standing Orders, no motion can be introduced while a member has the floor. The speaking time allotted to the member is unlimited unless rules have been established in advance. However, in this committee, no rule was established in advance regarding debate, when a member wishes to speak.

I therefore hand the floor over to Mr. Aubin.

Mr. Bernard Trottier: The chair nevertheless gave Mr. Gourde the floor.

The Vice-Chair (Mr. Yvon Godin): The only thing I told Mr. Gourde was to remain silent because he did not have the floor. That is my interpretation.

Go ahead, Mr. Aubin.

Mr. Bernard Trottier: That is not the clerk's interpretation.

Mr. Robert Aubin: Thank you, Mr. Chairman.

Canadians continue to use ConsultingCanadians.gc.ca, the single access point to all consultation activities conducted by federal departments.

This fall, the Guideline for External Use of Web 2.0 was released. It provides practical advice to help departments make informed decisions about how to meet their existing legislative and [...]

Mr. Jacques Gourde: I have a point of order.

The Vice-Chair (Mr. Yvon Godin): One moment, please.

It is up to the chair to decide whether or not to give a member the floor. I did not give Mr. Gourde the floor. I asked him to be quiet during Mr. Aubin's speech. That was my decision.

Go ahead, Mr. Aubin.

Mr. Jacques Gourde: I have a point of order, Mr. Chairman. I was speaking when you told me to be quiet. Since I was speaking, I had a right to speak.

The Vice-Chair (Mr. Yvon Godin): You were speaking, but I had not given you the floor.

Mr. Jacques Gourde: I was already speaking when you told me to stop speaking. According to procedure, I therefore had a right to speak.

The Vice-Chair (Mr. Yvon Godin): I hadn't given you the floor. You did not have a right to take the floor. You were whispering loudly. The only thing I asked you was to remain silent. I stated your name. I did not address Mr. Trottier, but rather Mr. Gourde, since it was you were speaking. I said: "Mr. Gourde, silence, please." I did not give you the floor.

Mr. Jacques Gourde: I have a point of order, Mr. Chairman.

As I was speaking, you had a right to ask me to be silent. When you asked to do so, I did so. However, you let me speak, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): I did not give you the floor: I asked you to remain silent. I did not ask you—

Mr. Jacques Gourde: I asked that we go in camera before you asked me to be silent, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): Please, Mr. Gourde.

Go ahead, Mr. Aubin.

Mr. Robert Aubin: Thank you, Mr. Chairman.

I admit I have somewhat lost my train of thought.

The Hon. Mauril Bélanger: Start over.

Mr. Dan Harris: From the start, since this morning.

Mr. Robert Aubin: I know what I am going to do. I was on the third open government point, which refers to transparency and open dialogue. I will try to recover my train of thought by starting over at that point:

Open dialogue [...] is about giving Canadians a stronger say in government policies and priorities, and expanding engagement through Web 2.0 technologies.

Here we are talking about technologies through which citizens can follow this morning's debates, among other things. This is about giving Canadians a stronger say in the matter—a stronger say. It seems to me, once again, that giving people a stronger say contradicts the idea of conducting the committee business of the committee in camera.

Canadians continue to use ConsultingCanadians.gc.ca, the single access point to all consultation activities conducted by federal departments.

This fall, the Guideline for External Use of Web 2.0 was released. It provides practical advice to help departments make informed decisions about how to meet their existing legislative policy requirements when using those tools, and provides specific guidance to public servants on the use of social media.

Since I want to talk to you about social media, I am going to open a brief sidebar. Following my speech on Tuesday, where I had—

Mr. Bernard Trottier: Mr. Chairman, I believe we have a decision by the clerk. I therefore challenge the chair's decision.

Mr. Dan Harris: That is not a point of order.

The Vice-Chair (Mr. Yvon Godin): It is not up to the clerk to render a decision; it is up to the chair. A question was asked, and then Mr. Gourde asked a question. I said I had not given Mr. Gourde the floor. I asked him to remain silent. As chair, I have a right to call for silence. I did not give him the right to speak. I removed his right to speak since another person already had the right to speak.

Mr. Bernard Trottier: In that case, I challenge the chair's decision.

The Vice-Chair (Mr. Yvon Godin): That is my decision and it is upheld.

Go ahead, Mr. Aubin.

• (1000)

Mr. Robert Aubin: Thank you.

Mr. Bernard Trottier: I would like to have a decision—

The Vice-Chair (Mr. Yvon Godin): No motion is admitted while a member has a right to speak. That is not a point of order.

So continue, Mr. Aubin.

Mr. Robert Aubin: Thank you, Mr. Chairman.

What a roller coaster! This spices things up for those following our proceedings on the Web.

Contrary to this open government policy, I have another document I would like to mention to you. It is a press release entitled "Access to Information and Privacy Commissioner's Call for Open Government". Here is a bit of a clash of ideas. It was issued in Whitehorse on September 1, 2010. That is not that long ago:

Governments at all levels in Canada should embrace open government principles to enhance transparency and accountability.

Mr. Jacques Gourde: I have a point of order, Mr. Chairman.

The Vice-Chair (Mr. Yvon Godin): One moment, Mr. Aubin.

We have a point of order.

Mr. Jacques Gourde: Mr. Chairman, I challenge the decision of the chair, please.

The Vice-Chair (Mr. Yvon Godin): Mr. Gourde, it is my duty as chair to maintain decorum in this meeting. I asked you to be silent while a member was speaking. You intervened. I did not give you the right to speak. I asked you to remain silent. My decision is final and I ask you to abide by the decision of the chair.

Mr. Jacques Gourde: I challenge your decision, please. There are procedures in that case.

The Vice-Chair (Mr. Yvon Godin): I told you my decision is made.

Now we'll return to Mr. Aubin.

Mr. Robert Aubin: Thank you, Mr. Chairman.

I was saying that the following was written in Whitehorse on September 1, 2010:

Governments at all levels in Canada should embrace open government principles to enhance transparency and accountability.

Mr. Jacques Gourde: I have a point of order, Mr. Chairman.

Mr. Dan Harris: Really!

The Vice-Chair (Mr. Yvon Godin): Go ahead, Mr. Gourde. If it concerns the same matter, I will stop you right away.

Mr. Jacques Gourde: Mr. Chairman, I am introducing a motion of non-confidence in you since you acknowledged my challenge to your decision.

The Vice-Chair (Mr. Yvon Godin): That is not a point of order.

Continue, Mr. Aubin.

Mr. Jacques Gourde: Yes, it is a point of order, Mr. Chairman. It is—

The Hon. Mauril Bélanger: If you have no confidence, then leave, go away.

The Vice-Chair (Mr. Yvon Godin): Continue, Mr. Aubin.

Mr. Robert Aubin: This is take three.

Mr. Jacques Gourde: It is indeed a point of order.

Hon. Mauril Bélanger: Go away, if you have no confidence.

Mr. Robert Aubin: May I go ahead? This is take four:

Governments at all levels in Canada should embrace open government principles to enhance transparency and accountability.

I don't think "transparency" and "accountability" go together with "in camera".

In a joint resolution issued today, federal and all provincial and territorial Access to Information and Privacy Commissioners are endorsing and promoting these principles while calling on their respective governments to demonstrate their commitment to a culture of openness.

It seems to me that, at the very least, the government—

Mr. Bernard Trottier: This is not a point of order; it is a motion of non-confidence—

The Vice-Chair (Mr. Yvon Godin): All right, Mr. Trottier, go ahead.

Mr. Bernard Trottier: It is a motion of non-confidence in the chair.

The Vice-Chair (Mr. Yvon Godin): Mr. Trottier, the Standing Orders are clear.

Mr. Bernard Trottier: So we are going—

The Vice-Chair (Mr. Yvon Godin): Wait a moment and take a breath. The Standing Orders clearly state that no motion may be introduced during a member's speech. I explained earlier that Mr. Gourde had not stopped speaking. I asked Mr. Gourde to stop. It is the chair's duty to maintain decorum. I did not give Mr. Gourde the floor.

I do not acknowledge that this is a point of order. I therefore hand the floor back to Mr. Aubin.

Continue, Mr. Aubin.

Hon. Mauril Bélanger: Bravo, Mr. Chairman.

Mr. Robert Aubin: Thank you, Mr. Chairman.

I don't know whether you're still following me, but let's hope so. I'll continue:

"Open Government is about promoting a new way of viewing the role of government and the participation of citizens in it," says Yukon Ombudsman and Information and Privacy Commissioner, Tracy-Anne McPhee. "Knowing what kind of information Canadians want and making it proactively available is a fundamental feature of an open, democratic and transparent government."

We are talking about open and transparent government. It seems to me these two documents should be consistent with the motion before us, but that is clearly not the case. I continue:

The Open Government Resolution is the product of the annual meeting of Canada's Access to Information and Privacy Commissioners from federal, provincial and territorial jurisdictions across Canada, being held in Whitehorse, Yukon.

I remind you that that was written in 2010. That resolution has already been adopted and we as committee members have to study a motion that states: "That all Committee business of the Committee be conducted in camera."

I continue my reading of the document:

Around the world, many governments have recognized that providing better and free access to their information promotes citizen engagement, instils trust in government and ultimately results in a more open and responsive democratic government.

The resolution is available on the websites of the Office of the Information Commissioner of Canada and the Office of the Privacy Commissioner of Canada.

It is quite extraordinary that, in this process in which the government is trying by every means to involve citizens in political life and the development of their own country and destiny, it suddenly wants to exclude them from the discussion. It is not always debates, but even this morning things have been somewhat acrimonious in the past few minutes. Most of the time, we hold discussions around this table, and I do not see the entire point in conducting them in camera.

Out of a concern for transparency, I had the idea that we could consult the citizens of this country. I wondered how I would go about doing that. That obviously somewhat betrays my age. I am a bit of a dinosaur when it comes to information technology and social media. Although I did have to get involved in it to some extent in the last

election. I spend some time on Facebook and Twitter. They are media that I master, not completely, but I have managed to surround myself with staff members who do very well in that area as they are a few years younger than their employer.

The idea was therefore this: I wondered why not call upon those I have been talking about from the outset to ask them whether the cause I support and the fight I have been fighting in the past few minutes now is really what they also want. The idea is to ensure from time to time that what I believe is representative of the citizens who elected me and whom I represent, as well as the citizens that we all represent across the country. The idea is to determine whether this message can be expressed and whether citizens can have a say in the matter. I then had the idea of sending a brief letter that I would like to read to you and that you will find on my Facebook page. I unfortunately don't control the number of times this letter has been copied since it was submitted, but it seems to me the wording was good. It suggested he following:

For some time now, with my official opposition and third party colleagues, I have been engaged in a real marathon of indignation.

Obviously, the "marathon" concept here is stylistic flourish since I don't intend to run 42 km around the table as I speak.

● (1005)

I'll continue reading my letter:

The focus of this indignation: a tenacious and determined battle to prevent the Conservatives from voting an undemocratic motion. This motion would require "that all the work of the Committee be held behind closed doors."

I deliberately included the actual wording of the motion, knowing that, for the average citizen or a large majority of citizens, it will probably be difficult to know what the expression "Committee business of the Committee" means, but ultimately, the motion being what it is, let's not betray it.

I continue:

In other words, with the exception of listening to witnesses invited by the committee, all discussion on all subjects would always be done in secret. Therefore, the public and all Canadians would no longer be informed of the parties' positions on the issues being discussed. Another consequence, media would be denied public broadcasting of all our debates.

In our opinion, this is a serious encroachment, an attack even, on the freedom of speech of the parliamentarians who represent you, and on the foundation of our democratic system. This motion will be stopped when the opposition members have exhausted their right to speak or when the governing party withdraws its motion.

If you wish to support our action, you can personally participate in this marathon of indignation by sending me a letter expressing your own outrage regarding the Conservatives' act of force to muzzle us. [...]

Starting Thursday morning, February 9, 2012 at 8:45 a.m., I will take the floor and be ready to read your letters so that together we can try to make the Conservatives, who are multiplying infringements on freedom of speech and democracy, listen to reason.

Thank you for supporting us in this struggle.

I toss that out like a bottle into the sea, wondering whether I'm speaking on my own behalf or whether I am really representing citizens.

Mr. Dan Harris: You can send us your letter.

● (1010)

The Vice-Chair (Mr. Yvon Godin): Order, please.

Mr. Dan Harris: Pardon me, Mr. Chairman.

Mr. Robert Aubin: The letter is obviously available in both official languages. To my great surprise, barely a few hours after posting it, I believe, mid-afternoon yesterday, I received the first letter from a citizen which I am going to take the time to read to you. I believe it's important to make the voices of citizens heard in this debate. The letter, entitled "Ode to censorship", reads as follows:

As a proud Canadian citizen, proud of instilling in my children the values of democracy and freedom so dear to me, I was deeply disappointed to learn that the present government is once again disregarding the major principles so fundamental in enabling a democracy to remain sound and in good health.

The foundations of our democratic system have been undermined since this majority Conservative government came to power. Its intention to conduct proceedings in camera is merely the next logical step in a series of undemocratic measures taken by this party, which maintains a culture of secrecy and disinformation.

Our country is sick. Democracy quickly disintegrates when a government acts in opposition to the reasons why people have brought them to power. The people want to know; the people want to be able to react. And most of all, the people want to be able to raise their voice and to be heard by their political elites. However, the Conservative government is deaf to the demands made by the public; the Conservative government is blind to the point where it cannot see that the measures it takes fuel political cynicism.

Perhaps I am naive. Perhaps the Conservative government is actually not deaf, but that it only need make demands on the public, at least when it is not in an election campaign. Perhaps the Conservative government is not blind, but knows that, by fuelling a cynical attitude toward politics, it ensures that people will let it work in peace, that it can continue to do what it wants without any concern for the impact of its policies on the lives of people, of the men and women who every day work to build the Canada of tomorrow.

George Orwell's novel *1984* is prophetic. While it was initially written to denounce the excesses of the Stalinist regime, it is now clear that the topicality of his writings could soon apply to our times, in our country, Canada. In *1984*, Winston Smith, who works for the Ministry of Truth, lives in a country where secrecy and ignorance enable the government in power to control a subjugated and resigned populace. If we continue in the same direction, measures designed to keep everything secret will give way to others that will lead to a society [reserved] for a few initiates who will hold power, to the detriment of the population of Canada. I especially do not want to live in a country whose slogan would be: "War is Peace, Freedom is Slavery and Ignorance is Strength." I want the press to have access to information. I don't want to live in ignorance. Freedom is the opportunity to have access to decisions made by parliamentarians who work for those who elected them. Peace is the end result of a society that works together toward a better future and relies on the honesty of its political elites.

• (1015)

We are entitled to wonder about the Conservative government's habit of keeping what it does secret. Why should it want to control information to such a degree if what it is doing is in our interest? Why continually want to muzzle the opposition in the decision-making process? How many times have I heard the government loudly proclaim that it has received a clear majority mandate from the people? Then what does it do about the nearly 61% of registered voters who expect to be able to be [heard?]. Is this a dictatorship in which a single party controls political life? Perhaps you think I exaggerate in referring to dictatorship here, but the principle of control of information, thus facilitating effective propaganda, is the basis of any good dictatorial system. It is clear from the many cases of lying and disinformation by Conservative members that this government is not really concerned with the truth. Rather it is concerned with its own truth, the truth it can spread knowing that it alone has the true information.

Freedom of the press and an effective opposition result in healthy debate in a society that considers itself free and democratic. From what the government says, we are a model of democracy, to the point where we can even afford to preach to countries that do not grant freedom of speech. The Conservative government has even taken the liberty of involving Canada in conflicts against alleged thugs [states]. But tell me, are we really in any moral position to preach to any [state] whatever? Can we claim the right to freedom of expression around the world when, here in our own Canadian [Parliament], we as a society are witnessing acts that limit access to information and that thus also limit our ability to express ourselves? What moral weight do we carry in the world when our democratic

system is weakened day after day by unfair tactics used by the Conservative government to muzzle public opinion? We are living in troubled times, and I dare hope they will soon come to an end.

Let the Conservative government stop saying that it is effective and that it is making decisions that represent the majority; let it stop saying that it is acting in the interests of Canadians when it makes every effort to conceal its actions and the decisions it makes; let it stop concerning itself with the flag and the Queen and focus on the situation of Canadians; let it stop taking the public for an uneducated lot that [would understand] nothing in any case, even if it were informed; let it stop, above all, taking for granted the silence of voters who will wake up one day and see that the government has butchered the transparency of its public institutions. That moreover is why, through a member of Parliament, I am, in my own way, breaking the silence on what I believe is something unjust and dangerous for our democratic system.

On my own behalf and that of the members of my family, I ask the Conservative government to be more transparent so that all parliamentarians can do their job; I am asking the Conservative government to stop maintaining the cult of secrecy so that the press can inform the public; I am asking the Conservative government to open up [to the] 61% of the population that did not vote for it; I am asking the Conservative government to take action to protect our democratic system and to enable my daughters, among others, to live in a society where autocracy and propaganda are not central to the parliamentary system; lastly, I am asking the Conservative government to be transparent in its actions so as to preserve what little democracy we appear to have left...

And it is signed Jean-François Paré, whose address I will not disclose.

• (1020)

Mr. Dan Harris: Mr. Chairman?

The Vice-Chair (Mr. Yvon Godin): [Editor's Note: *Inaudible*] Yes, Mr. Harris?

Mr. Dan Harris: Pardon the interruption, but I would like to recall a point that I raised a few meetings ago. I would like some clarification on the subject of the signs that we have that do not acknowledge the fact that we have female members. This is a problem. There used to be only one case where the final *e* appeared, but now there are more. I'd like to know why.

I don't expect an immediate answer. I know that some research will have to be done on the subject. The fact remains that I believe this has the effect of not recognizing the current equality in this country.

The Vice-Chair (Mr. Yvon Godin): On that point, the old signs recognized both, and sometimes there was discrimination. Some had it, others not. So from what I understand, we have posted standard signs. These are now the signs we will have.

Mrs. Sadia Groguhé (Saint-Lambert, NDP): May I make a comment, Mr. Chairman?

The Vice-Chair (Mr. Yvon Godin): There used to be two kinds of signs: signs with the word "député", with a single *e* with an acute accent, and others with an *e* with an acute accent followed by a silent *e*. Then they were all removed and a standard sign was installed.

Mr. Jacques Gourde: Do the committee by-laws recognize the masculine as official? Is that written somewhere?

The Vice-Chair (Mr. Yvon Godin): I don't know whether it's written, but that is not a point of order.

Mrs. Sadia Groguhé: May I make a comment, Mr. Chairman?

The Vice-Chair (Mr. Yvon Godin): Is it a point of order?

●(1025)

Mrs. Sadia Groguhé: No.

The Vice-Chair (Mr. Yvon Godin): If it isn't a point of order, Mr. Aubin may continue his speech.

[Translation]

Mr. Robert Aubin: Thank you, Mr. Chairman.

News travels fast.

Mr. Bernard Trottier: Was that a point of order, or did you hand over the floor to Mr. Harris as—

I believe I'm going to work on my second language by reading the letters that citizens may be sending me from across the country.

The Vice-Chair (Mr. Yvon Godin): No, he raised a point of order.

Mr. Jacques Gourde: No, he never said that.

Mr. Bernard Trottier: I didn't hear those words.

Mr. Jacques Gourde: He never said "point of order".

The Vice-Chair (Mr. Yvon Godin): I asked him whether it was a point of order and he said yes.

So it's very simple. If you want to take part in the debate, if you want us to read your letters and disclose them to everyone or share your vision, write to Robert.Aubin@parl.gc.ca, and we'll be pleased to let you help continue this debate and especially make the government party understand that a motion such as the one that has been introduced is inadmissible, the one that states: "That all Committee business of the Committee be conducted in camera." Once we have found a solution to this difficult situation we are in, we will thank you for having taken part in the debate. For the moment, anyone who can say when this will stop is a wise individual indeed.

Mr. Jacques Gourde: No, no. We'll check the record.

The Vice-Chair (Mr. Yvon Godin): Go ahead, Mr. Aubin.

Mr. Dan Harris: I said it was a point of order.

Mr. Jacques Gourde: No, no.

Mr. Dan Harris: Yes, yes.

The Vice-Chair (Mr. Yvon Godin): Order, please.

So coming back to my initial subject, as you know, I addressed the concept of an open government and talked about the importance of transparency, which I myself wanted as a way of opening up debate to the citizens who are watching us, since we are fortunately meeting in public.

Continue, Mr. Aubin.

Mr. Robert Aubin: So I read that letter, which we received from a citizen whose address I will not disclose. I nevertheless asked people to establish their identity if they wrote me so that it would be clear they were not people from my office writing letters to enable me to use the committee's time.

I also asked myself the following question: the fact that, over the years, we have established such a large number of institutions—now we have to talk about institutions—on Parliament Hill to make information public, it seems to me that, here too, this must contradict the motion here before us.

This is a citizen of Bécancour, a town that is not in my constituency. If memory serves me, I would say that Bécancour is probably part of the riding of the dean of the House of Commons, Mr. Plamondon, who is a Bloc member.

Things are stepping up. Now Twitter is in the mix, and people feel like taking part in the defence of freedom of speech. I'll read you two tweets that have come in just now. Pardon my accent in English. I'm a real francophone and

[English]

I'll do my best.

[Translation]

This letter is from Nathan:

[English]

There is no place for secrecy. An open, transparent government is what the people deserve.

Yes, oppose the secrecy. Government is becoming more and more radical, dictatorial in its disregard for the common good.

If all the committees worked in camera, what would happen to the number of CPAC television viewers? We often tend to make jokes on CPAC and to say that no one is watching. I have to admit—and I apologize for this—that, before I was elected, I was probably thought the same thing. When I used the remote to look for something to watch in the evening, I found CPAC, but I rarely felt like continuing to watch it. I had a very big surprise last June, at the time of the systematic obstruction over the Canada Post dispute, which is still unresolved as far as I know. It even appears that a Federal Court judge refused to appoint an arbitrator because, once again, he was a unilingual anglophone. His decision, as wise as it might have been, could have been challenged simply because that institution is subject to the Official Languages Act. Someone could have claimed not to have clearly understood the judge. In short, this is a substantive problem.

However, that is not my point. Coming back to CPAC, during the Canada Post dispute, I realized the impact that television network had on the lives and political knowledge of the citizens of this country. I said that jokingly during the systematic obstruction. That was the second month in my life that I had ever worn a cellular telephone at my waist. I had always rejected that kind of virtual leash, saying that I had a telephone and an answering machine at home. I didn't believe there could be any situation so serious that it would require me to answer the phone on the bus, at the grocery store and so on. In short, I didn't have one and I said at the time that I had the feeling I was wearing a genuine vibrating massage belt. I'd obviously cut off the ringtone so as not to disrupt the debates. I wanted to have information coming in, but I didn't want to disrupt the proceedings of the House with it ringing. You can understand why. I put my cell phone on vibrate mode, and I had the feeling I was equipped with one of those old devices that simulated physical activity and that we were led to believe would make you lose weight by buckling on a vibrating belt that shook up the roll at your waist. Once again, I had the feeling of experiencing that same sensation of body vibration, with a distinctly more advanced technology.

• (1030)

In short, it didn't stop for the 59 hours that the systematic obstruction lasted. Five minutes didn't go by without e-mails coming in by BlackBerry from across Canada. In some cases, people told me to keep working, that they were proud of what we were doing, that they were behind us, whereas, in other cases, they called us foul names—and here I'm censoring a few words—and told us to stop immediately. I know some messages were entirely positive with regard to the vision I was defending, while others were totally opposed to it. The fact remains that, each time, democracy was being expressed in this country through my BlackBerry and Parliament.

Obviously, during the systematic obstruction, I had to select the e-mails that I passed on in the House. I figured that, in any case, copies of the most vindictive of them were probably sent to people belonging to the party opposite, who would be pleased to use them. I believe that's fair. That's the way democracy is. I'm entirely prepared to play the game as part of this debate. In fact, it's more than a game: it's a genuine reflection of democracy.

Coming to CPAC, because I consider it obviously important, every time we sit in camera, the message we send to the public, particularly all the members of the official language minority communities is this: we're sorry, ladies and gentlemen, we know that the subject being addressed by the Standing Committee on Official Languages concerns you directly, vitally so, and that it affects your interests, but at 4 o'clock in the morning, when these debates should be rebroadcast and you would like to tune in to that station to follow them, instead you get a news ticker stating that the committee's proceedings were unfortunately conducted in camera and that, consequently, you will not have access to relevant, first-hand information that concerns you directly.

So I went on to the CPAC site to try to gauge the nature of that channel, to determine how long it had been in existence and try to understand why it was being gagged. The channel belongs to the media network. Here's what I learned about CPAC:

Created by Cable for Canadians

CPAC, the Cable Public Affairs Channel, is Canada's only privately-owned, commercial-free, not-for-profit, bilingual licensed television service.

Do I need, once again, to review the quality of the syntax of the French here to emphasize that "unique" means "unique", as in "seule et unique"; that is to say that there are no others?

Created in 1992 by a consortium of cable companies to preserve an independent editorial voice for Canada's democratic process, [...]

It is nevertheless extraordinary to see everything I was able to find, in a few hours of research, on the importance of democratic processes in this country. Everyone talks about it.

[...] CPAC provides a window on Parliament, politics and public affairs in Canada and around the world.

Here I wasn't sure if that meant they were broadcasting the committee's proceedings around the world or that CPAC concerned itself with foreign affairs. That should be checked. My research isn't complete. Let's say that I very much fear it might start broadcasting in camera sessions around the world. That's not very dangerous, in that they would be broadcasting nothing, but the message sent will be public. People will say that nothing is available in Canada. That can't mean good press for anyone, regardless of the party you represent.

• (1035)

Since 1992, the cable industry has invested close to \$50 million in CPAC, [...]

When I see figures like \$50 million, I admit I am not the best financier in the world, but, for a citizen, that is a colossal amount of money. Perhaps it is not a large sum relative to the cable companies' budget, but we're nevertheless talking about \$50 million that would be invested for in camera meetings. That seems to me to be a lot of money, and if I were a broadcaster, I wouldn't be sure that I would invest as much money for such a little result.

[...] and today CPAC programming is delivered by cable, satellite and wireless distributors to over 10 million homes in Canada, and worldwide via 24/7 webcasting and podcasts available on this website.

I found my answer a few lines further on. I hadn't switched on the first time I read it. We're talking about 24 hours a day, Mr. Chairman, based on what you feel is easiest for you, podcasting, the Web or cable. That may be at home, on the bus or while you're training at the gym to retain your proverbial form. Consequently, you can receive information about Canadian politics 24 hours a day, in Canada and around the world, if you are on a business trip or with colleagues anywhere in the world. So you'll be able to tell the entire world that, here at home, everything is done in secret and that that's what we broadcast because the rest takes place in camera. That seems to be quite a problem to me.

Going back to the CPAC document:

CPAC is Canada's independent, commercial-free politics TV, providing around the clock programming focused exclusively on the people and processes shaping our country each day. From our broadcast centre two blocks south of Parliament Hill in downtown Ottawa, our experienced editorial staff [...]

Perhaps they'll become gagged journalists, but we hope matters don't reach that point.

[...] stay on top of events as they happen—and have direct access to the politicians making them happen.

Mr. Chairman, you have very definitely done a lot interviews on CPAC, given the experience you have in politics. I find it hard to imagine how a CPAC journalist could now call you to ask you whether you would be prepared to go into his studio to do an interview on the in camera content of the proceedings of the Standing Committee on Official Languages. It goes without saying that neither you, I or anyone else will now be able to take part in the work of CPAC journalists if we systematically go in camera for all the committee work of the committee.

I'll go back to the document, which refers to the result, the result, it has to be said, when things go well:

The result: insight and analysis that takes you far beyond the headlines, and compelling coverage of politics and events as they happen. When things turn political, Canadians turn to CPAC.

Long live CPAC, I feel like saying, but let's make sure, as parliamentarians, that we provide it with the material to keep the network going.

Since 1992, the cable industry has invested close to \$50 million in CPAC. [...] Canada's cable industry believes that unbiased and widespread access to the institutions, processes, individuals and events that shape Canadian public policy is a vital public service.

● (1040)

We have the money and the central issue that concerns us, which is to ensure that Canadians have access to impartial information of public interest. That's quite extraordinary. It would be even more extraordinary—it's ironic—to take away those services from a society that we want to be informed.

Who has access to ParlVU, CPAC's Web component, a Web broadcasting service? People are probably watching us on ParlVU as we speak and have been listening to me for the past few minutes. I hope they have heard my call to them to write to us and share their opinion with us on the motion that has been introduced to make all committee business of this committee secret. The expression "in camera" means "secret".

If you think, as we do, that we must rise up against this kind of motion and fight as long as necessary to preserve freedom of speech, I invite you to go to my Web page and to write to me directly at Robert.Aubin@parl.gc.ca. Believe me, I will be pleased to read your letters one after the other.

You'll also find me on my Facebook page, if you want us to become friends. It's not about a contest to have the largest number of

friends. However, that may be the best way to access the information on this issue. Go to Robert Aubin's Facebook page. There you'll find all the information, addresses and all the information you need to take part in this debate.

Going back to the issue of who can have access to ParlVU, ParlVU is a live Web broadcasting service through which all Canadians can access the audio and video broadcasts of events in the Parliament of Canada. Can the general public access ParlVU? The answer is yes. The Canadian public can access ParlVU from the Parliament website, the address of which is www.parl.gc.ca. There you will find the link you have to click to hear us live, minute by minute.

There is another instrument of transparency. We might have been content with CPAC or the Canadian government policy on open government, but the British parliamentary system is more precise than that. One of the oldest tools is the record of committee proceedings. Unfortunately, I will be occupying an important place in the record over the next few days. If all the meetings or all the committee business of the committee are conducted in camera, that will mean a very short record for the public. We have a substantive problem.

I have a few tweets coming in. I always find it hard to say that word because, back home, a "twit" is not really a bird. I'll correct my accent. Here's the message in question:

[English]

Government business should not be conducted in secret. What do they need to hide from Canadians?

[Translation]

I don't have the answer, but I thank you for asking the question. I've been looking for the answer for a number of minutes now. I'm trying as hard as I can to direct us toward potential answers that would make all the Conservative Party members aware of the inappropriate aspect—

● (1045)

The Vice-Chair (Mr. Yvon Godin): Mr. Aubin, I must interrupt you.

We will suspend until the next meeting, which will normally be held on Tuesday morning at 8:45.

The meeting is adjourned.

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