



CANADA

House of Commons Debates

VOLUME 135 • NUMBER 036 • 1st SESSION • 36th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Monday, November 24, 1997

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, November 24, 1997

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

CRIMINAL CODE

Mr. Jay Hill (Prince George—Peace River, Ref.) moved that Bill C-212, an act to amend the Criminal Code and the Young Offenders Act (capital punishment), be read the second time and referred to a committee.

He said: Madam Speaker, last week Gallup released the results of its most recent survey on Canadian support for the death penalty. According to that poll, if a national referendum were to be held today a full 63% of the Canadian public would vote in favour of reinstating capital punishment.

The Reform Party believes that on moral and contentious issues such as capital punishment Canadians should grapple with their own consciences and vote according to their personal convictions in a binding national referendum. We have called for a binding referendum on the death penalty but the government has said no. The government has told the people that it knows what is best for them and that they do not have the choice.

That is why I have introduced the bill. If the government will not hold a binding referendum at the time of the next federal election, I believe we should hold a true free vote in the House of Commons where all MPs can vote the views of their constituents rather than those of their political bosses or their own personal beliefs. That would be democracy.

The bill imposes a sentence of capital punishment on all adults found guilty of first degree murder. First degree murder occurs when a murder is planned and deliberate, when death occurs during a sexual assault or kidnapping, or when the victim is a police officer or a correctional officer. First degree murder is not an accident. It is cold, calculated and brutal.

To address the concerns people have about the finality of the death penalty important safeguards have been built into the legislation. There is an automatic right of appeal at the first level. Even if convicted people themselves do not appeal they are deemed to have appealed and the court will review the case on all questions of fact and law to determine if the conviction is valid.

All appeals are to be conducted in a timely fashion. If the jury and court are satisfied that overwhelming evidence shows someone is guilty beyond doubt there is no reason he or she should languish on death row for years. The sentence, if upheld, is to be carried out within a reasonable period of time. The death penalty is to be carried out by lethal injection. This is a more humane method of execution than hanging or electrocution. It ensures a quick and painless end and does not turn the culmination of a tragic chain of events begun by a brutal murder into a media and public circus.

People might ask why the bill is necessary. The death penalty should be reinstated for many reasons. First and foremost is that the state must protect society. In this debate we cannot forget the inevitable release of murderers. Between 1986 and 1995, 133 convicts released from prison for first and second degree murder returned to our communities and committed crimes again. These included 87 violent crimes and sex offences. They also included 10 murders. It is clear that our so-called rehabilitation programs are not working.

• (1110)

Two convicted murderers also escaped, only to murder again. How does one explain to the families of those victims that 12 murderers were given the opportunity to strike again? How could anyone possibly defend our justice system to the family of just one of these victims?

While there are 12 examples that I could use, I draw the attention of the House to one in particular. Four murders were committed in 1989 by Allan Legere who escaped from prison while serving a life sentence for the bloody beating death of an elderly shopkeeper in 1986. He escaped, only to murder four more law-abiding innocent Canadians.

I am certain that someone here today will raise the cases of Donald Marshall, Guy Paul Morin and David Milgaard. All three of these men spent years of their lives behind bars, convicted of crimes they did not commit. This is not something any Canadian is proud of. My hope is that their years of needless suffering and

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incarceration have taught us a grave lesson about how easily justice can be subverted. Their hard won battles have exposed problems in our system that we must be ever vigilant to avoid repeating.

When local police departments are under enormous public pressure to produce a guilty party, that is when we must scrutinize the evidence presented with an even more critical eye.

No one should be convicted of first degree murder and put to death based on circumstantial evidence. We now have much improved DNA technology. These high profile cases have alerted the public and the justice system to the possibility of overzealous police forces seeking speedy convictions.

David Milgaard was convicted of second degree murder so he never would have faced the death penalty in any case. Under the bill all evidence and facts would have been carefully re-examined in the convictions of Guy Paul Morin and Donald Marshall. They were recently exonerated on the basis of DNA evidence. If their trials had been held today they would have never been convicted. The DNA tests that proved them innocent could just as easily prove, beyond a shadow of a doubt, someone else's guilt.

We are entering the 21st century and our justice system should use the latest technology to determine the guilt or innocence of those charged.

Many people like to quote statistics, telling us that the murder rate has gone down since 1975. That was the peak year, at three murders per 100,000 Canadians. Why do they not take it from 1966 when the rate was less than half that, at 1.25 per 100,000? In 1996 the homicide rate was 2.11 per 100,000. Whether we measure it from 1966 or 1975 it is still far too many.

Another statistic is much more relevant to the debate today. I quote from a recent Canadian Centre for Justice Statistics publication known as *Juristat*. With respect to homicide it states that first degree murder as a proportion of all homicides rose steadily from 36% in 1978 to 57% in 1996. That means that in 1978, 238 people were charged with first degree murder. However, in 1996, 361 people were charged with first degree murder even though there were 28 fewer murders committed in 1996 than in 1978. Obviously something has changed if the proportion of planned and deliberate murders has increased by over 50% since capital punishment was abolished in 1976.

We should not consider the use of the death penalty out of hunger for vengeance but out of desire for justice. No act of vengeance can undo the harm done. No punishment can erase a victim's scars or bring back those who were murdered. The death penalty is not about vengeance. It is not the business of the state to exact punishment motivated by vengeance. It is the role of the state to mete out justice.

Capital punishment is about public safety. The only certain way to keep extremely dangerous individuals from harming again and again is to take away their opportunity to do so. Why is it wrong for society to take the life of someone who has knowingly violated our most fundamental laws and brutally slain a fellow human being?

• (1115)

In 1982 one-third of the 300 convicted murderers in Canada said they would prefer the death penalty over life in prison. In fact, in 1983 a convicted murderer in Saskatchewan formally requested the death penalty by lethal injection on the basis that his life sentence was cruel and unusual punishment. His request was denied by the court.

Some people believe we should just lock up murderers capable of the most heinous crimes for a few decades. Some of these people object to the death penalty strictly on moral grounds. That is their right and I believe they should be given the opportunity to voice that view in a referendum.

I take issue with those who object to the death penalty because they fear our justice system may have convicted an innocent person. What they are pointing out is not a problem with the death sentence, but a more fundamental problem with the ability of our justice system to determine the truth.

If you believe innocent people are being convicted, do not just object to the death penalty. It is equally wrong to keep an innocent person in jail for 10 or 20 years. Those who believe our justice system does not work have a moral obligation to reform it, to protect all innocent people, not just those facing a possible death penalty.

There is no question there are problems with our justice system. According to our laws, taking a human life is wrong. Somehow our system is seriously out of balance, and I refer specifically to the Latimer case.

Maybe people believe the second degree conviction of Tracy Latimer's father was warranted, but others believe it points to the need for different charges in the Criminal Code. I do not know whether the Minister of Justice is considering something like a mercy killing category, but if she is I strongly urge her to include a significant range of sentencing options to reflect all Canadians' moral convictions on this highly contentious issue.

Under the current system the sentencing judge has little latitude in sentencing Latimer. Some Canadians agree with this while others do not.

Let me bring another murder case to the attention of the House today. On Vancouver Island a man was murdered and his murderer walked. There was no public hue and cry to jail the perpetrator because the victim was apparently an undesirable person. Because

people did not seem to generally like the victim, they demanded little or no punishment for the criminal. That is not right.

Somehow I believe our justice system forgot that its role is to protect all citizens, even those we do not like. As a society we cannot let individuals take the law into their own hands. We must prevent vigilantism and have room for compassion for those who act out of mercy, not malice. The state should have the option of imposing the severest of penalties for the most heinous of crimes to protect the citizens.

There is no way to bring the victim back. The death penalty would not do that. But it will prevent the murderer from murdering again.

Paul Bernardo may not be getting out for a long time, but his accomplice will be getting out very soon. Clifford Olson may have failed in his bid for parole this summer, but eventually he too may be released into our streets, into the neighbourhoods where our children are at play.

Do you want people capable of rape, torture and murder living next to you? Do you want to take the chance with your children and grandchildren? When they get out, not if, do not count on them moving to someone else's neighbourhood.

The death penalty may not act as a deterrent for sick individuals bent on the destruction of other human beings, but if the death penalty does not deter them, neither does the prospect of imprisonment for 15, 20 or 25 years. Deterrence is not the issue. Seventy percent of Canadians who supported the death penalty in 1996 said they would still support it even if it was proven not to be a deterrent. Instead, the majority of Canadians believe that capital punishment is for the protection of society.

In summary, I believe the death penalty should be reinstated for those guilty of heinous first degree murders. This bill provides ample opportunity for appeals on the basis of fact and law with the option of commuting the sentence to life imprisonment. Capital punishment should be available to society to protect the citizens from those who have shown no remorse, no guilt and no possibility of redemption. The appeals process and the sentence are to be carried out in a timely fashion. Administering a lethal injection is more humane than hanging or electrocution and does not reduce the death sentence to a media spectacle.

I and the Reform Party believe that Canadian people should decide on whether they want to reinstate capital punishment in a binding national referendum, as I said earlier. Because the government has said no, as I also said earlier, the next best thing is a free vote in the House of Commons.

• (1120)

Sixty-three per cent of Canadians want the death penalty reinstated. It is the duty of members of this House to carry out the will

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of their constituents. Therefore, I would seek unanimous consent of the members present to make Bill C-212 votable.

An hon. member: Democracy denied as usual.

The Acting Speaker (Ms. Thibeault): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: No.

The Acting Speaker (Ms. Thibeault): Denied.

Mrs. Sue Barnes (London West, Lib.): Madam Speaker, I feel compelled to participate in this debate on Bill C-212 which was introduced by the hon. member for Prince George—Peace River.

Bill C-212 would reinstate the death penalty for first degree murder committed by a person 18 years of age or over. This bill would also provide for an increase in prison terms for first and second degree murder which can be imposed upon persons under the age of 18.

I would like first to address the issue of reinstatement of the death penalty.

Capital punishment was debated extensively in this House prior to the 1976 vote that abolished it more than 20 years ago. Capital punishment has been debated a few times since it was abolished, not only in Parliament, but elsewhere. The most extensive debate since the abolition of capital punishment took place in this House in 1987. I clearly remember that debate because, as a private citizen, it was the first time that I actually wrote to my MP to encourage him to vote against capital punishment.

The 1987 debate was on the then government of the day motion and that motion called upon the House of Commons to support in principle the reinstatement of capital punishment and to establish a special committee to provide recommendations on the offences which should carry the death penalty, and on the method or methods which should be used to carry out the sentence of death.

The question as I said earlier was debated at length. There was a free vote in this House. It seems that some people cannot understand that a free vote democratically given in Canada has been done and it was refused. Some people push the agenda all the time.

A majority of the members then voted against the motion and thus against the reinstatement of capital punishment in the Criminal Code. Since that vote, capital punishment has not been an issue of great national prominence.

Why are we asked to debate the reinstatement of capital punishment at this time? It is private members hour and a Reform member has brought it forward. Are there any new circumstances that require or seriously say that Parliament should re-examine this issue? Perhaps I would understand if there was a trend showing a significant increase in the homicide rate. This could institute a

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requirement that we should again debate this issue and would justify reopening this debate on the death penalty.

Surely the hon. member from Prince George—Peace River is not motivated by an increase in the homicide rate. In fact the rate for 1996 is the third lowest rate since 1975. The homicide rate was three per hundred thousand of population in 1975, the last year when capital punishment was in force for murder. In 1987 when this House held an extensive debate on a government motion for the reinstatement of capital punishment, the homicide rate was down to 2.4 per hundred thousand, which means a 20% decrease compared to 1975.

In 1995 the homicide rate had decreased further to 1.99. This represents a 33% reduction since 1975, the last year the death penalty was in force in this country. For 1996 the rate is 2.1.

I want to be clear. I do not underestimate, nor does anybody in this House, the crime of murder. Today we are all aware of yet another tragedy in Canada over the weekend. Every homicide is a tragedy and it raises questions about our society and raises questions for our society. Every homicide or murder must be punished with the most serious penalties and it is.

• (1125)

However, statistics do show us that the homicide rate was three per one hundred thousand of population when capital punishment was in force and it is down to around two per one hundred thousand now that capital punishment is no longer in our system, having been abolished, as I said, for over 20 years.

This decrease hardly supports the deterrent element of capital punishment. Not only has the homicide rate not increased with the abolition of the death penalty, it has actually decreased by one-third.

What these statistics mean is that there is no evidence that the death penalty is a useful tool to fight murders. If the death penalty is not an effective tool against homicides and murders, we should ask ourselves what useful purpose would be served by reinstating it.

I personally believe that the death penalty is an excessive means of achieving the objectives of sentencing. In recent years at least three well publicized cases have come to light which would cause one to pause and should cause this society to pause when considering the reinstatement of the death penalty: the wrongful murder convictions of Donald Marshall, Jr., Guy-Paul Morin and David Milgaard.

If capital punishment had been in effect, they may not have had a second chance at life. Capital punishment is final. There is no chance to correct the mistakes of the state, however well intentioned, however strongly we feel and however many inches of press

can be generated. This type of error is also tragic and it is totally preventable when we do not have capital punishment as part of our recourse in our justice system.

On practical grounds, these are reasons I personally oppose the death penalty. The onus is on those who would want to change the law in such a fundamental way to make a compelling case. For myself, I am not persuaded by the arguments I have just heard and those being made.

It is not only on practical grounds that I oppose the death penalty, but I also oppose it on moral grounds. The issue of capital punishment raises the question of how we see ourselves as a country and a people. The trend in the world, at least among western nations, is to abolish the death penalty. To return to capital punishment in Canada would be contrary to the international trend and I personally believe that supporting a return to the death penalty for murder would be a very regressive step, one that my hon. colleagues in the Reform Party seem to wish to embrace.

Do Canadians really believe that they would feel safer living in a society where capital punishment is meted out? In fact to be very crass, do they even believe that this would save tax dollars? Please look to what is going on with our neighbours to the south. Canadians will find some of those answers.

The hon. member's bill would also increase prison terms for murder for persons under the age of 18 years. I found it surprising that he did not address that, seeing as that is part of the bill, but I am going to comment. I would like to remind the hon. member that parole eligibility periods for youth convicted of murder were significantly increased as of December 1, 1995.

I would like to outline for the House the provisions that currently apply to young offenders who are found guilty of murder. A youth who is 14 years of age or over at the time of the commission of the offence of first degree murder or second degree murder may be transferred to adult court. If convicted of murder in adult court, the minimum sentence is life imprisonment.

Before December 1, 1995 a youth convicted of either first or second degree murder in adult court was subject to a prison term set by the court at between five and ten years inclusive. Since our government changed this law after December 1, 1995, the following provisions apply.

First, a 16 or 17 year old youth convicted of first degree murder must serve a term of at least 10 years in custody. A 16 or 17 year old youth convicted of second degree murder must serve a term of at least seven years in custody and a youth 14 or 15 years of age who is convicted of either first or second degree murder in adult court must serve a custody term of between five and seven years inclusive as set by the court. If not specified by the judge, then the person must serve a term of five years.

• (1130)

I want to go back to before December 1, 1995 when youths of any age convicted of first or second degree murder in youth court were subject to a maximum sentence of five years less a day which was composed of two parts. The maximum custodial period was three years and the maximum period for conditional supervision in the community was two years less a day.

It is unfortunate that I am out of time because I do have the facts that could be presented. Maybe one of my colleagues will finish this.

Right now I need to make the point that all youth convicted of first degree murder in youth court are subject to a maximum sentence of ten years which is comprised of a maximum of six years in custody and a maximum length of conditional supervision of four years. Youths convicted of second degree murder in youth court are subject to a maximum sentence of seven years which is composed of a maximum period of four years in custody and a period of conditional supervision which may not exceed three years.

It has only been two years since we have changed these rules. We have a justice committee looking at it. I am going to suggest that we let the Minister of Justice, who knows this is an important issue, deal with this as we have been doing all along. We take this seriously. In my submission, capital punishment plays no part in our just society.

Mr. Peter Mancini (Sydney—Victoria, NDP): Madam Speaker, I would first like to commend the mover of this piece of legislation for the work that has gone into it. I read his private member's bill today and it is clear that a considerable amount of effort has gone into drafting the legislation. I commend him for that but, and I am sure this will come as no surprise to him, I disagree with the contents of the legislation and the thrust of the private member's bill to reinstate capital punishment in this country and, as my hon. colleague just mentioned, to require life imprisonment for certain young offenders charged and convicted of first degree murder.

In the introduction and debate of this piece of legislation, I find it interesting that the hon. member said that this is not about vengeance. He indicated that vengeance plays no part in seeking the death penalty. He went on to say that it was not about deterrence. My hon. colleague, who spoke prior to me, indicated that the statistics are there and there is no evidence that capital punishment acts as a deterrent to murderers.

Therefore, if it is not about vengeance or deterrence, what is the purpose of the legislation? The mover says it is about safety. I presume what he means is that if we take a person who is convicted of first degree murder and execute them they are not going to commit murder a second time. The reality is that in this country we have life imprisonment. The reality is that the Paul Bernardos and

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Clifford Olsons, who are talked about by the mover of this bill, will not be released from prison. The purpose of prison is safety. If we can achieve the purpose of safety through prison then what is the point of execution? If we can achieve safety in a more humane and civilized way then surely the hon. member will agree, if vengeance is not part of the issue, and if safety can be achieved in another way, that is the way we should proceed.

An hon. member: Don't count on it.

Mr. Peter Mancini: I am not. That being said, consequently there is no necessary rationale for the legislation that has been brought into the House today. I submit we can achieve safety in a better way and as a better society. If we went to Canadians and said that the people who are convicted of first degree murder in the most heinous circumstances will not be released from prison unless they avail themselves of Canadians' will to release them through an application under the faint hope clause, Canadians would say fine, if safety is the issue and we know we are safe.

• (1135)

As I have indicated, I think the rationale is then gone for the piece of legislation.

My hon colleague, the mover of this bill, and I think there were some members of his party who heckled the member from the Liberal Party who spoke, said the reason we are having this debate is public opinion, the reason that we are reintroducing this whole issue, even though it has been debated not once but twice in this House, is that 63% according to Gallup want us to talk about this issue and want capital punishment.

I ask him, then, if public opinion is the rationale, will he put a caveat into his legislation and say we want the death penalty but we are going to review it as public opinion shifts? Perhaps in three years if 55% of the Canadian population according to some poll says we do not want capital punishment, we will reintroduce the legislation—

An hon. member: It never happened.

Mr. Peter Mancini: The hon. mover says that it has never happened. I guess what we are going to do is leave this to a public relations campaign between the victims rights groups perhaps on one hand and the council of churches on the other, the victims rights groups perhaps saying they want the death penalty and the council of churches saying it does not. Who can ever engage Canadians and win their support for the day, we will change the law accordingly.

An hon. member: Public opinion.

Mr. Peter Mancini: Exactly. Let us change each piece of legislation every year, depending on whether or not certain groups can present their case on television and in the media and gain the most public opinion.

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Those people who were put to death between let us say 1997 and the year 2000 when the legislation might come up for review, well, they were on the wrong side of public opinion for three years. We will change it again in 2000 and we will not have the death penalty.

Maybe in 2010 we will change it again and those people between 2000 and 2010, good for them, they won the lottery. They did all right. Those after will suffer.

We are allowing the Gallup poll to determine legislation in Parliament where I believe we have been elected to represent our constituents' interests but also to lead this country into the next millennium.

That is our purpose and I think that is what we have to do. We now know there is no rationale for the piece of legislation. We now know it is being led by public opinion and that is the purpose of it, I suppose, to gain some points in another Gallup poll.

It would be Reform justice, I suppose. We know that jurors can err but I raise another point and I think it is an important point. In many states in America, our neighbours to the south, there is capital punishment.

The reality of what happens in study after study is that juries are reluctant to convict if they know the death penalty is what awaits the accused.

The mover of this legislation has talked about the Latimer case and it is interesting to note that jurors who convicted Mr. Latimer interviewed later on, and this is no secret, it was used by his defence council, indicated that had they known that the minimum sentence was 10 years, they would have entered a verdict of not guilty.

If we accept the statistics of my hon. friend, and I am not sure I do, let us suppose that 40% of Canadians on moral grounds opposed the death penalty, if they sit on the jury and cannot morally accede to the death penalty if it is law, they are left with no choice but to acquit.

I ask the mover of this legislation to think about that very carefully because it is a very real consequence in states where there is a death penalty.

The other side of this in reality is the frustration in the legal system. The bill makes provision for a mandatory appeal. It is a very American piece of legislation. I think we have to say that what we are doing here is free trade on certain kinds of justice issues.

We are importing American legislation into this country, into a judicial system and a court structured system that is British in nature. Let us be clear. We are trying to put a round peg into a square hole here and it is not going to fit.

• (1140)

If we do look to the American states where this type of legislation is in place, we see case after case where the appeals are

dragged out for years. It is a fight for someone's life. Make no mistake, there are organizations in this country that would find funding to continue appeal after appeal, to look for clemency to move on.

I think we have to look at the reality of this. It is nice and easy to say this solves the problem, we are going to have an execution after we seek leave to appeal.

Since I have one minute left, I will try to wrap up. Like my colleague, there is so much to say on this issue that I could speak for a fairly long period of time. However, let me say that I find it absolutely contradictory and somewhat upsetting that the mover of this legislation would say that we are in favour of this and that we are going to do it nice and clean, in a way that nobody is really bothered, it will not be a public spectacle.

To those in favour of capital punishment, I say bring the accused into this Chamber, execute him here, watch him foul himself in this House, eye to eye, and then let them tell me that they are in favour.

I have not touched on the young offender areas of the bill, nor have I touched on an interesting little section that requires the body of the person who has been executed to be buried within the prison. And my friend says that this is not couched in vengeance. So much for Christian mercy.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Madam Speaker, I am pleased to speak on this bill put forward by the Reform Party.

There is nothing surprising about this bill, considering that the Reform Party had tabled a bill during the 35th Parliament—

[English]

Mr. Jay Hill (Prince George—Peace River, Ref.): Madam Speaker, on a point of order. This bill is not a Reform bill. This is my bill, the member for Prince George—Peace River, a private member's motion. Private members' motions and bills do not come from a party.

[Translation]

The Acting Speaker (Ms. Thibeault): Resuming debate.

Mr. Michel Bellehumeur: Madam Speaker, the hon. member from the West may be ashamed of his party. Indeed, this is a private member's bill. Some of us are capable of making that distinction.

That said, during the 35th Parliament another hon. member from the Reform Party tabled a bill proposing a referendum on the death penalty. It will be recalled that there was a debate in this House. Outside of the Reform members, hon. members voted without exception against that bill. I would remind the hon. member that the bill in question was C-261. The Reform MPs were in favour of the bill, while all the rest of the House was against it.

Today—

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[English]

Mr. Ted White (North Vancouver, Ref.): Madam Speaker, on a point of order. In the 35th Parliament the bill which was just mentioned by the hon. member was my bill. It was not a Reform bill. It was a private member's bill. The member needs to get his facts straight. Reform policy is not quite the same as what is coming forward in these bills. So he needs to get his facts right. I do not mind if he criticizes private members' bills, but do not attach those directly to the party.

[Translation]

The Acting Speaker (Ms. Thibeault): Resuming debate.

Mr. Michel Bellehumeur: Madam Speaker, things are not going well for the Reform Party, because a second member has just dissociated himself from the party. Things are not going well. There are another four or five who may do the same.

That said, the bill put forward by the member for Prince George—Peace River has two parts to it. The aim of the first is to reinstate capital punishment and that of the second is to ensure the maximum prison sentence for offenders, people who have committed serious crimes. The crime is no less serious, but people under 18 years of age who have committed first degree murder, for example, would serve a life sentence.

● (1145)

They are amending the Criminal Code by replacing section 235 of the Criminal Code—and I think it important every word of this bill be understood—with the following:

Every one who commits first degree murder is guilty of an indictable offence and shall be sentenced

(a) to death, where the person was eighteen years of age or more at the time of the commission of the offence; or

(b) to imprisonment for life where the person was under the age of eighteen at the time of the commission of the offence.

As we can see, there are two elements to be amended, namely, the Criminal Code with respect to capital punishment and the Young Offenders Act.

In the case of the Criminal Code, all of us in this House know that there was a big debate on the subject in 1975-76, when Canada still had capital punishment. They wanted to amend it. There was a moral debate, with the church involved, a political and a social debate. I think there was a very important debate in 1975-76 on that. A compromise was reached, because they abolished capital punishment. The compromise was life imprisonment, with the possibility of parole after 25 years. It was perhaps not the best

formula, but it was the most accurate representation of the will of the people at the time.

You have to understand that people, that a society, that a country can change. Maybe not the Reform Party, but everyone else. Today we do not think exactly the same way we did 25, 30 or 40 years ago. I think it is normal in a free and democratic society to deal with this, especially since with the help of experts and the people involved, we can review much more objectively the whole situation, which is rather unpleasant, I must admit. There is nothing pleasant about first degree murder. When we read the newspapers, there is nothing pleasant there neither, but I believe that in a society like ours, we had to get to the bottom of this. That is what we did during those years and we arrived at a rather satisfactory formula.

However, we improved it over the years. Recently, I think we solved still other problems by amending the Criminal Code so an individual can be declared a dangerous offender and denied the possibility of parole. Perhaps there will be further improvements over the years, but it surely will not be by going to extremes, as the Reform member wants to do this morning with Bill C-212, and by imposing capital punishment for first degree murder.

I would like to read to you some of the objectives we have here. Why did we go from capital punishment to the system we have today? France and other European countries had the same social debate we had here and finally adopted legislation resembling Canada's.

The judge should base his sentence on the objective and subjective seriousness of the offense so that the sentence is fair and in line with the offense and the offender. He should think about the objectives to be achieved by imposing a sentence. The sentence should be a deterrent for the accused and set an example for the people in the community, the region and even, in some cases, the province. But the sentence should also consider the actual or potential rehabilitation of the offender. The objectives that the judge has to consider are the following: the protection of society, retribution, deterrence, example, and the social rehabilitation of the offender and his protection against other sanctions. Considering all this, I believe that the present system strikes a balance and, as I was saying earlier, further improvements can always be made.

Another reason to oppose this bill—and I am saying this on a personal basis today, but also, knowing rather well my colleagues from the Bloc Québécois, I believe there are a number of them that agree with me—is the possibility of an error in the judicial system. This is an extremely important reason and I think that even though our judicial system has proven itself, it is not infallible. No one in this House is infallible either. No judge is infallible, and I think there may be cases where individuals are found guilty who are not really guilty.

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• (1150)

In Canada, we have seen people spend 5, 10 or 15 years in jail who were later found to have been unfairly convicted and who were released after their files were reopened and a new investigation was conducted.

I know that with the progress made in the medical field and in other fields, we can make the judicial system better or try to reduce the risk of mistakes being made, and I am referring here to deoxyribonucleic acid analysis, better known as DNA analysis. Such analyses may be used to link a given individual to a murder based on evidence found on the scene of the crime.

But even the best techniques will not prevent mistakes from being made and individuals from being convicted of murder in the first degree. If this House passed the hon. member's bill, these people would be executed, when it may be found ten years down the road that they were not guilty of the crimes they were accused of.

Also, before taking a stand on this bill, I did what I had done before taking a stand on the bill introduced by my Reform colleague during the 35th Parliament: I read what had been written about it and checked what the experts had said. Criminal lawyers are not unanimous, but the vast majority of them, including Gisèle Côté-Harper, Antoine Manganas and Jean Turgeon, say that capital punishment does not have a deterrent effect in the case of first degree murder.

To conclude, as far as young offenders are concerned, the proposed amendment to the Young Offenders Act would completely upset the balance of this legislation. For these additional reasons, I am opposed to the hon. member's bill.

[*English*]

Mr. Ted White (North Vancouver, Ref.): Madam Speaker, I have listened with interest to the debate this morning. During the last Parliament, as I mentioned earlier, I put forward a bill which requested, consistent with Reform policy, a binding referendum on this issue. It requested a binding referendum of the public, which has in polls, as other members have mentioned, consistently voted 65% or higher for the past 30 years in favour of the death penalty being reinstated. That is one thing which has not changed with time.

An hon. member mentioned how times have changed and how issues have changed but the fact is that public opinion on this issue has not changed. What that tells us is that this place, where members have free votes and vote opposite the will of the people, is out of step with the people, or the people are out of step with Parliament. It is one of the two. We have to do something to bring those two positions more closely together.

One obvious way to do it is to involve the public in a referendum. There would be extensive public debate. Everybody would have the opportunity to put forward their point of view. In the end the community would make the decision about how it wants the country to run.

An hon. member grossly exaggerated about the way referenda work, saying we would be into referenda every year, that every five minutes there would be a referendum. That is a lot of rubbish. I would challenge that member to point to a place anywhere in the world where referenda are common and where that happens.

Even Switzerland which has numerous referenda per month in the cantons simply does not get into the silly nonsense which the member mentioned of constantly revisiting issues. Certainly they revisit issues but the timeframe tends to be a lot longer. Several years is not uncommon for a change in attitudes to alter something which needs to be brought forward in a referendum. The fact is that a referendum is a very good tool for getting public opinion. There is a decent length of time to discuss the issue.

• (1155)

At the moment it certainly looks as if the public would vote for the return of capital punishment. In discussions with my own constituents, because the majority of people in my riding favour its return, I have asked them what sort of checks and balances they would put in place if they were to vote to have capital punishment returned. What checks and balances would they have to avoid accidentally giving the death penalty to somebody who was innocent?

The most common suggestion I had is a good one. It is that the jury which listens to the murder case has the opportunity to weigh all the evidence, to hear all of the circumstances behind the murder. If the death penalty were to be returned the suggestion would be that the jury have the power to recommend to the judge the death penalty. It would not be automatic. It would be a recommendation of the jury. That overcomes one of the problems which was identified by one of the members where juries are afraid to convict people on that basis.

This suggestion was given to me by one of my constituents. If we are ever faced with this situation we may get into that dialogue. If a jury was to have the power to recommend that sort of thing, then the judge is the final check and balance in accepting or rejecting the recommendation.

I realize the bill before us today does not make provision for that. If we were into a referendum type situation a lot of these suggestions would come forward. It is important to remember that.

Another member mentioned that the trend was away from capital punishment. In the United States, which is our closest neighbour, more and more states have been reintroducing capital punishment. There is a growing desire for zero tolerance on crime in many of

the United States. Crime authorities are coming down harder and harder on crime and it is working.

For example, in New York City the police commissioner, who is an elected official in the United States, some years ago decided he would take a zero tolerance policy with respect to youth crime and general crime in the subways. He ordered the police to arrest people even if they so much as spit on the sidewalk or put up a bit of graffiti. Within a very few months that zero tolerance sent a message to the drug dealers, the murderers, the rapists that crime would not be tolerated and crime dropped dramatically on the New York subways.

As a result that police commissioner was elected to become the mayor of the city. He introduced much tougher crime control and the murder rate dropped something like 35% in about six months. There was a program on television about this recently. A woman who lived in one of the black ghettos said that in her entire lifetime of 30 years she had never had a day when there were not gunshots fired until that mayor was elected and had a zero tolerance on crime and started to clean up the way society was operating.

There is a desire in society to get control of these criminal elements. I look at youth crime in my area where graffiti is rampant. I have been in Canada since 1979. In Vancouver graffiti was almost unknown then. When I came to Ottawa in 1993 there was hardly any graffiti. Now this whole town is covered in it. My riding is covered in it.

If we had the same zero tolerance approach to things like youth crime, we would be in a much better situation today than we are. This bill represents a desire by the public to see their government, which is us, recognize their concerns and get back to zero tolerance of these crimes. If we do not step down hard on things like graffiti, then we will naturally have to accept all sorts of serious crimes. We saw on the weekend in Victoria where a 14 year old girl was murdered by a group of her peers. We have to get the message across that we are not prepared to accept this type of crime.

• (1200)

Despite what some members have claimed there has been very consistent public opinion on the issue. They want to see us return capital punishment to the law books. The fact remains that this place is out of step with those people and that members who stand and arrogantly say they will defy the will of their constituents are doing them no service whatsoever.

Mr. Jay Hill (Prince George—Peace River, Ref.): Madam Speaker, as always, even if it was somewhat abbreviated the issue does end up producing quite a lively debate, as I am sure the people at home have noticed with some of the heckling back and forth across the Chamber during the debate.

Private Members' Business

In the short five minutes that I am given by the process to sum up, I would like to try to make as many points as possible to rebut some of what was said by the other representatives of the parties.

First, it is key to note that the hon. member for London West, as well as others, denied the ability to put this very important issue to a vote. In other words justice denied has been justice denied once more in the House. It is my position and the position of a lot of people in the Reform Party of Canada that all Private Members' Business should be put to a vote whether it is a private member's bill or motion.

Second, I call the attention of the viewing public, or anyone who wants to follow the debate and do a little research on it, to the fact that the comments made by the hon. member for London West almost followed word by word the comments made by one of her former colleagues, Mr. Gordon Kirkby, who at the time was the parliamentary secretary to the minister of justice, as reported in *Hansard* of May 14, 1996, for anyone who would care to look up the speech.

An hon. member: What happened to him?

Mr. Jay Hill: What happened to him? Exactly. He was not re-elected in Prince Albert. I am not saying that his position on capital punishment had anything to do with it, but it may have had a lot to do with the fact that he was viewed by the majority of constituents as not representing their wishes in parliament. That might have had a lot to do with it.

In reply to the hon. member for the NDP, he made some statement to the effect that if we could achieve public safety without capital punishment then why put in capital punishment. I would ask him to ask those 12 families who lost loved ones between the years 1986 and 1995 because murderers were released, and in one case escaped, and murdered again. That is not public safety. I would like the hon. member to remember that when he says that some of these animals—and that is what I call them—will never ever be released from prison. Obviously some of them are released because they are repeat offenders.

In reply to the hon. member of the Bloc Quebecois, it is unfortunate that one of my colleagues and I found it necessary to rise on points of order during his intervention. I do not like to see that happen during debate on Private Members' Business, but his comments clearly indicate that the Bloc Quebecois has no clue as to what Private Members' Business is all about.

Quite simply Private Members' Business, whether a motion or a bill, is for the private member. That is why those that are deemed votable are put to a supposed free vote in the House of Commons. It is not supposed to be along party lines. Therefore the member's comments about the fact that we wanted to dissociate ourselves from the Reform Party is simply not true. I am trying to represent my constituents, and even though it is not Reform Party policy I am bringing it forward.

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I notice that I have but one minute left. It is such a short period of time to debate such an important issue. Speakers from all parties said likewise. It is unfortunate that we did not have more time, more than just one short hour, to debate an issue supported by such a great number of Canadians. As was clearly said the actual support for reinstatement of capital punishment is increasing after it dipped. In reply to the statement made by the NDP, it has never fallen below 50% that the Canadian people speak consistently in favour of reinstating capital punishment.

• (1205)

My final point is that if the majority of the members of Parliament do not have the courage to represent their constituents and reinstate the death penalty for first degree murder, I would certainly support the position recently articulated by Stockwell Day of Alberta. Let us release these animals into the prison population and let them take care of the justice.

The Acting Speaker (Ms. Thibeault): The time provided for the consideration of Private Members' Business has now expired and the order is dropped from the order paper.

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[English]

ANTI-PERSONNEL MINES CONVENTION IMPLEMENTATION ACT

Mr. Peter Adams: Madam Speaker, I rise on a point of order. I believe you would find unanimous consent for the order that, after second reading, Bill C-22 will be referred to a committee of the whole, that the House shall be permitted to consider all stages of the bill in this sitting and that, if the bill has not been disposed of at the ordinary time of adjournment, it shall continue to sit until it does dispose of the bill. There is also agreement that if the House does sit after 6.30 p.m., no quorum calls or dilatory motions shall be received.

The Acting Speaker (Ms. Thibeault): Is it agreed?

Some hon. members: Agreed.

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.) moved that Bill C-22, an act to implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their destruction, be read the second time and, by unanimous consent, referred to committee of the whole.

He said: Madam Speaker, I am very happy this morning to join with members of Parliament in commenting on the second reading of a law which would put in place the convention banning the use of anti-personnel land mines.

[Translation]

First of all, I wish to thank all members of the House for co-operating in the speedy passage of this bill. I would like to emphasize that all political parties are prepared to work together to pass this bill today.

This, to me, says much about the Parliament of Canada. Each day, our views on taxes, the environment, the Constitution and so forth may differ widely, but when it comes to debating a bill to save children and help innocent victims, we can work together. This is an important message to Canadians and an appeal to parliamentarians the world over to move swiftly to eliminate anti-personnel mines.

[English]

The debate today is a very important one, as we understand it, that unites all parties and through uniting all parties brings the country together in a very important statement to people around the world that we are prepared to take action which will work quite literally, without exception, save the lives of thousands of people on an annual basis.

Over the last several years members on both sides have expressed themselves very eloquently and very forcefully on the matter. I see in the Chamber today a number of members who have personally taken on the cause and have worked actively to pursue it.

• (1210)

It is important that we act together as a parliament to demonstrate that we are in a good position when countries come to Ottawa next week to sign the treaty. The Prime Minister can be the first to turn over to the UN secretary general a ratification and begin the second part of the process. It will not just be the signature but the actual ratification. Within a matter of a few short months a basic minimum of 40 countries will have ratified the treaty, at which point it will become a binding international law requiring signatory countries to live up to its conditions.

This movement has an interesting history. It began with the enormous expression of will among thousands of individuals around the world. It is a prime example of the new face and fact of international politics. It is no longer just governments that make decisions. It is what I have called the global commons, the new democracy of the international arena where NGOs, civil organiza-

tions and individuals are united together through the power of the new systems of telecommunications and information banded together over the years to draw to the attention of governments what a scourge this weapon is and how malicious it is in its application.

I have seen nothing in my personal experience that more aptly demonstrates the evil that works in the minds of men than what I saw in Lebanon a week ago. I visited young children in a hospital in southern Lebanon who had been maimed and handicapped by mines that were shaped in the form of toys. The mines were not designed for military purposes but clearly to entice young children to pick them up. The mere heat of their hands would detonate them and they would lose a limb such as an arm.

We are in a position today to take a stand against that kind of human malevolence. We called together for a meeting 13 months ago in Ottawa like-minded countries and NGOs to see what we could do to take advantage of the mobilization of public opinion around the world and to take advantage of the extraordinary effort of NGOs.

It became clear the conventional pathways would not work. The normal corridors of disarmament discussion were becoming cul-de-sacs. They were closed off to any meaningful approval. At that point we challenged the countries of the world to come to Ottawa a year later to sign a treaty. In the first instance, if one had gauged the reaction, it was more scepticism and sometimes outright scoffing that any such thing could happen. It was just not the way things were done.

The proof is that next week we expect over 100 countries to be in Ottawa to sign the treaty. It shows a new sense of public participation in developing significant initiative in the international arena. It is now one of the most powerful, important and significant developments of our time.

It is a great commentary and tribute to members of Parliament and their work in various parliamentary associations around the world. I recall resolutions being passed by groups like the IPU, the NATO assembly, and others. Members have also played their own part in mobilizing that effort. In some cases the onus has clearly moved on to parliamentary systems around the world. It is now clearly within parliaments that ratification must take place.

It is important to point out that what was dubbed the Ottawa process is not simply a signature on a piece of paper. It is not simply the fact of the treaty. It is the fact that countries will be coming here not only to indicate their adherence to the new convention but to become actively involved in discussing how we can make it work. What we can now call the Ottawa process II is designed to bring countries together, to mobilize resources for de-mining and to use the effort that went into placing mines to now removing them.

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There are 110 million land mines around the world, 600 to 800 casualties a month, and 80% of the victims are civilian, children and other innocents.

• (1215)

Again, if I can just use a personal moment of when I was in the Golan Heights last week. Our own peacekeepers, Canadians, along with Austrians and Japanese were required to undertake their duties in an unmarked area land mass so that each step was a potential disaster.

Only about a week before I arrived, a young Austrian soldier lost his leg. Here was a prime example of how the weapons themselves are not just a threat to fire up lands but in fact pose a danger to our own Canadian peacekeepers around the world.

This is why our own army and our armed forces have taken such an active role in places like Cambodia and Bosnia to try to eliminate the land mines.

I think members of the foreign affairs committee who have just returned from Bosnia can speak for the fact themselves that that country, as real as it is with land mines, its ability to redevelop, to recreate some economic life and substance is substantially hindered because of the threat and fear that the next step may be one's last. Who will go and plant a new crop when the plough may hit a land mine and end forever the life or certainly maim the individual?

The two purposes of the Ottawa meeting are to bring countries to sign the treaty and also to mobilize money, skill, commitment and engagement so that around the world they can engage in the massive test of taking mines out of the ground, of helping to rehabilitate the victims, not just to replace their limbs but also to help them restore a healthier view of life.

Nothing can be more traumatic for a young child who has been maimed by a land mine, to restore a sense of some confidence that the world is still a humane place and that the adult world still believes in them, and also to help the countries which have been marred and scarred by land mines to begin the slow process of redevelopment. That will not happen overnight.

That will take years but we can use the meetings in Ottawa next week to be the catalyst, to start that process and to begin to engage the commitment and the resources of countries around the world to begin the massive task of taking out land mines.

Some have said, and there are always comments and critics, that the land mine treaty does not include some of the big players, the United States, China, India, but it is important to note that it is already having its impact.

China has declared a moratorium on exports as has the United States. The Prime Minister, in his talks with President Yeltsin in

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Russia, confirmed that they would continue to provide a moratorium and may be prepared to come to sign.

It is interesting that even countries that are still in some ways in a state of conflict, Syria and Israel, have committed to come to the conference itself to begin exploring how they can become part of the broad movement to eliminate the world from land mines.

I am not expecting miracles. I do not expect conversions on the road to Damascus, but they will be here. They will be part of the conversation. They will be part of the discussions.

Again, I would encourage colleagues in the House who will have opportunities to meet with these delegates and talk to them, to begin to look and to explore how we can work together with many of these countries to undertake projects in which we can help de-mine the Golan Heights or to eliminate the sources of conflict in Cyprus or wherever the case may be, where the mines themselves have become part of the problem.

It is also true to say that a lot of work will have to be done in the area of developing more effective technologies to get rid of land mines. Nothing is more primitive to me than watching a de-mining activity where trained people are literally out on the fields with a steel rod probing the ground in the hope that that prod will not hit the trigger and detonate the mine and then have to go through the painstaking exercise of slowly clearing the mines.

I do believe that there is, in the sense of our own technical excellence in countries around the world, the capacity and the will to develop new needs by which we can begin to eliminate these mines and to begin to help the countries affected by them.

I will give one example that struck me as absolutely astounding. I think it is probably a well known fact that there is a new book out called *Aftermath* that talks about the consequences of war and what happens to it.

France, one of the most sophisticated, civilized countries in the world, 75 years after the first world war, is still engaged in an active campaign of de-mining 16 million hectares of some of the most fertile land in France that is still polluted by the munitions left over after the first world war.

Lives are lost every year in de-mining activities 75 years later. Think of what it must mean if that is the problem that France has. What does it mean in Angola or Cambodia or Nicaragua where there are not nearly the resources or the capacity to make that kind of effort? We have an opportunity at the meetings that will take place in Ottawa next week to remind countries that a treaty is really the first step. The next step is to make the treaty come to life, to give it meaning, to give it the tools and the resources needed to make it work.

• (1220)

The bill before members today is a way of ensuring that under the laws of Canada we are in a position to fully implement the treaty. Bill C-22 does several important things.

First, it bans the production, use, storage and transfer of anti-personnel mines in Canada. It requires the destruction of all anti-personnel mines, except for training purposes. It outlines provisions for the verification measures that the convention provides to ensure compliance with the provisions of the convention.

Bill C-22 also criminalizes in Canadian law activities prohibited under the convention. We have appended a text of the convention to the bill. It demonstrates the integral relationship between Bill C-22 and the treaty that we are sponsoring next week in Ottawa.

The legislation proposed was prepared in a short timeframe. In reviewing it further we thought it important to address some charter concerns. In this context, we will be introducing an amendment to subsection 11.2 which provides charter safeguards to persons who are requested to provide information to the government concerning the acquisition or possession of land mines.

In this respect, the bill addresses potential charter concerns where appropriate warrants must be secured if fact finding missions wish to gain access to private facilities or residences. That way, once again we can use the protection of our courts as prescribed under our Criminal Code to ensure that there will be no abuse under the human rights provision.

The bill and the convention differ slightly in some respects. The definition of mine and anti-personnel mine have been altered to make it more precise under Canadian law, not in any way to weaken it, but in fact to strengthen it so that any interpretation by the courts would be more clear and more effective. In fact, these definitions are even stronger than those that are contained in the convention itself.

The bill also includes provisions exempting properly de-activated mines that might be used, for example, museum displays or kept as souvenirs. It also exempts Canadian force members or peace officers, or appropriate officials who may need to temporarily possess anti-personnel mines in the context of their duties, for example, when delivering them for destruction.

At home the legislation gives us the legal basis for ensuring that Canada can remain mine free for all time. By legislating this bill into law, we formalize our commitment to stay out of the anti-personnel mine business forever. It means that we can send a message to all other countries of the same kind. We can set a real example by being the first to ratify. This will speed the process of getting the other 39 countries that are needed to bring the convention into binding force.

The clock can start counting down today as we pass the bill which sets a measure and standard for all other countries to follow.

The process can begin here in this Chamber. I do not use the words lightly, but I do think this is a defining moment for this country, for the House of Commons and for the Parliament of Canada that we can once again take a major step of leadership. We have an opportunity to demonstrate our dedication to peace and to the elimination of suffering and to the welfare of children in mine affected countries.

I call on all members of the House to join me in supporting Bill C-22, as they have in the past, as all members of Parliament of all parties have given their co-operation, involvement and in many cases their passion and engagement.

It is interesting that the most effective and eloquent way of explaining the purpose and what we are doing comes not from long experienced parliamentarians, but oftentimes from the mouths of children. In Toronto on Thursday I participated in a UNICEF event where a number of young children from Ancaster school had come together to launch a new videotape that is being sent to schools across Canada and, in fact, to schools in Cambodia to talk about the problems of land mines.

These young grade four students of their own volition undertook to write their own treaty. I thought a fitting end to my opening speech would be just to recount to the members of the treaty what they had to say as they presented this treaty to me. This is a bill of rights for children who live in countries where there are land mines. These are the words they used:

children have the right to know what land mines look like, and to learn about them

children have the right to know where land mines are located

children have the right to be in a land mine free area

children have the right not to be teased when they are hurt by land mines

children have the right to have the best possible medical treatment at no cost to the family

children have the right to be supervised

children have the right to have fun and respect, even when they are hurt

children have the right to play and not get hurt

children have the right to go to school, even if they are hurt

• (1225)

The children of Ancaster asked me to bring this children's treaty on land mines to the House of Commons to share it with my colleagues. It demonstrates that this generation believes that Canada can make a difference.

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I recommend Bill C-22 to members of the House. I ask members to make speedy passage possible and to say to the rest of the world that Canada will continue to take the lead to ensure that the world is land mine free for the children who wrote this treaty and who speak for children around the world.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Madam Speaker, I am proud to speak on behalf of the Reform Party in supporting Bill C-22. This bill is an example of what the House can do when members co-operate on an issue which is important to Canadians. It is something which we stand for as a nation. It goes to the very root of being Canadian. Canada is a country for peace, it is a country for fairness and it is a country which looks to building a better world for all people.

Bill C-22 is an example of what this House can do in the future. Reform has supported this process from the word "go". I hope this bill will be an example of what the government and the House can do in the future with respect to foreign policy as land mines are but a small part of the larger picture of conflict and conflict prevention in the late 20th century.

I know that the minister and members of the Department of Foreign Affairs are interested in moving beyond this bill in developing foreign policy which deals not with the management of conflict but with the prevention of conflict. We are approaching an era in foreign policy when Canada can use its moral suasive power to lead other like-minded nations in developing a more peaceful world.

These are not just words. Rooted in them are pragmatic solutions which we can apply in the area of foreign policy.

I would like to reflect on when I joined this process. I was working in southern Africa on the Mozambique border in the mid-1980s and early 1990s. At that time Mozambique was one of the worst countries in the world. It was a nation racked by civil war and it was heavily mined.

The hospital was 20 kilometres from the border. Fifty thousand refugees had crossed the border looking for a better life. They were looking for a safe haven. Tragically, some of them had their legs blown off.

My last experience was in 1992 when I went to visit my old boss in the hospital. I was there on a social visit. After being there for 15 minutes the call went out that someone had stepped on a land mine. We rushed to the emergency department and then went directly to the operating room. I remember this very vividly.

As we went through the operating room there, wide awake, sitting up, was a young 18 year old Mozambiquan lad. He was looking toward the lower half of his body. His leg was torn to

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pieces. His foot was turned the other way around. Most of the muscle, tissue and sinew had been torn off his lower leg. He had shrapnel injuries in his groin and lower abdomen. He was very conscious of what was going on.

He was leaving Mozambique for South Africa for a better future for a safe future. He wanted to get a job and live in peace. Instead, that day he stepped and heard a click that would change his life forever.

• (1230)

That young man is but an example of over 30,000 individuals from around the world who silently step on these devices and are blown to pieces. Some die but many actually survive and they go on to live a life of poverty, a life of insecurity and a life that is only a shadow of what it could have been.

To give an indication of what this young man's life will be like, the leg was blown off. We took three hours to amputate his leg above the knee. He will probably require other surgeries in the future because he will be faced with infection, further revisions of his amputation. He was lucky that the injury did not go further up or that the anti-personnel mine was not larger. Many people have their legs blown off at the hip.

As the minister mentioned, some of these devices, if you can imagine, are actually designed like toys. Some are designed like butterflies. The children would pick them up naturally as they would and have their arms blown off; not to kill but to maim.

The perverse logic behind these devices is not that they are meant to kill, because that would be too simple. They are meant to maim. They are meant to maim because the person who is maimed is a constant reminder in that society of what mines can do and what the opposition, their enemy, can do to them.

They are a constant economic drain to society. They are a constant reminder, a constant example of fear that exists within the community to the people there. These people are not belligerents. They are not warriors. They are not soldiers. They are generally the public. Land mines are not designed to affect soldiers primarily, contrary to popular belief. Land mines are primarily designed to address and terrorize innocent civilians. They are a weapon of terror. They are not, generally speaking, a weapon used by military.

When I was in Mozambique, to give an indication of what they were used for, mines were used to put around people's fields. They were used to place around people's watering holes. They were used to put around people's fields so that those individuals would have to pay money or allegiance to the opposing belligerents. Otherwise they would be blown up and they could not feed themselves.

Mines also were used by guerrillas. When areas such as dams were mined, guerrillas would go in, pick up the mines and use those mines to blow up the dam or the watering area. They do not have an appropriate military use in the 1990s, contrary to popular belief.

The international committee of the Red Cross demonstrated this very conclusively and we are indebted to the hard work it did to give us the information, to diffuse the comments that land mines were actually a useful tool in war in the late 20th century. They are not. That was the primary argument that was used against this process, that mines are useful. They are supposed to be used for military purposes. They are not. They are a weapon of terror, a weapon against the public, and that is why this bill is being put forward, to ban.

I would be remiss if I did not mention the very important contribution that was made by members of the public from Canada, members of the international community and especially Mines Action Canada who have done an outstanding job of pursuing and pushing this agenda for the last four years.

Reform has been on it right from the beginning, because we put forward private members' bills starting at the beginning of 1995 and when Mr. Ouellet came on board to support it, we were very happy, and when the Minister of Foreign Affairs came on board to support it and start the Ottawa process, we were also happy to support that initiative.

Members from the Department of Foreign Affairs such as Jill Sinclair, Bob Lawson, Ralph Lysyshyn have done an outstanding job in pushing this issue within the department and also internationally. I might also say that their work in Oslo was something Canadians can be proud of.

The Americans tried to water this treaty down. They tried to water it down so there were huge loopholes through it that would have made it not worth the paper it was written on. Instead, a charge was led by Canadian members of the Department of Foreign Affairs who were there who managed to mobilize support from other countries to ensure that the bill that was constructed in Oslo was going to be a bill we were proud of, a bill with teeth, a bill that would actually be effective for once in trying to ban these land mines. That is something that we as Canadians can be very proud of.

• (1235)

I would like for a few minutes to illustrate the scope of the problem of land mines. There are over 30,000 seeded all over the world. They inflict damages in various countries that are absolutely horrendous. In Angola 1 in 270 people is a mine victim and a similar number in Cambodia.

It goes beyond that. Land mines sit in the ground for over 50 years. As the minister mentioned, France has land mines that are blowing up people today. The most land mined country in the world is Egypt. Those land mines were seeded in the second world war and continue to blow up people every day. Land mines also continue to sit in the soil and cause huge economic devastation to countries that do not need this.

Let us not forget that most of these land mines are seeded in countries among the poorest of the world. The land mines sitting there for over 50 years prevent countries from economically getting on their feet. It has become such a serious problem in countries such as Angola and Mozambique that innocent civilians are prepared to go into mined areas to plough their fields to feed themselves. It now becomes a choice, chancing getting blown up or starving to death. Those are the cold hard realities, the cold hard choices that some of the poorest people in the world have to make every day. We should be ashamed that these devices were ever constructed and allowed to be tossed out in the manner which they have done for the last 80 plus years.

Those costs are enormous. In Croatia over thousands and thousands of hectares are mined, costing over a quarter of a billion dollars each year in lost productivity. Countries from Angola to Cambodia to Chechnya are so mined that they cannot get on their feet economically for decades.

The overall cost of demining is estimated at over \$50 billion per year. These devices cost as little as \$7 to \$30 to make, yet each mine costs between \$300 and \$1,000 to remove. This cost will not be borne by the countries that are mined. It will be borne by the international community. We as nations do not have the money to do this. That is why this bill is so important. That this bill went through in such a rapid motion is something that Canadians can be proud of.

The process started four years ago and by international standards took place at light speed. There a few interesting things we can learn from this. First, we were not prepared as a nation to settle for a treaty that was going to be merely one which was developed by consensus. Usually when you push forth a treaty by consensus we get a piece of paper that is pabulum. We get a treaty that is not worth the paper it is written on because there as so many loopholes it becomes unworkable and unmanageable.

Instead we did not settle for second best. We settled for a situation that we knew the majority of the countries of the world would support. We went by a process of majority. Therefore we have a treaty which has teeth for a change. We also set a deadline. The minister set a deadline a year ago that this December would be the month we would settle on a treaty. It is something that we as Reformers can heartily support.

We are sick and tired of treaties taking decades to push forward when we know the majority of the international community will support them. While we dither on many of these issues lives are lost, countries are laid to waste, economies are destroyed and in fact we domestically pay a penalty.

When wars take place half a world away they do come to roost with us. Wars create refugees. Because we signed the convention

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on refugees we are obligated to bring refugees on to our soil. These tragic souls who would prefer to live in their own nations come to us looking for reprieve. It costs Canadians \$75,000 per refugee to integrate them, a cost which is put on our already burdened social programs. Our defence budgets also incur great costs.

• (1240)

As a result we also put our soldiers in harm's way. Land mines have racked an enormous toll not only on people far away but on our own military. Peacekeepers fear land mines more than they fear the sniper's bullet. If we look at the casualties that we have incurred of our peacekeepers the majority are as a result of land mines.

In fact, we have the tragic case of a peacekeeper whose parents live on the northern part of Vancouver Island. Their son was tragically blown up in the former Yugoslavia by a land mine. They have worked very hard to bring this issue to the forefront. This is a cost that we all bear.

Further, when countries are trying to get back on their feet our aid and development budgets come into play in trying to demine and reconstruct societies and economies that have been laid to waste by war, and land mines contribute to this continual destruction within their economies.

The Ottawa process is important because it heralds a new co-operation between NGOs, non-governmental organizations, and government. We must not let this process die. For within this process lies hope to use and apply these lessons learned into other foreign policy initiatives in the future.

From 1945 to 1985 the international community has lurched from one conflict to another. We have watched the precursors to conflict exist right in front of our eyes. From Rwanda to the former Soviet Union, Cambodia, Burma, Central America wars have littered this globe and internecine conflicts have destroyed many economies and cost millions of lives.

We live in a world where rules are based on what was created after 1945. That world has changed. Between 1945 and 1985 the United Nations put forth six peacekeeping operations which cost roughly \$3 billion. Between 1985 and now we have had over 26 peacekeeping operations.

The post-cold war era has set forth a new era, a new set of rules and a new set of challenges. We have not met those challenges. In fact, we have failed abysmally.

Rather than trying to prevent conflict, we have tried to manage it with all the costs that are incurred in that. We have watched in front of our eyes as nations have imploded, millions of people killed, economies destroyed and the seeds of ethnic hatred and discontent laid to bear and sewn for generations to come.

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This is a penalty we will all pay. It is high time that we started to recognize that conflict management is not acceptable in foreign policy any more. We have to look ahead at preventing conflict and move our foreign policies from conflict management to conflict prevention.

This is where the Ottawa process can come into play. The NGO community is usually the first group in the trenches witnessing the precursors to conflict and the rapid inappropriate militarization, the human rights abuses, the collapse of governmental and judicial structures. All these things are witnessed by NGOs. They often communicate their wishes to governmental structures but it hits the usual inertia that exists within government and within international governments in particular.

As a result of this inertia, as a result of this inaction, we have paid the price. Those who live far away have paid a far greater price. We have to change this thinking.

It is important that we use the NGO community, use the conglomeration of NGOs part of this Ottawa process, as an early warning system that can identify countries that are ready to implode, identify the precursors to conflict and funnel this information directly to a central organization, an early warning system. Perhaps the most logical choice would be the UN crisis centre in New York. For all that can be said about the United Nations with all of its inefficiencies, it is perhaps the only choice we have today. Even if the United Nations were to be removed or were to fall apart, we would have to create something to take its place. Therein lies another challenge which I might get to later on in my speech, the restructuring and revamping of the United Nations.

• (1245)

The UN crisis centre could take all the information that is presented to it as an early warning organization and feed it directly into the United Nations. We must then have an existing group of responses by the international community to respond to these precursors. Such responses could be diplomatic initiatives, peace building initiatives and the introduction of positive information to dispel propaganda that is often used at the start of a conflict.

If we look at conflicts from Rwanda to the former Yugoslavia, one of the favoured tools that is used by a small number of individuals is to put forth negative propaganda to demonize another group. As Michael Ignatieff said in one of his articles, often these groups are very similar but they exist on the narcissism of their differences. They exist on demonizing the small differences that exist between different ethnic groups. In doing this, they polarize the ethnic groups which enables them to create an engendered fear, hatred, loathing and ultimately war.

That cycle must be broken. It can be broken. Once the precursors are identified, positive propaganda can be put in there. In fact the

United Nations already has the power to do that through shortwave radio and existing communications tools that it has. It is exceedingly important that the UN get involved through diplomatic initiatives and positive propaganda.

Furthermore a tool that is not being used often is the tool of economics. Many of these countries rely on international financial institutions in order to survive. They also spend moneys given to them by the World Bank, the International Monetary Fund and other IFIs on inappropriate militarization and to cause conflict. Wars need money. You cannot run a war without money. Therefore, if this is occurring, choke off the money supply.

The IFIs can be used not only as a stick but also as a carrot. As a stick we can withhold further loans, withhold their ability to renegotiate loans, moneys and grants and call back loans if necessary. We can also use them to freeze the assets of rulers who are patently engaging in activities that are going to compromise their people.

We could freeze the assets of rulers such as the late Mobutu Sese Seko who was one of the richest men in the world. There are the assets of Daniel Arap Moi of Kenya, when he engages in efforts to try to kill different ethnic groups within his country, when he tries to pit Kalenjin against Masai or Masai against Kikuyu. These kinds of activities can be stopped by directly addressing the people responsible who are often a small cadre of individuals within a nation.

The IFIs could also be used as a carrot. By lending money to provide peacemaking initiatives between different groups, by supporting peace building initiatives, by supporting activities that bring both of the groups together, by micro credit for minority groups so that they can get on their feet economically, by rewarding efforts to build structures of good governance and peace within a country, we can help to diffuse the precursors to war.

This is a big task. Again it is going to require organizations such as NGOs and governments to do this. When it comes to nation states taking a role in this, I believe that no other nation would be better at it than Canada, not alone but as an organizer.

In the late 20th century going into the 21st century there exists a void in foreign policy. The bipolar world created a world where two superpowers glared at each other at the end of a nuclear arsenal and under the absurd notion of mutual destruction. The world has changed. As that bipolar world collapsed, the shackles that held ethnic groups apart and kept ethnic hatreds simmering were removed and conflicts existed.

• (1250)

Countries such as the United States and many members of the security council cannot be the nation states that will bring other countries together. They are either perceived, rightly or wrongly, as

having imperialistic tendencies or they have their own colonial baggage.

The world is looking for a new group of individuals to bring nation states together. I believe that responsibility will fall on the middle powers such as Austria, Australia, Costa Rica, New Zealand, Norway and Canada. Many of these nations are working in isolation on peace building initiatives. It is more efficient for these nations to work together in a multilateral fashion but no one is assuming the leadership role that would bring these countries together.

Canada can be that country. We have proven through the land mines issue that we have the moral suasive power to do this. We have proven through our Nobel peace prize for our peacekeeping efforts that we can develop international consensus for peace building. We have the diplomatic skills. We have the personnel in the Department of Foreign Affairs and we have an international reputation that is virtually unrivalled. We also have the security aspect and are involved with people from the Pacific Rim to Europe and to points south. We are in an enviable position to do that.

As we end the 20th century and enter the 21st century, I can only ask the minister to work with his colleagues in countries such as those I have mentioned. He could ask them to come to Canada to attend a small summit, a summit of the middle powers. He could bring these countries together, put the cards on the table and determine what everyone is working on in peace building.

I was in Norway at the Oslo treaty signing on land mines. I spoke to members of other countries, such as the Norwegians. I was interested to learn about their work. I found it remarkable that their work is very similar to our work. It is unfortunate that we are working in isolation. Our power to move international foreign policy forward can come about more expeditiously if we work together. There will be a lot of co-operation and like-mindedness if we pursue that.

I ask the foreign minister, the government and other members in this House to come together to pursue this course. Only if we do this can we get the required changes to stop the international bureaucratic inertia in international foreign policy. We could then address the security issues that affect us all. By security challenges and issues I refer not only to military security challenges but also to environmental security issues. Environmental issues range from our problems at the north pole to nuclear issues and to issues of the environment. All will require international co-operation.

By working with six to ten countries we can develop that nucleus. With that nucleus we can all sing from the same songbook and bring other countries together much as we did in the Ottawa process. The Ottawa process did not start with 100 countries all wanting to ban land mines. It started with a handful of countries,

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with the leadership of the NGO community and with the leadership of Canada and a few other nations. We can apply that same principle to pursue larger security issues and larger security challenges in the future.

I hope that we as a nation and as a Parliament can look forward to a future of addressing these larger security challenges. If we continue to lurch from conflict to conflict and do not try to prevent conflict, then we will be set with an unsustainable situation in the near future. We can no longer afford to see the implosion of nation states across this globe. We can no longer afford to see the proliferation of this destruction. If we want to speak pragmatically and domestically, these issues that occur half a world away will sooner or later come to roost in our own backyard. It is imperative that we deal with it now.

● (1255)

It has often been said in the medical profession that prevention is worth much more than dealing with the person's medical problem after the fact. I hope we can apply that principle to foreign policy.

When I spoke to Jody Williams, the Nobel peace prize winner about this, she said that those were nice words. I did not remind her that when we were pursuing the course of banning land mines four years ago, people said that it was a utopian dream and that those were nice words. Well these are more than nice words. There are pragmatic solutions.

If we do not seek to dream and look to the future, to building a new stronger, better world by using our expertise, by using pragmatic tools and solutions, by using the leadership that we as a nation can put forward, then we have nothing. We can and must use our moral suasive power, use the tools that are at our fingertips to build a better, more peaceful world for all people.

I will close by saying once again that this is an issue of which all Canadians can be proud. Reform is very proud to be part of the process because we have been pursuing peacekeeping initiatives for many, many years and we will continue to do so. We look forward to working with the government in pursuing pragmatic, effective peacekeeping and peacemaking solutions in the future. We hope that we will be able to do this in a way that will make Canadians proud. We can build on our history of Pearson diplomacy now with the land mines process, and live up to our heritage as Canadians and as peacemakers and pursue a course that will build a stronger, safer future for nation states around the world.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Madam Speaker, when Alfred Nobel, the inventor of dynamite, decided to establish the prizes that would make his name a household word, he said that the main dividends of his invention should be used to promote peace in the world.

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In 1997, the dividends went to the International Campaign to Ban Land Mines and its co-ordinator, Jody Williams, in recognition of more than six years of intense efforts by more than a thousand non-governmental organizations in over 60 countries. Thanks to this campaign, described by the former Secretary General of the United Nations, Boutros Boutros-Ghali, as the most important and effective exercise in civilian society since World War II, several countries banned the export of anti-personnel mines, destroyed or began to destroy their stocks of mines, banned or halted their use, or announced that they were ceasing production of them.

These efforts by civilian society, which thus forced all governments the world over to react to the scourge of anti-personnel mines, would probably never have resulted in the convention to ban these mines, but for the initiative and determination of Canada's current Minister of Foreign Affairs.

By bringing together representatives of governments, international organizations and NGOs in the federal capital in October 1996, and by initiating the Ottawa process, the minister assumed a leadership role that will culminate in the signing, on December 3 and 4, of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

The Ottawa process was marked not only by unprecedented co-operation on the part of government and non-government actors in the international community, but particularly by its speed of execution.

• (1300)

Whether in Vienna, Bonn or Brussels, these numerous players always kept in mind the deadline proposed by the Canadian Minister of Foreign Affairs, in October 1996. Less than a year after the challenge issued by the minister, on September 18, in Oslo, they approved the text of a convention to totally prohibit anti-personnel mines. Bill C-22 seeks to implement this convention, and the House is being asked to give speedy approval to it today, both at second and third readings.

I am pleased to say that the Bloc Québécois will support Bill C-22, subject to a number of amendments being considered, so as to improve this implementing legislation. Support for the bill is first and foremost support for a convention to work together to maintain international peace and security, as stated in the preamble to the UN charter, to which Canada is a signatory, and which a sovereign Quebec will fully support when it joins the other nations of the world.

It is an instrument which primarily seeks to eliminate deadly weapons, namely anti-personnel mines, by prohibiting their use, stockpiling, production, conservation and transfer. Hopefully, the general obligations assumed by the states will put an end to the use

of anti-personnel mines, which is still a serious problem, given that for every mine removed, 20 new ones are installed.

This convention will contribute to the destruction of the 110 million mines distributed throughout more than 70 countries in the world, which mutilate in excess of 25,000 people yearly, 80% of them civilians. Anti-personnel mines claim 70 new victims every day, or one person every 20 minutes. During the time I am speaking here today, one more person will be killed, or if lucky only maimed by this little instrument of death. This victim is likely to be a child, probably a child in Afghanistan, Cambodia or Somalia, since many of the deaths and injuries caused by land mines in those countries involve children.

This convention will also encourage the destruction of anti-personnel mines in mined areas and will oblige signatory states to ensure that mines are destroyed within ten years of the effective date of the convention, at the very latest. These will be onerous obligations, very much so, for states such as Bosnia-Herzegovina, which alone has more than one million mines hidden in its territory as I learned during a recent parliamentary mission. But they will also be onerous for developing countries such as Angola, Croatia, Eritrea, Iraq, Mozambique, the Sudan and Vietnam.

Farm lands remain unworked and large grazing areas unused, and will remain so as long as the land remains riddled with anti-personnel mines and burden these countries with deaths and injuries, and the costs related to victim assistance.

In this connection, the convention rightly promises international co-operation and assistance, without which the objectives of the convention cannot be met. The convention gives each state party the right to seek and to obtain assistance from other signatory states, if possible and insofar as possible. The state parties that are in a position to do so commit, moreover, to provide assistance for the care of mine victims, as well as assistance in mine removal.

In article 9 of the convention, the state parties also commit to "all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control".

• (1305)

Bill C-22 seems to be the primary legislative means of assuming this obligation, and seeks to give legal effect in Canada to the Convention as a whole.

I have examined the text of Bill C-22 closely and it seems to me to contain the necessary provisions for performance in good faith of the anti-personnel mines convention, as required by the *pacta sunt servanda* rule set out in article 26 of the Vienna Convention on the Law of Treaties. There are, however, certain amendments that could improve this implementing legislation and I will have an opportunity shortly, in committee at report stage, to present and

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explain the amendments the Bloc Québécois would like to see made to Bill C-22.

As with other foreign affairs issues, the Bloc Québécois is motivated by the values and convictions common to the government party and to other parties in the House. In this instance, the values of international peace and security are involved, as are the values associated with promoting and protecting rights and freedoms, particularly the most basic right, the right to life.

That is why the Bloc Québécois is prepared to support Bill C-22 and the convention it is intended to implement, as they are both the reflection of such values. In a few moments, the Bloc Québécois will submit to the House suggested amendments to improve the bill and to make more democratic the process by which possible amendments to it would be passed in future.

The passage of Bill C-22 by the House of Commons, its subsequent approval by the Senate, and assent will enable the Government of Canada to complete phase 1 of the Ottawa process. And although phase 1 of the process will have been effective, phase 2, which will focus on international assistance and co-operation, must succeed if we want to see the objectives of the anti-personnel mines convention achieved. Other measures will have to be implemented, and the Bloc Québécois will continue to support those that will help attain the convention's objectives.

In another moment of insight, and wisdom it should be added, the Swede Alfred Nobel said, and I quote:

[*English*]

“My factories may make an end of war sooner than your congresses. The day when two army corps can annihilate each other in one second, all civilized nations, it is to be hoped, will recoil from war and discharge their troops”.

[*Translation*]

Parliaments the world over must go on repeating the wishes expressed by Alfred Nobel. They must join forces with civilian society and international organizations in promoting peace and protecting humankind from the scourge of war so that humanity can triumph.

[*English*]

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Madam Speaker, I am pleased to participate in this historic debate today on behalf of the New Democratic Party and my colleagues in the federal NDP caucus.

I want to extend congratulations to the minister on what I am sure must be one of the happier days of his ministry at foreign affairs. From having worked with the minister before when we were both lowly opposition foreign affairs critics, I know his time

in office is not always replete with the ability to do some of the things he called for.

I know today must be a special day for him, being able to live up to the expectations that he has and that we share with him for Canada as a country that shows leadership in the building of an international regime which leads toward the prevention of war and the elimination of the kind of violence that land mines stand for.

• (1310)

It was interesting listening to the hon. member from Vancouver Island. One got a sense of the revulsion that in this case medical personnel who have worked with the consequences of land mines bring to this debate. I also had an image of an earlier revulsion that people had coming out of the first world war with respect to the effect of chemical weapons and the effort that was made after that to ensure they would not be used again as a matter of course in the exercise of war.

It is too bad I suppose that we did not learn the lesson about land mines 80 years ago. It was mentioned that France is still suffering from the effects of the first world war and I recall that when I was part of a parliamentary delegation to Vimy in 1992 it was reported to me that some 26 farmers in the previous year had been killed by land mines still embedded in the earth in France, this in the 1990s.

We see that land mines are in some ways a symbol of what has happened in the 20th century. Civilians as much or more in many respects than military personnel have come to be the objects of military technology.

The point I want to emphasize in today's debate is I hope that today might be the beginning by example of what I regard to be an equally and perhaps ultimately in the planetary sense a more important effort and that is to ban another kind of weapon which has as its primary target civilians and not military personnel. Of course what I am speaking about are nuclear weapons.

I am sure the minister shares this hope and I would urge him to build on the example of the anti-mine campaign that it would be wonderful in the greatest and most full sense of being wonderful if we could have a similar campaign with respect to the abolition of nuclear weapons.

There are a lot of people of course around the world who are working on this but they are a minority. They need to become a majority in government circles and in international circles. The example we need to take from this is not just the successful way in which governments, in particular in this case the Canadian government, led the way, but governments, international agencies, NGOs, interested individuals, political parties and non-partisan co-operation. We also need to take the example that this was done by Canada without insisting on what we sometimes, it seems to me too often, insist on and that is that we have to have the United States on

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board before something can be signed, before there can be a consensus.

Obviously when it comes to nuclear weapons, if we do not have the people with nuclear weapons on board, we do not have much of a treaty or an accomplishment. But there are other things that can be done with respect to the testing of nuclear weapons technology and the trading of nuclear related products and so on. There are a number of ways in which we could begin to build an international consensus against those things which contribute to the continued existence of nuclear weapons. We should take this action on mines as an example of what we can do when we are prepared to act without the consent or approval of the United States or for that matter other major powers.

• (1315)

We do not feel we are doing anything less important today because the United States has not agreed. If the United States had agreed and if Russia and other larger countries had joined, in a practical sense we would feel much more was being accomplished. That does not take away from what is being accomplished at the lesser practical level but also at the moral and political levels.

As the minister I am sure hopes and as all of us here hope, it may be that the other countries which have not yet done so will some day sign on to this treaty.

A couple of years ago I participated in one of the earlier round table discussions on this topic. It was held at the National Conference Centre. It was stressed that we should do whatever we could to successfully abolish anti-personnel mines. At that time we were still dreaming of what is now unfolding.

I will repeat the point I made that day. I said that this would become a prototype for what we could do with respect to other problems which needed to be addressed, in particular that of nuclear weapons. We need to abolish them while we have this window of opportunity after the cold war and before another situation occurs between the nuclear powers which would make the abolition of nuclear weapons very remote once again.

The NDP has been supportive of the initiative from the beginning. We have presented a number of private members' motions on it over the years, as have other parties. We are very glad to see it come to fruition.

We extend our congratulations to the NGOs that have been involved and organizations such as Mines Action Canada, the Red Cross, UNICEF and all others that laid the groundwork for public support for a ban on land mines. A very important thing is happening out there which the minister has acknowledged.

A tremendous critical mass that developed at the political, the NGO, the bureaucratic and the parliamentary levels has made this kind of thing possible and has given it the kind of momentum that

made it irresistible to many other countries. At a certain point people want to become part of a good thing that is happening. We need to make other good things happen that people will want to become part of.

We also want to commemorate the tremendous role Princess Diana played in raising awareness of the daunting task of banning land mines. We also want to extend our congratulations to Jodie Williams, the American activist who spearheaded the international campaign to ban land mines, and all the NGOs involved in that campaign around the world.

This is an example of how Canadian diplomacy can succeed if effort and energy are focused on items other than trade promotion. It seems to me that one unfortunate aspect of Canadian foreign policy over the last several years has been the almost exclusive focus on trade promotion. It has taken away from our efforts in other areas. I say almost exclusive because obviously it was not exclusive. There were other things going on like this.

• (1320)

Our argument today is that the government could do a lot more if it freed up some of its energy, mental, fiscal and political; if it spent less time on trade promotion and team Canada, and if it spent more time trying to develop team world when it comes to banning land mines and nuclear weapons and developing a way to deal with other global problems of such urgency.

The federal government has to be very careful to back up the treaty with the financial support it will need. When it does so we want to make clear that it will have the support of members from this corner of the House. It will not be cheap in a worldwide sense or in any sense to support the kind of de-mining that needs to go on and to rehabilitate victims. We urge the minister to find the resources necessary. We hope that will be one way in which the government can make an ongoing commitment to the values and the policies to which we are committing ourselves today in this debate.

This is a good day for parliament and a good day for Canada. I hope 20 years from now we will be able to look back on this day, look back on the Ottawa process and say this became a model, a prototype, a paradigm for how we deal with other pressing disarmament issues. In particular I hope we will look back on it and say it became a model for eventually bringing the world to the point where we were able to abolish, not just land mines and small gun trade but nuclear weapons and the threat to creation and to the human prospect that continued existence of these weapons poses for all humankind.

Hon. Sheila Finestone (Mount Royal, Lib.): Madam Speaker, I have listened to the debate today in the House. It has really been a pleasure to hear honest and concerned parliamentarians address issues found in a civil society that are very disturbing and detrimental to the well-being and health of ordinary children,

farmers and our peacekeepers. We see land mines of all shapes and forms.

I had the distinct privilege to go with the Minister of Foreign Affairs. His manner is profoundly founded in a belief of the importance of ridding the world of land mines. It is not only a matter of de-mining but also a matter of education and sensitization. First and foremost it is a matter of having the world agree that unacceptable mines which destroy the lives and the limbs of young children and others in society do not reflect the best interests of anybody.

I listened to what my hon. colleague had to say. What role does he think each and every one of us could play internationally as well as nationally? In our ridings we have a right and responsibility to indicate to people how devilish these instruments are as we do to colleagues we have had the privilege of meeting around the world through the international associations with which we are affiliated.

• (1325)

We should encourage our members to be in touch with members in other countries to enable legislation, this treaty or this declaration, to be put forward in a way that would be expeditious and constructive and to ensure the financing is behind it in each of country of the world, even countries which at the moment are not prepared to sign but have the means to rehabilitate, educate and train those who have been affected and those who could be affected.

How would the hon. member look at that issue?

Mr. Bill Blaikie: Madam Speaker, I thank the hon. member for her question.

We all have a responsibility to use every opportunity that presents itself and not to be afraid to be intense about it when we are in contact with members of Parliament, legislators and political people from all parts of the world. We have plenty of those opportunities as individual members of Parliament in the various parliamentary associations we belong to and the various international fora we participate in as members of a Canadian delegation.

At these meetings and in life generally there is a tendency for people to back off when somebody is intense about something, trying to be persuasive and trying to make the case that this is something we should do. It is sort of not cool to be like that. We put certain things on the record. They are there and we can always say that we said them.

We need to go beyond that whenever we have the chance to buttonhole people over dinner, in the corridors or through concerted pressure to make sure these items are on the agenda, that they are discussed and that decisions are taken. People should be

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put on the spot and made to think about it. These are the kinds of things Canadians can do in various international gatherings.

In the past we have attended many gatherings where we have met all kinds of people. In this case we could be corresponding with legislators in countries that have not signed on and trying to make the case that their countries should sign on, or at least put a little pressure on them to put a little pressure on their executive to get with it and follow the Canadian example.

Hon. Sheila Finestone: Madam Speaker, I have a supplementary question for the hon. member. I am pleased he mentioned emotion.

Exhibits are being planned for either the railway room or the reading room. I hope the member will invite people he knows to come here. He should even welcome to Canada those parliamentarians he does not know. He should be a host in the name of the Minister for Foreign Affairs.

The exhibits will make us heartsick. We will see dreadful little mines in the form toys that attract children so that they will pick them up to have them explode in their hands.

We saw children with lost hands, lost legs and damaged limbs. It is very easy to speak with the emotion the member referred to. I am happy he raised it.

We have a truly international cause. I believe Canada could do an excellent job, certainly our parliamentarians and our international parliamentary organizations. One day I hope the Reform Party decides to join to find out what is going on outside the boundaries of Canada and to learn about the world.

I thank the member for that observation. Would he care to respond about the Reform Party in particular?

Mr. Bill Blaikie: Madam Speaker, I do not care to respond because I do not want to spoil what I think is a co-operative non-partisan effort going on here today. There will be other opportunities to reflect on the differences that exist between the parties with respect to participation in some parliamentary associations and not others.

• (1330)

I just want to say that when we think about the mines that are constructed to appear to be toys so that children will pick them up, it makes us kind of ashamed to be human beings when we think that these weapons were devised by the human mind and constructed by human hands.

It is hard to conceive of a world in which this would be possible but this is the world we are confronted with and against which we set ourselves today as a country alongside so many other countries.

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From a theological and biblical point of view, it reminds us of what a sinful world we live in. However, we look to the words of Isaiah. We want to finally beat swords into ploughshares and spears into pruning hooks. By finally getting rid of land mines in many countries, as the member from the Reform Party said, we actually want to create a world that is safe for ploughshares. So many people cannot plough and grow food and cannot economically develop because of land mines.

The old metaphor about swords into ploughshares and spears into pruning hooks seems to be doubly applicable here. It is not just a question of beating swords into ploughshares. It is a case of creating a world in which ploughshares can be employed without danger to life and limb.

Mr. Keith Martin: Madam Speaker, I rise on a point of order.

I just want to mention that the member for Mount Royal is deliberately misleading this House when she mentions—

An hon. member: A point of order.

The Acting Speaker (Ms. Thibeault): The whip.

Mr. Bob Kilger: Madam Speaker, I do not think that is a point of order. It is possibly a matter of debate but I certainly do not think we should take the House down this path on a day where such an issue is being debated.

The Acting Speaker (Ms. Thibeault): Would the hon. member care to rephrase his comments?

Mr. Keith Martin: Yes, Madam Speaker. The member for Mount Royal, perhaps unwittingly, misled this House by saying that the Reform Party did not understand what was going on outside of its borders. I did not want to bring this up during this debate but I will have her know that it was the Reform Party that in this House in 1994 started the process on land mines by presenting a private member's bill in this House calling for a ban on land mines. It was the government that refused—

The Acting Speaker (Ms. Thibeault): I am afraid you are going into debate right now. We will resume debate with the hon. member for Kings—Hants.

Mr. Scott Brison (Kings—Hants, PC): Madam Speaker, Canadians should feel a great deal of pride in this significant accomplishment today. Canada has regained for a brief moment its traditional role as a middle power and has relinked human rights and foreign policy which many Canadians have been concerned about since 1993.

The Minister of Foreign Affairs has demonstrated leadership in championing the ban on anti-personnel mines and it has paid off. On behalf of my party, I congratulate the minister on this accomplishment. I would also like to take the time to congratulate Jody Williams as well as all the NGOs and individuals, including

Princess Diana, who provided an international focus and a popular focus on this very important issue at a time when it needed that critical mass of support internationally.

Every year more than 20,000 people are injured by land mines. These people are not all soldiers trying to take a hill. Most of these people are not even soldiers trying to clear land mines.

• (1335)

The people that are most vulnerable to these land mines are civilians. Two weeks ago I travelled to Bosnia as part of a delegation of MPs from the Defence and Foreign Affairs committees. In Bosnia I witnessed first hand the devastation and suffering caused by land mines. Canadian peacekeepers provide mine awareness programs in elementary schools.

I was surprised and, in fact, disturbed by the level of familiarity that children already have with land mines. Children have nicknames for land mines. Some are called Skoal mines because they are shaped like a tobacco can. Some mines similarly are called camera mines because they resemble a camera. Some are called pineapple mines because of the fact that they resemble pineapples.

It seems to me that the innocence of childhood cannot coexist with an intimate knowledge of and familiarity with land mines. In Bosnia, mines are being redeployed around houses to prevent the return of refugees and displaced people to their homes. Mines are being redeployed around farmers' fields to prevent theft. In some cases, farmers' fields have been rendered useless by land mines.

SFOR's mandate does not include clearing farmers' fields. In order for their fields to be cleared by SFOR, some farmers have become resourceful and are actually placing mines or relocating mines to the sides of roads near their fields to try to draw attention to and create a sense of priority with regard to the clearing of land mines from their own fields. Six million mines were deployed in Bosnia during the war and to date the UN estimates there are still 3 million mines left in Bosnia.

The problem for the peacekeepers is that millions of mines are unaccounted for across the country. Several weeks ago a tractor trailer overturned near Banka Luka and the trailer rolled over a land mine, causing an explosion. This was an area that had previously been de-mined and thus had been re-mined. Mines had been redeployed to this area.

As Canadians, it is sometimes difficult to imagine the constant fear of living in an area that is plagued by the scourge of land mines. For me on a personal level, in Canada something I enjoy doing every morning is my morning run. We were warned when we were in Bosnia in the Velika Kladusa area, as well as in other areas, not to run in the mornings. You cannot go off the pavement. If you go off the pavement on to the shoulder of the road, you may hit a land mine.

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I grew up in rural Nova Scotia. Having returned from Bosnia, I no longer take for granted the peacefulness and the tranquility and safety of the surroundings that I took for granted as a child. As a child I was able to run through and play in fields with no risk and no fear of being maimed or killed by a land mine.

Farmers, mothers, fathers, children, innocent people, these are the people paying for these wars that were fought and, to a considerable extent, are now over. Land mines do not require sophisticated technology to manufacture and this is part of the problem. Sometimes the least stable states are producing land mines now and people are producing land mines in their basements because of the availability of the resources and the tools necessary to make land mines.

It is a difficult problem to control and to contain. As with any major humanitarian effort, this ban will require a great deal of expertise and resources. The Minister of Foreign Affairs earlier referred to the need for investments in sophisticated technology and equipment in the removal of land mines. This is critical as well. It will take a long time before all the land mines are cleared from countries like Cambodia, Bosnia, Rwanda, Angola, Afghanistan, Egypt, just to name a few.

Canadians have a very important role to play in this effort. Our peacekeepers are among the best in the world. That is something I would like to mention. Upon returning from Bosnia, I came back with a tremendous pride in our peacekeepers and also the recognition that one of the things that is unique to Canadians is our peacekeeping prowess, which is internationally recognized.

I would also remind my colleagues from the Bloc that one of the first casualties of a divided Canada would be our ability to participate fully and meaningfully in international peacekeeping and in other types of international fora. Not only do Canadians need a strong united Canada but the world needs a strong united Canada.

• (1340)

We have contributed over \$11 million to the humanitarian efforts to clear land mines. As the minister mentioned, we must continue to invest in technology and perhaps create opportunities for Canadian companies like Bombardier which may have the ability to develop new technologies for this very important task at hand.

It can take 10 peacekeepers up to a full day to manually clear a minefield the size of a gymnasium. Mine removal requires significant and sustained resources that are very costly. Over the past few years two million to five million more land mines have been deployed. This number, combined with the number already in the ground means that at current de-mining rates it could take decades to rid the world of the current mines in the ground. During that

time span, thousands more will be injured or killed, even with the signing of this agreement.

That is why after this week we cannot forget the need for continued vigilance in ensuring that the necessary resources are provided to ensure that the task that is beginning with the signing of this land mine treaty will continue over the next several years as part of our international participation in this effort. Conditionality must be used and can be used with IMF funding to ensure the full co-operation of resources of countries that seek IMF funding. By passing this bill Canadians will be demonstrating to other countries the need to quickly and decisively act in ratifying the treaty.

I have a further note on my trip to Bosnia. In one of our briefings we were alerted to the fact that an anti-tank mine can be converted into an anti-personnel mine. This can be done with a band saw in some cases. The TMA-3, which looks like a film reel, can be cut into thirds by an ordinary band saw. This converts it to three anti-personnel mines.

The definition of an anti-personnel mine is found on the first page of the bill. It states:

—“anti-personnel mine” means a mine that is designed, altered or intended to be exploded by the presence, proximity or contact of a person—. Mines that are designed, altered or intended to be detonated by the presence, proximity or contact of a vehicle as opposed to a person—are not considered to be anti-personnel mines—

We must be vigilant in ensuring that the TMA-3 anti-tank mine cannot slip through a loophole in this bill. Canadian companies could conceivably still manufacture a TMA-3 model anti-tank mine and sell it to another country with the proper export permit. Within the other country that mine could be turned into three anti-personnel mines. Nothing can stop the buyer from the other country from altering the mine if that country is not a signatory to this treaty. Once the mine leaves Canada, the responsibility is out of our hands. Therefore, during this debate I am seeking clarification from the government on how the definition will be applied to avoid that type of situation.

It is a great accomplishment to have 100 countries sign the treaty. However, the major countries that have not signed, with the exception of the U.S., are the countries where the greatest military uncertainty lies. We must continue to use every lever we have as a middle power through international fora to ensure these other countries do sign.

I leave the House with the words of the former secretary general of the UN, Boutros Boutros-Ghali: “No nation alone can prevent the killing fields full of land mines. No nation alone can prevent inhumane weapons from being deployed, but all nations united with a single purpose can make this world more secure for generations to come”.

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Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Madam Speaker, I congratulate my friend from Kings—Hants for a wonderful and eloquent speech on this important day and on this important issue. Once again he has demonstrated his commitment to foreign policy which he has done since he came to this Parliament, and he continues to do so in a very eloquent manner.

• (1345)

I wanted to bring to his attention, although he probably already knows, that in the maritimes there exist a number of groups very active in the processes of demining and have been working all across the world as Canadians and as maritimers to pursue demining and have done Canadians proud.

By their actions they have saved many lives and are continuing to further the important issue of how we get these hundreds of millions of land mines out of the ground.

I hope the hon. member will work with these groups and give them the help they require for the betterment of Canadians and for the betterment of people abroad.

Just to refer to the comments by the member for Mount Royal, a point of clarification, we as the Reform Party are happy to engage in international initiatives but we want to make sure that when we go on international trips these trips are work trips, that these trips are meant so that we actually gain some experience and expertise and that they are a productive use of taxpayer money.

We have not and are not interested in pursuing any course that will take us abroad where we will deal with international trips that are going to be a waste of taxpayer money, a waste of our time.

In these times of difficult financial strain placed on so many Canadians and on our budgets, we in the Reform Party are very sensitive to this and that is why we continue to assess each trip abroad with the potential benefits and merits of that trip. We will only go on these trips where there is a demonstrable need and where we are going to gain and have some effective input into these trips.

I would like to again congratulate the member for Kings—Hants and ask if he can tell us if he has any ideas on any opportunities that he can present to this House or any ideas that he has on how Canada can continue to engage in the important process of demining.

Mr. Scott Brison: Madam Speaker, I appreciate the hon. member's mention of the many maritimers who are involved as peacekeepers. I met some of them in the SFOR mission. There are organizations in the maritimes and some individuals in my riding who have been adamant and constant in their support of this type of initiative.

I guess it is part of being a maritimer, humble and self-deprecating individuals, that we do not like to toot our horn too much. We appreciate it when we do get this type of support from the west.

We are proud of all Canadians who have been participating in this effort. It is a gain. I do consider this a national unity issue because I think, frankly, if we do more to inform Canadians of the importance of this leadership and do more to inform Canadians of the prowess of our peacekeepers internationally, we give Canadians more reasons to be proud and more reasons to maintain a strong and united Canada.

[*Translation*]

Mr. David Price (Compton—Stanstead, PC): Madam Speaker, I am very happy to speak today on the bill to ban land mines.

It is not often that I find a reason to congratulate the government, especially in the area of foreign affairs, but today I salute the minister's efforts. Canadians should be proud that it was Canada who played a leading role in the negotiation of the land mines treaty. It is in keeping with Canada's proud history of making the world a safer place.

This will be most widely felt in countries such as Cambodia and Angola and Mozambique, where it is civilians earning a living in the fields and children playing who suffer as a result of land mines.

My colleague from Kings-Hants recently travelled to Bosnia where he met farmers who could not plough their fields because they were fearful that they would blow themselves up with land mines. Others use mines to protect their crops.

• (1350)

This treaty addresses this problem, and I am sure that all members in this House and all Canadians are proud that this initiative was led by Canada. So again, I offer my warmest congratulations to the government.

I do have some concerns, however, and my concerns are both domestic and international in nature. It seems to me that there are companies in Canada that manufacture devices that could be found in land mines. I am told that these mines do not require complicated technology to work. There are a lot of pieces required, however.

My concern is the following: What will happen in the years and months ahead, when it is discovered that the triggering device or a spring or any part of a land mine being used somewhere else was in fact manufactured in Canada?

We have in this country many major electronics companies that manufacture all sorts of little odds and ends that make up components in computer, radios, televisions and telephones. It would prove most embarrassing if it turned out that a product from a

major Canadian farm was inadvertently used as a trigger in a land mine. Are there any measures to prevent this from happening?

My concerns that deal with international affairs are perhaps not as straightforward. My first concern has to do with the United States. It is my impression that the American government did what it could to be a part of this treaty but in the end, when international security considerations were discussed, the United States could not take part.

What I am about to say is very important and cannot be overlooked. There is a big difference between land mines in a field in Angola, which prevent farmers from earning a living, and land mines used to protect the rights and freedoms of South Koreans against their dangerous Communist neighbours to the North. While the land mines this treaty seeks to ban will harm people, the land mines laid by our friends and allies, the Americans, are there to protect people.

I cannot emphasize this enough, so I will say it again: This treaty is useful in that it is an effort to rid the world of land mines from wars gone by. When a conflict is over and soldiers have returned home, there has to be an opportunity to return to normalisation. Part of this process means that fields should be cleared of mines so innocent men, women and children can work and play, build and prosper, without fear.

This is not the situation on the 38th parallel, the border between South Korea and North Korea. The situation is much different. This is not a case of war gone by. This is a clear case of a conflict that still exists. The 37,000 U.S. troops are there to protect our Pacific ally from invasion. The zone where American land mines have been laid is a zone of conflict. It is monitored by the South Koreans as well as by the Americans.

We must not forget that, on November 11, Canadians stop to pay Tribute to our veterans who served in World War I and World War II and also our veterans who fought for the freedom of South Korea during the Korean War.

That freedom is still in jeopardy because of the military threat of North Korea. This is not an area where farmers would otherwise be tilling the soil. This is not a playground for children. This is a military zone. The United States is Canada's close friend and ally. It has not signed this treaty. The American government studied the matter and concluded that to do so would jeopardize its position in Korea and thus jeopardize the lives of its 37,000 soldiers and the lives of South Koreans and the freedoms that exist there and that have been fought for.

• (1355)

On Friday, it was announced that in December North Korea will enter into peace talks with South Korea, that will include China and the United States. We will wait and see, hoping that real progress is made.

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There are other things that should be widely known about the American effort as we approach the day when this treaty is signed. The United States is trying to find a replacement for the anti-personnel land mines currently being used in the Korean peninsula. The United States has said eager to help rid the world of land mines by the year 2010 and plans to contribute over \$100 million to the global de-mining effort in the next year.

The list of countries that signed this treaty is long. It is, however, missing some very important players. Especially Russia, China, North Korea, South Korea, India and Pakistan.

I encourage the government to continue to put pressure on these countries.

In fact, two countries where land mines have been most harmful to civilians in recent years are Afghanistan and Cambodia. These mines are left over from the Communist regime.

I have been told that there are mines left over from the Soviet invasion of Afghanistan that were made deliberately to look like toys. It was a deliberate attempt to kill children and to terrorize the Afghans into submission.

It is important that Canada lead the way not only to rid the world of these land mines, but to take every opportunity to tell Canadians that the countries I just mentioned did not sign this treaty for reasons that are quite different from the reasons for which Americans did not sign. When the world does become a safer place, American protection of our weaker allies will become less and less necessary.

My other concern that involves international consideration is APEC, the Asia Pacific Economic Co-operation meeting that is taking place in Vancouver as we speak. I understand that the APEC meeting will not address human rights concerns, but only economic issues. That is not right, and I know that many Canadians feel the same way.

I suggest that Canada should bring up the issue of the land mines fully and publicly and not just at bilateral meetings. If the government is really serious about ridding the world of land mines, the APEC summit would be a timely opportunity to challenge countries to join.

Also, I want to congratulate the government, and in particular, the Minister of Foreign Affairs for his efforts. I sincerely hope that the government will take my comments seriously, and take them into consideration.

The Speaker: My dear colleague, we still have time for comments and questions, but as it is nearly 2 o'clock, you will have the floor again following Oral Question Period. Right now, however, we will proceed with Statements by Members beginning with the hon. member for Egmont.

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STATEMENTS BY MEMBERS

[English]

LORIE KANE

Mr. Joe McGuire (Egmont, Lib.): Mr. Speaker, a great moment in Canadian sport occurred this past weekend when Lorie Kane, a native of Prince Edward Island, tied for first place in regulation play in the LPGA tour championship.

The top 30 women golfers of the world came together in Las Vegas for the final tournament of the year to determine who was the best.

To have a Canadian and a Prince Edward Islander tie for first place was a great achievement for Lorie and for Canadian women's golf. The fact that Lorie lost after three playoff holes to the top money winner and player of the year, Annika Sorenstam, does not diminish the pride all islanders feel in her performance.

Rightly or wrongly, a golfer's success is measured by money earned. By this standard Lorie's earnings of over \$425,000 U.S. have established her as the best female Canadian golfer in history. To accomplish this as a rookie on the tour makes it all the more impressive.

Lorie is a great ambassador for the sport, for P.E.I. and for Canada. She always remembers those who have helped her along the road.

Lorie, we congratulate you and wish you continued success.

* * *

CATRIONA LEMAY DOAN

Mr. Rob Anders (Calgary West, Ref.): Mr. Speaker, I would like to add this name to the long list of great Canadian athletes: Catriona LeMay Doan.

• (1400)

On Saturday, Ms. LeMay Doan became the first woman to shatter two speed skating world records within an hour of one another in the 500 metre and 1,000 metre races. Ms. LeMay Doan is the best female speed skating sprinter in the world and she represents Canada.

On behalf of the residents of Calgary West who hosted the World Cup Sprints at the Olympic Oval, I ask all parliamentary representatives to stand now and honour this remarkable achievement.

[Translation]

SENATOR MARCEL PRUD'HOMME

Mr. Guy Saint-Julien (Abitibi, Lib.): Mr. Speaker, laid low by a heart attack a week ago, Senator Marcel Prud'homme is now recovering in Montreal's Hôtel-Dieu hospital.

A colourful and loquacious politician, he had a successful parliamentary career in Ottawa from 1964 to 1993 as the Liberal member for Saint-Denis in Montreal. He was appointed to the Senate as an independent in 1993.

Here's wishing you a speedy recovery, Marcel, from your friends among the members and employees of the House of Commons in Ottawa.

* * *

ABORIGINAL PEOPLES

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, one year after the tabling of the report by the Royal Commission on Aboriginal Peoples, I rise to criticize the government's failure to act on its main recommendations.

They include self-government, and negotiations on this point are still dragging on. This issue, however, is a fundamental right, which will allow Native peoples to free themselves from financial dependence on Ottawa.

The commission raised many social problems, which require the government's immediate and effective attention. Need I remind this House that the conditions Native people live in are beneath human dignity. Their health is precarious. The levels of drug and alcohol abuse and of suicide among Aboriginal people are the highest in Canada, and they are among the most poorly housed Canadians. In Quebec, on the other hand, the statistics are much more positive.

On behalf of the Bloc Québécois, I urge the government to act in this matter. I ask it to draw on the commission's recommendations, which aim at correcting this unfortunate situation.

* * *

[English]

DIABETES AWARENESS MONTH

Ms. Elinor Caplan (Thornhill, Lib.): Mr. Speaker, November is Diabetes Awareness Month.

Nearly 1.5 million Canadians have diabetes which is a major cause of premature death and other significant health problems. The chances of having diabetes increase with age. It affects more than 11% of Canadians between 65 and 74.

Diabetes rates for aboriginals are three times that of the general population. That is why in the Speech from the Throne this government identified the need to develop new initiatives to address the rapid increase of diabetes in aboriginal communities.

Health Canada plays an important role in the fight against diabetes by supporting research through the Medical Research Council, by facilitating the operation of the multisectoral Diabetes Council of Canada and by working with First Nations communities to develop effective diabetes programming.

Mr. Speaker, please join me in wishing the Canadian Diabetes Association and its many volunteers a very successful Diabetes Awareness Month.

* * *

LAND MINES

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, today marks a historic day for Canada when we will pass in this House a law which will ban the use, production and sale of anti-personnel mines.

By doing this, Canada will be one of the first nations in the world to actually have a law banning these heinous devices that claim over 30,000 lives a year and lays to waste economies of some of the poorest nations of the world.

Canada, along with NGOs, has led the charge to ban these devices. Mines Action Canada, foreign affairs personnel and members of Parliament have stood together to pursue this. This is an example of what Canada can do on the international stage.

Now we must move beyond land mines and use this Ottawa process to address the larger security issues that affect us all. We must move from a reactive foreign policy to a proactive one. The 21st century needs a leader to pursue these objectives and Canada can be this leader.

The 21st century belongs to Canada. We must seize the day and move forward.

* * *

OLYMPIC INTERNATIONAL CHILDREN'S FESTIVAL

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, I wish to inform the House of a remarkable event that will be held in Hamilton. The executive members of the International Children's Games have unanimously supported that the city of Hamilton host the first Olympic International Children's Festival July 1, Canada Day, through July 8 in the year 2000.

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• (1405)

The plan calls for a program of 13 sports as well as a cultural festival and celebration of the Olympics being held that year in Australia.

As host, Hamilton's organizing committee's goal is to involve 100 cities and approximately 5,000 athletes from across Canada and the world in a celebration of sport and culture in the new millennium.

The festival's theme "The Spirit Unites" represents the aspirations of youth across the globe to come together and embrace the Olympic spirit. What a great way for Canadian youth to celebrate unity with each other and with youth from around the world.

The city of Hamilton hopes to count on the support of the Government of Canada as it prepares to host what will be one of the premier millennium events in Canada.

* * *

THE LATE JUSTICE JOHN SOPINKA

Ms. Eleni Bakopanos (Ahuntsic, Lib.): Mr. Speaker, we all learned with great regret this morning of the sudden passing of Supreme Court Justice John Sopinka after a short illness.

[Translation]

Mr. Justice Sopinka was appointed to the Supreme Court of Canada in June 1988. He was born in 1933 in Broderick, Saskatchewan. He was educated in Hamilton, Ontario, and graduated from the University of Toronto in 1958. Prior to his appointment to the Supreme Court, he was one of Canada's most renowned lawyers and had been called to the bar in five provinces and two territories.

[English]

Justice Sopinka was a great jurist who will be remembered for his contributions both to the court and to the Canadian justice system which he served with great distinction.

On behalf of all members of this House I wish to extend my deepest sympathies to the members of his family.

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[Translation]

JOURNÉE NATIONALE DES PATRIOTES

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, the Journée nationale des Patriotes was celebrated yesterday in Saint-Denis-sur-Richelieu. This day was set aside to honour the memory of Quebec's patriots. This year is particularly significant because it marks the 160th anniversary of the events of 1837 and the 10th anniversary of the death of one of our greatest patriots, the late René Lévesque.

On October 30, 1995, nearly 94% of Quebecers made their wishes known democratically on their collective future. However,

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for our precious democratic heritage that allows us to hold this basic exercise of consultation in an atmosphere of calm, civility and mutual respect, we must thank the patriots of a century ago.

We must put to good use their gift to us and the sacrifices they made so that today we might enjoy the individual and political freedoms so dear to us and the democratic and responsible institutions of which we are so proud.

We know that the noble mission of the patriots remains unfulfilled, but the people of Quebec following in their footsteps have resolutely chosen the road to sovereignty.

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[*English*]**BRITISH COLUMBIA**

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, since 1993 the Liberals have failed to address B.C.'s concerns.

The Liberals have their own agenda for APEC. It is not human rights, it is not job creation, it is not making BC the eighth tiger of the Pacific Rim. It is a failed attempt to heal the wounds. Real job creators for B.C., fish, wood and environmental products, have not made APEC's to do list.

The Liberals have failed to negotiate a Pacific salmon treaty with the U.S. It has turned off Pacific lighthouses. It has ripped the heart out of the Pacific coast guard. It has even closed CFB Chilliwack and left B.C. without emergency preparedness.

The Liberals have cut out the voice of British Columbians by excluding 25 BC MPs from participation at APEC. The Liberals would have preferred to have hosted APEC in Toronto or Montreal.

The Liberals are fanning the fires of B.C. alienation with \$65 million. They are not creating jobs for B.C. British Columbians are too smart to be fooled by Liberals.

* * *

ANTI-SEALING LOBBY GROUPS

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, as all members are aware, there has been an intense campaign by anti-sealing lobby groups using a 1-800 number and television ads. Members of the public are provided with scripts and told to phone their local MP.

My colleague the member for Mississauga West took objection to this practice and returned all phone calls directed to him. In addition he wrote a letter to the Toronto *Star* correcting certain factual errors in the presentation.

The response he received from the animal rights group was a letter from their lawyer instructing him to engage counsel. In other

words, do not speak out on this issue, do not correct factual errors and do not ask pointed questions or we will sue you.

This is an outrageous abuse of a member's freedom of speech and duties and cannot be tolerated in a civil society. It is a disgraceful attempt to silence a member's right to speak on a subject of interest to Canadians. Simply put, it is wrong.

* * *

● (1410)

EMPLOYMENT

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, the political leadership of the European Union has announced that it will set job targets and establish programs to combat unemployment. Meanwhile the Liberal Government of Canada seems content to have unemployment stay at 9% and rejects NDP proposals to set targets and timetables for job creation.

Indeed last week the Bank of Canada governor said that Canada's economy could reach full capacity next year at 8.9% unemployment. It seems that the Liberals and the Bank of Canada regard 1.5 million unemployed Canadians as redundant, as effectively non-participants in the economy.

This is a shameful approach. It should be replaced with a commitment to real jobs for real people instead of this idolatrous fascination for certain economic indicators and the false economic theories that they are a part of.

* * *

[*Translation*]**EMPLOYMENT INSURANCE**

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, last Friday, the government announced a reduction in employment insurance premiums, which represents a tax break of \$1.4 billion.

Starting January 1, 1998, the contribution rate for workers will drop from \$2.90 to \$2.70 per \$100 in insurable earnings. As for the employers' share, their contribution rate will drop from \$4.06 to \$3.78. These reductions are the result of more optimistic federal government forecasts relating to its public finances. The government, moreover, has indicated its desire to reduce contribution rates in future as much as possible.

This government action is part of a broader objective to take every approach possible to ensuring the growth of the Canadian economy. That growth is linked to job creation and the maintaining of optimum conditions for public and private investment.

[English]

CURLING

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, I rise today to inform the House of a great Canadian contribution to the sport of curling.

Next year in Nagano, Japan the Winter Olympics will include curling as a medal sport. This week in Brandon, Manitoba, my hometown, Canada is choosing its men's and women's representatives for those Olympics.

Canadians are being treated to the most awesome display of curling talent ever assembled under one roof. Canada's ten best men and ten best women's rinks are competing for the honour to be called Canadian Olympians. Needless to say I do have a provincial bias as four of those teams come from Manitoba. Nevertheless when the victors are crowned this weekend, regardless of what province they come from they will have the support of all Canadians in their quest for gold.

Congratulations to the Brandon organizing committee's President Pam Horn and the 900 volunteers who are once again showcasing southwestern Manitoba and the sport of curling. Brandon has earned its reputation as a host community and the distinction of the curling capital of Canada.

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DIABETES AWARENESS MONTH

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, November is Diabetes Awareness Month. On November 14 Insulin Day was celebrated worldwide. These events are especially significant to me because the discoverer of insulin, Sir Frederick Banting, was born in the township of New Tecumseh which is part of my riding of Simcoe—Gray.

Dr. Banting has long held a special place in the hearts of Canadians and indeed the entire world for his discovery of a cure for diabetes. I am sure that each of us have a family member, friend or a neighbour who has directly benefited from Dr. Banting's discovery.

In memory of a great man and a great Canadian, I encourage everyone to actively promote the role of education in the prevention and care of diabetes. Diabetes is a serious and rising health problem throughout the world, disabling more than 100 million people.

We owe a debt to Dr. Banting. We can repay our debt through active participation in the prevention and care of diabetes. Colleagues, join me in this challenge.

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CURTAIN CLUB THEATRE

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, November 21 marked the 25th anniversary of the Curtain Club Theatre at its location on Newkirk Road in Richmond Hill.

The Curtain Club has a proud tradition dating back to 1952. It has provided the residents of Richmond Hill and surrounding areas with first class theatre productions from comedies to tragedies, laughter and tears.

We are fortunate to have such a professional organization in our community and a group of very committed and dedicated volunteers who are involved in the production, the creation of sets and the superlative acting.

It should also be noted that the Royal Canadian Air Farce which is also celebrating its 25th anniversary had its first show in Richmond Hill at the Curtain Club Theatre. That tremendous Canadian comedy team has delighted Canadian audiences with their satirical comedy and down to earth humour. Their first radio broadcast was from Richmond Hill's Curtain Club.

Canadian theatre has been enriched by the dedication and commitment of individuals who are prepared to devote long hours of preparation, hours of hard work and effort to present entertainment to the community.

I salute both the Curtain Club Theatre and the Royal Canadian Air Farce.

* * *

• (1415)

[Translation]

LEBANON

Mr. Mark Assad (Gatineau, Lib.): Mr. Speaker, I am pleased to draw attention to the presence here of the former President of Lebanon, Amin Gemayel.

Mr. Gemayel, who is visiting Canada with his lovely wife, is known to us as a staunch defender of the independence and territorial integrity of Lebanon.

We would like him to know how grateful all Lebanese are to him, not only those still in Lebanon but also all those throughout this country, who share his hopes and struggle for a true Lebanese territory and peace after 17 years of conflict.

We are honoured to have this visit by former President and Mrs. Gemayel.

*Oral Questions***ORAL QUESTION PERIOD***[English]***CANADA POST**

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, we are now in the sixth day of a postal strike that is crippling the country from coast to coast. The cost to businesses and families is in the hundreds of millions of dollars. Thousands of workers are being laid off already.

Over the weekend this government mused about legislating the postal workers back to work, but that is all it was. It seemed to be musings and idle chatter.

I would like to ask the government how many more days and weeks is this postal strike going to go on? When is this government going to get these postal workers back to work?

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, we are monitoring the situation very closely. The government is very concerned about the situation.

What we want is for the parties to get back to the table and come up with a collective agreement.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, I will tell you who is monitoring the situation. It is families with businesses like the Lorenzes in northern Alberta and thousands of family businesses like them.

This family decided to go into the mail order book business and to pay for it they mortgaged their own home. All they had to do was work hard and it would pay off for them, or so they thought. But then along came the postal strike. The Lorenzes could now lose their business, their dream and even their family home. So this kind of answer is not good enough.

Let me ask the government, which is monitoring this whole thing so clearly, when and what does it have to say to these thousands of people whose very lives are affected by this postal strike?

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, I cannot imagine a party which always pushed for less government now pushing for more interference by government. This is a process that has worked. Let the process work and let the parties come up with an agreement.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, this official opposition is a party which is pushing for final offer arbitration so we do not need to get into these strike situations all the time, as this government talks about.

The labour minister has been saying day after day in the House of Commons that the government is not going to legislate an end to

the strike, it is simply going to monitor the situation. Yet the public works minister mused over the weekend and said to the Canadian Direct Marketing Association in August that he would legislate this back to work.

I want to ask simply who is telling the truth here, flip or flop?

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, final offer selection is a form of arbitration. Quite simply, we are not at that stage yet. What we want is a collective agreement. Final offer selection is a process that works in specific areas only and is not useful in this situation.

Mr. Jim Gouk (West Kootenay—Okanagan, Ref.): Mr. Speaker, back to work legislation also includes a strike alternative to settle the dispute.

It is well known the government is in a position of conflict of interest due to its plans to have Canada Post reap huge profits which it then turns over to a cash hungry Liberal government.

Given this conflict of interest what impartial dispute settlement mechanism does the government intend to use when it finally gets off its you know what?

• (1420)

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, I have offered both sides the assistance of a mediator to help get them back to the table and come up with a collective agreement.

I ask my hon. colleague to let both sides deal with the issue and come up with an agreement that is better for both sides and let the mediator do his or her work.

Mr. Jim Gouk (West Kootenay—Okanagan, Ref.): Mr. Speaker, strike in 1987, legislation; strike in 1991, legislation. Now we have a strike in 1997. The cost is thousands of layoffs with Christmas coming, a one hundred million dollar a day cost to business, an erosion of Canada Post Corporation and the ultimate loss of jobs for CUPW.

How many strikes is it going to take before this government recognizes the need to protect Canada's 30 million people and bring in a permanent no strike, no lockout solution to Canada Post disputes?

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, as I indicated previously to the House, I am bringing in legislation to bring Part I of the Canada Labour Code up to date.

There were consultations over the last two years and one thing that neither labour nor management pushed for was to take the collective bargaining rights away.

*Oral Questions**[Translation]*

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, last week the Prime Minister was firmly opposed to special legislation to force people back to work at Canada Post. He said, and I quote:

—there is a strike because the Parliament of Canada has given the right to strike to this union. That is in the law and we have to respect the law of the land by giving the two parties a chance to find a negotiated settlement.

Yesterday, however, the minister responsible for Canada Post was talking about bringing in special legislation.

Can the Deputy Prime Minister tell us whether the government will go with the Prime Minister's option of respecting the bargaining process, or that of the minister responsible for Canada Post, who spends his time threatening special legislation?

[English]

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, as my hon. colleague is well aware, I have not indicated anything about back to work legislation.

What I have tried to do is let the system work. I ask my hon. colleague to do the same, to let them get back to the table and come up with an agreement that will be better for all Canadians.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I would really like to believe the Minister of Labour, but the fact is that his colleague, the minister responsible for Canada Post, has constantly brandished the threat of special legislation.

I ask the minister responsible for Canada Post if he realizes that, by his actions, he has hurt negotiations, which could lead directly to an impasse.

[English]

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, there are many things stated during negotiations but, quite simply, we have a process in this country. Under Part I of the code, it is my responsibility to see that the process is let work.

There are a number of stages in the process and that is what we are going through. Let the system work.

[Translation]

Mr. Réjean Lefebvre (Champlain, BQ): Mr. Speaker, since August we have known that the situation at Canada Post would worsen, because the minister responsible accidentally announced his plan for a special bill, long before the employees decided to strike.

Does the government not realize that it is entirely responsible for the mess Canada Post is in for having taken two different positions, with the Minister of Labour saying he wanted negotiations to take

their course and the minister responsible for Canada Post promising special legislation for the past three months?

[English]

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, as I have indicated previously, I have offered the services of a mediator to both parties to let them get back to the table and come up with an agreement. Why not let CUPW and the post office use a mediator and come up with an agreement that will be better for all Canadians?

[Translation]

Mr. Réjean Lefebvre (Champlain, BQ): Mr. Speaker, did the minister not simply serve postal employees up to Canada Post Corporation with a promise from the start to deprive them early on of their right to strike with special legislation?

[English]

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, I have made no promises. All I have done is agree to follow the law of this country, and Part I of the Canada Labour Code happens to be part of the law of this country. I am going to see that it is followed. There are a number of stages. We are in this stage at the moment.

● (1425)

[Translation]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, last week the Minister of Labour was promoting a negotiated solution to the dispute at Canada Post. He even acknowledged that back to work legislation would hinder negotiations. However, the minister responsible for Canada Post is now threatening to impose special legislation.

Why does the minister want to sabotage negotiations rather than allow the talks to take their course?

[English]

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, if there is anyone who did not sabotage the negotiations it is I. I made sure that the collective bargaining system had a chance to work in this country. I made sure that we followed the laws of this country and I am going to make sure that we do follow the laws of this country.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, now we are seeing the good cop and the bad cop routine being played out on the floor of the House of Commons.

The labour minister was told earlier today that without government meddling Canada Post and its employees could reach an agreement within 72 hours. Earlier in question period this minister acknowledged that without interference the parties could negotiate an agreement.

Oral Questions

Will the labour minister reaffirm his commitment to a negotiated settlement by insisting that the planned back to work legislation be put on ice?

Hon. Lawrence MacAulay (Minister of Labour, Lib.): Mr. Speaker, my hon. colleague is the one who is bringing up the subject of back to work legislation. What I have indicated is that I offered the services of a mediator from the labour program. What I am trying to do is assist the process. I am trying to assist CUPW and the post office to come to a collective agreement.

We should let them do their work. We should let the mediator do his work.

* * *

EMPLOYMENT INSURANCE

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, the government announced on Friday that it would be reducing EI premiums by only 20 cents, from \$2.90 to \$2.70.

Business leaders all over the country agree that EI premiums could be reduced by 60 cents to 70 cents. Even the actuary for the EI account says the fund could be sustained if premiums were reduced by 90 cents.

Why did the Minister of Human Resources Development choose to put the interests of the Minister of Finance ahead of giving Canadians the tax relief they need, especially in view of the \$11 billion tax hike—

The Speaker: The hon. Minister of Human Resources Development.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I would say that the House was pretty pleased to learn on Friday morning that there was a second 10 cent decrease. Canadians were very pleased to hear that for the fourth year in a row the premiums are decreasing. That is good news.

Canadian business people and employees are very pleased to see that they have a system which will be sustainable for the future, not which will go into debt as it used to, because we are responsible.

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, it would be sustainable at \$2.00.

Last week finance officials led the finance committee to believe that the auditor general agreed not to be the auditor for the CPP board. The auditor general had to send a letter to the finance committee to clarify his position. He clearly indicated that he believes he should be the auditor for the CPP board, yet on Friday the Minister of Finance persisted in saying that this is not the auditor general's position.

Does the minister now have his facts straight and can he tell the House why his officials misled the finance committee?

The Speaker: I would prefer, colleagues, that we stay away from using such words. I will permit the hon. Minister of Finance to answer if he wants to.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, let us be very clear. It is unworthy of the hon. member and I would hope that he would withdraw the allegation that any official of this government would mislead a committee.

That being said, let me say that the auditor general will be given complete access to all the information in order to perform his audit. There is an opportunity for him to be chosen as the auditor. The fact is that will be up to the independent investment board, which is arm's length from government. I would remind the hon. member that it is not only a federal government initiative but it is also a provincial government initiative.

• (1430)

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, on Friday the finance minister announced a cut to EI premiums that works out to less than a dime a day for Canadians—

Some hon. members: Hear, hear.

Mr. Monte Solberg: —and they are clapping for it. That is embarrassing.

If Canadians work seven days a week and take their huge tax windfall, they will be lucky to have a down payment on a cup of coffee. That is what it works out to. When is the finance minister going to quit nickel and diming Canadians and give them real tax relief, not a dime a day?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, that is a tax cut which represents one billion four hundred million dollars. It is the second largest reduction in UI premiums in the history of the fund. It follows, as my colleague has said, three previous years, in each and every one of which there was a reduction in EI premiums. The fact is we have reversed the tendency toward increasing these premiums which were created by the previous government.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, while the minister is dropping EI premiums by 10 cents a day, he will begin hiking CPP payroll taxes by \$1.90 a day on January 1, \$3.80 for the self-employed.

When is the minister going to quit this shell game and admit that taxes are going up and not down as he is trying to lead Canadians to believe?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I really believe that the finance critic for the Reform Party has a responsibility to Canadians to do his homework. The premiums for the Canada pension plan do not go into the government's coffers. They go into a separate fund which is invested for the benefit of premium contributors.

Oral Questions

If he is so upset in his question about income taxes, would he please explain this to his colleague from Calgary—Nose Hill who has suggested a 25% increase in personal income taxes in order to make up for the \$600 million liability.

* * *

[Translation]

OPTION CANADA

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, my question is for the Minister of Canadian Heritage.

The investigation of Option Canada by the Directeur général des élections du Québec has revealed a flagrant lack of co-operation by the former administrators of that organization. Its former director of operations, René Lemaire, refusing to open Option Canada's books, lawyer Michel Hudon, who incorporated Option Canada, refusing to say what its activities were, and so on.

Is it standard practice, within 20 days of incorporation, to give close to \$5 million to people who—

The Speaker: The Minister of Canadian Heritage.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the amount awarded matched the full amount donated to Option souveraineté by Mr. Duhaime.

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, I have a supplementary question.

Claude Dauphin, former president of Option Canada, former Liberal MP and board member of the Council for Canadian Unity, has stated, moreover, that Option Canada was the political arm of the Council for Canadian Unity.

What political activities has the Minister of Canadian Heritage managed to finance?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the hon. member across the way is making certain allegations concerning statements that have been made.

I would suggest he take care, because it must be kept in mind that, on January 16, 1997, the Quebec minister of finance said of the Government of Quebec's financial statements in connection with the referendum, "It would be negligent on our part to make public the financial plan of the Government of Quebec in connection with the referendum". This statement was made by the finance minister of the PQ government of Quebec.

* * *

[English]

CANADA PENSION PLAN

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, the poor member for Calgary—Nose Hill never ever

suggested a 25% increase. That is a fabrication by the Minister of Finance. In the same way, he is trying to fabricate a very private audit of the CPP investment board although the auditor general has said that his department should do that audit.

Why does the Minister of Finance not want the auditor general, Canada's auditor general, to be the watch dog over this huge CPP investment fund? What is he trying to hide?

• (1435)

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, first, that option is open to the investment board.

As to the reference made by the member for Calgary—Nose Hill that the \$600 billion liability would be made up by an income tax increase, that income tax increase is 25%. This statement is a matter of public record. If that is not the case, will the hon. member now stand up and tell us how they will fund the \$600 billion liability or is it their intention to renege on the contributions and obligations to Canadians?

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, the Minister of Finance is wrong not once but twice in his response.

I will deal with the investment fund. The fact is that the legislation shows that the CPP Investment Board will hire its own private auditor for the board. The auditor general will not be involved in that audit.

I will ask the Minister of Finance again. If the auditor general says that he can do it and it would be more efficient and cost effective, why will the Minister of Finance not allow public scrutiny of the CPP Investment Board? What is he trying to hide?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, first, there will be complete public scrutiny. All of the information will be made available. The auditor general will have it all made available to him and he will report on it.

The investment board has the option of either appointing an outside auditor who has greater expertise than the auditor general or in fact of appointing the auditor general. The member should read the legislation.

Why does the hon. member refuse to talk about the \$600 billion liability? Is the Reform Party going to renege on the obligations to Canadians? Why is it afraid to stand up and say what it is prepared to do? Do Canadians have a reason to be afraid of what the Reform—

The Speaker: The hon. member for Roberval.

Oral Questions

[Translation]

OPTION CANADA

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, \$4.8 million of taxpayers' money was used by we know not whom, nor do we know why, exactly how, and when, and the Minister of Canadian Heritage is still refusing to answer any questions about Option Canada.

I would sincerely like to know the answer to the following question: Does the minister, who has on a number of occasions told the courts she has nothing to hide, not think that her most fundamental responsibility, as the minister responsible, is to answer all these questions frankly and without delay?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, if the member is so interested in public spending, perhaps he could take a little look at what the Government of Quebec spent on the separatist option: studies by the Secrétariat à la restructuration, \$9.4 million; the Le Hir report, everyone remembers the Le Hir report, poof; the Commission régionale et nationale sur l'avenir du Québec, \$8.5 million; grants to the Conseil de la souveraineté, \$4 million; mailings to all citizens, \$2 million and \$3 million; hiring—

The Speaker: The hon. member for Roberval.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, that is precisely what I am asking her for. Quebec's figures are public knowledge. We want to hear Ottawa's figures.

Does the minister not realize that by taking this tack, by giving any old answer, she is guilty of a cover-up?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the amounts spent by the Government of Canada are in the public accounts. We cannot, therefore, be accused of keeping them a secret.

* * *

[English]

YOUNG OFFENDERS ACT

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, in the last few days we have had several incidents in Coquitlam and Saanich, B.C. and Calgary and Sunbury, Alberta, my home town, of teenage thugs savagely beating both youths and adults. In Saanich, B.C. they took a young girl's life and threw her body into a gorge.

Is the justice minister going to scrap this Liberal Young Offenders Act which is absolutely no deterrent to youth and has been proven to be absolutely useless?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I thank the hon. member

for his question. In fact, as the hon. member is probably aware, my department is preparing a government response to the standing committee report on the Young Offenders Act which was filed in this House in April. My provincial colleagues and I will be meeting in Montreal next week and the Young Offenders Act will be one of the most important items on that agenda.

• (1440)

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, this is not news. We have heard these kinds of things before.

They fly around the country with the elite. They visit the elite. They are supposed to be doing all this consulting. There is not a member in this House, including yourself, Mr. Speaker, that could stand on any street corner in this country and not hear everybody in society say: "Scrap the Young Offenders Act. It is no good."

When is this minister going to get her priorities straight? When is she going to quit talking about useless things and start getting after some meaningful things, or leave her seat and get somebody in there that will do the job?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I would point out to the hon. member that I believe most Canadians understand that the problem of youth crime is much more complex than that perhaps suggested by comments of the hon. member.

Let me reassure the hon. member and all Canadians that we take the problem of youth crime very seriously and that is why in fact we are consulting with provincial counterparts. We are consulting with those. We work with young offenders to make sure that when we reform this law, we get it right.

The Speaker: My colleagues, I know we get a little bit excited in question period, but I am having a tough time even hearing the answers. I would ask you please to keep it down a bit.

* * *

[Translation]

THE ENVIRONMENT

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, my question is for the Minister of the Environment.

After environmental groups, the Canadian environmental ambassador and the Government of Quebec condemned the Regina accord on greenhouse gas emissions, we have learned this morning that a number of industrialized countries have reached a consensus at Tokyo to stabilize their greenhouse gas emissions by the year 2005, not 2010, as set out in the Regina accord.

Is the Minister of the Environment prepared to revisit the Regina accord in order to endorse this compromise position?

Oral Questions

The Speaker: The Minister of the Environment.

[*English*]

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, I said last week that the agreement that we reached in Regina was a good consensus, but it was not the definitive time line and target of the federal government.

We will make our announcement about our target before Kyoto, but at the moment we are continuing to negotiate not only with developed nations, but developing nations as well around this very serious issue to try to make sure that we have a consensus when we go to Kyoto.

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[*Translation*]

REVENUE CANADA

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of National Revenue.

Canadian taxpayers are concerned about the confidentiality of their tax files after what happened in Quebec City last week. If taxpayers are to have faith in the taxation system, we must ensure the confidentiality of the information provided beyond a shadow of doubt.

Can the parliamentary secretary assure this House and all Canadians that the information provided by taxpayers is kept confidential at Revenue Canada?

Mrs. Sue Barnes (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, I thank the hon. member for his question.

[*English*]

Absolutely. Client confidentiality, whether it is an individual or a corporation, is the cornerstone of our system of taxation in this country. It is voluntary compliance and we would take seriously any efforts to access information. This is a serious matter and I would like to clearly state that Revenue Canada is well aware of this obligation and that recent press reports do not involve the department.

* * *

THE ENVIRONMENT

Mr. Bill Gilmour (Nanaimo—Alberni, Ref.): Mr. Speaker, the Prime Minister said last Thursday that he does not feel bound by the November 12 federal-provincial agreement to stabilize emissions to 1990 levels by the year 2010.

It is the provinces that have to deal with the emissions. It is the provinces that will take the economic hit after the Kyoto agreement.

Why did the Prime Minister waste the time of the provinces when he had a different timetable in mind all along?

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, the federal government and the provinces recognize that climate change is a serious and real issue that must be addressed, but they also recognize the many opportunities associated with this.

• (1445)

This morning I signed an agreement for the federal government with ENMAX and Vision Quest in Alberta. Our federal department will be buying green power through wind power created in Alberta. Why cannot the Reform Party understand the opportunities associated with climate change?

Mr. Bill Gilmour (Nanaimo—Alberni, Ref.): Mr. Speaker, speaking of wind power, we are getting an awful lot of it from the other side.

We are a week away from the signing of the treaty in Kyoto and Canada is the only G-7 country that has not put its position forward because of the government's fumbling. The provinces have agreed to emission levels at 1990 standards by 2010. Now the Prime Minister is saying 2007.

With the Kyoto signing only days away, will the minister tell the House, tell Canadians, what is the plan and how it will be implemented?

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, all the hot air gases in the Chamber come from the Reform Party on this issue.

This morning Petro-Canada, based in Calgary, and the Ottawa biotechnology company, Iogen, signed a landmark deal to produce pollution free motor fuels from converted agricultural and wood waste.

This issue represents many opportunities for Canada, Canadian business, industry and individuals. When will the Reform Party understand the issue is serious and attached to many important economic opportunities?

* * *

CANADA POST

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, when the Liberals were in opposition they wrote a report that said Canada Post should not pay income tax and should only generate enough profits to pay for its operating costs and to improve services to Canadians.

Today the Liberal government is demanding that Canada Post pay dividends of \$294 million over five years and \$131 million in income tax. This strike could be settled today if the government withdrew its unreasonable demand for profits.

Oral Questions

Will the minister of government services direct Canada Post to return to the table without the demand for dividends that is the root cause of this strike?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, Canada Post has been at the table from the beginning and continues to be at the table. It has a mandate to negotiate and we believe in a negotiated settlement.

In terms of the other part of the question, the member should know that in 1996 Canada Post's mandate was reviewed. There was a one year study. There was a report that looked at all the possibilities of how the corporation should be run and what were the financial implications.

The government took the report, answered the report and gave a new mandate to Canada Post. I am sure with the negotiated settlement that mandate can be achieved.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, Canada Post is not supposed to be a cash cow to be milked by the federal government. The government's demand for profits and dividends from Canada Post has all the earmarks of getting the corporation ready for the auction block. It is like fattening up a calf before bringing it to market.

Will the minister of public works withdraw the demand for dividends from Canada Post and assure the House today that the government will never sell off and privatize this valuable asset?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I do not know how many times I have to say it in French and English. We do not want to privatize Canada Post Corporation. We want Canada Post to continue to deliver the mail. It is a good corporation in the global economy.

The hon. member should do as much business as we do outside Canada. Canada Post has to make a profit so it can renew its equipment and invest in modern technology.

We want to look at the future, not at the past like the New Democrats.

* * *

APEC

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, the Minister of Foreign Affairs has warned APEC of irrelevancy if it does not expand its scope to include human rights and environmental issues.

Canada's EDC is backing the Three Gorges project with \$172 million worth of Canadian taxpayers money, when the World Bank, CIDA and the U.S. Ex-Im Bank will not back the Three Gorges project based on environmental and human rights concerns.

Based on his own criteria stated at APEC, does the Minister of Foreign Affairs feel that Canada's foreign policy with Asia has become irrelevant?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, at the APEC ministerial meeting this past week a couple of important steps were taken.

First, it was agreed by all ministers that questions dealing with the consequences of economic change and trade liberalization impacts upon labour markets would be a matter for consideration under the human resource working group of ministers. That would involve a combination of labour and management consultations to ensure we are able to examine the full consequences.

● (1450)

Second, the ministers also decided to sponsor support of a ministerial meeting on women's issues which will be held in the Philippines next year.

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LAND MINES

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, my question is for the Minister of Industry.

In early December nations from more than 100 countries will come to Ottawa to sign the treaty banning anti-personnel mines. Recently I contacted the minister to suggest that the government spearhead an effort to exhibit Canada's leading edge land mine clearing technology at this conference.

Could the minister advise the House what progress has been made by his department on this suggestion?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I salute the hon. member for Nepean—Carleton who came forward with this suggestion.

As a result I am pleased to advise the House that we will be hosting a Canadian de-mining showcase in Ottawa on December 3 and 4, concurrently with the signing of the Ottawa declaration.

The availability of technology is not only to give effect to the terms of the treaty in which Canada has played such an important role but to give availability of solutions to people whose lives have disrupted by the unfortunate consequence of land mines.

* * *

EXPORT DEVELOPMENT CORPORATION

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, last week I informed the House that the president of EDC, Export Development Corporation, Ian Gillespie, told the foreign affairs committee that EDC is reluctant to sign the code of ethics championed by the Minister of Foreign Affairs.

How can Canadian corporations be asked to sign this code of ethics when Canadian crown agencies will not play by the same

Oral Questions

rules? Will the Minister for International Trade restore relevancy to Canada's foreign policy by ensuring that EDC signs the code of ethics of the Minister of Foreign Affairs?

Mr. Julian Reed (Parliamentary Secretary to Minister for International Trade, Lib.): Mr. Speaker, the Economic Development Corporation must subscribe to the policies of the federal government which de facto make it subscribe to a code of ethics set down by the government.

The code of ethics described there is for businesses that are not signed on and it is voluntary.

* * *

TAXATION

Mr. Deepak Obhrai (Calgary East, Ref.): Mr. Speaker, the riding I represent is made up of small business people, single parents, working families and seniors. They are trying to make ends meet. These Canadians do not want government handouts. All they want is the government to take its hands out their pockets.

My question is for the Minister of Finance. His so-called latest tax relief is simply nickels and dimes. When will he listen to these Canadians and commit today to bringing in real tax relief for small businesses, single parents, working families and seniors?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, \$1.4 billion may be nickels and dimes to the hon. member. To Canadians that happens to be real money.

At the same time the \$850 million my colleague, the Minister of Human Resources, put forth in terms of the child tax benefit, the second \$850 million that will be coming, also happens to be real money.

The tax relief that is being provided to students happens to be real money. The fact that the government has succeeded as a result of a clean-up of the balance sheet in bringing down mortgage rates and bringing down car purchase rates happens to be real money.

* * *

*[Translation]***DAIRY PRODUCTS**

Mr. Jean-Guy Chrétiens (Frontenac—Mégantic, BQ): Mr. Speaker, imports of mixtures of oil, butter and sugar, which are used in the manufacture of ice cream for example, have been flooding our markets increasingly since 1995. Our dairy producers are the ones to bear the brunt.

Is the Minister of Agriculture aware of the danger of allowing the situation to worsen and does he intend to continue to take the appropriate action to protect our dairy producers whose quotas have dropped by nearly 3%?

Hon. Gilbert Normand (Secretary of State (Agriculture and Agri-Food) (Fisheries and Oceans), Lib.): Mr. Speaker, I am pleased the hon. member raised the question, which is indeed of concern to our dairy producers.

● (1455)

An agreement has been signed on import products, including butter. At the moment this product meets the requirements of the agreement. We are looking at ways to amend the agreement, but if we amend the agreement for butter oil, we also have to amend it for the other products.

* * *

*[English]***PORTS CANADA**

Mr. Peter Mancini (Sydney—Victoria, NDP): Mr. Speaker, my question is for the Minister of Transport. In July the Vancouver detachment of Ports Canada police was disbanded. The Vancouver Port Corporation charged multinational shipping companies a fee for using the port facilities, part of which paid for the ports police services at no cost to Canadian taxpayers.

Since July the Vancouver police department took over ports policing. That cost was supposed to be \$1 million. There are indications that just since July it may be \$1.5 million.

Given that the government promised the disbanding of Ports Canada police would not cost Canadian taxpayers—

The Speaker: The hon. member for Markham.

* * *

CANADA PENSION PLAN

Mr. Jim Jones (Markham, PC): Mr. Speaker, if I understood him, the Minister of Finance indicated the CPP investment board would choose its own auditors. The minister said that someone from the outside may have more expertise. An auditor's job is not to protect the board of directors but to protect the shareholders, Canadians.

Why is the auditor general not given access through the legislation to the information that will allow him to ensure Canadians are protected?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the government has made it very clear that the auditor general will be given complete access to all the information he requires to complete his audit. He will be auditing the Canada pension plan.

If in fact the legislation is not sufficiently clear we have indicated that we will make it clear in order to ensure that very thing.

Points of Order

The investment board will have the option of either choosing an outside auditor or the auditor general. The fact is it may well decide, because the provinces are also involved, that an outside auditor would have far greater expertise in that specific area. That is a decision for the board to make.

* * *

YOUTH EMPLOYMENT

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, my question is for the Minister of Human Resources Development.

In its first mandate the government tackled youth unemployment head on by establishing the youth employment strategy. However unemployment continues to be a serious problem for Canada's young people.

What initiatives has the minister taken to address this important issue?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I thank the member for Mississauga West who I know cares very much about youth employment.

Indeed our youth employment strategy was a \$350 million strategy for three years, helping 110,000 young Canadians to make the transition from school to work. Five thousand Canadians have been helped by Youth Service Canada.

Almost 20,000 youngsters have been helped by Youth Internship Canada, 60,000 by the student career plan, 60,000 youths who got summer jobs, and another 60,000 got jobs related to their actual studies.

* * *

HIGHWAYS

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, each year the government opposite takes \$5 billion out of the motoring public in fuel taxes. Of that \$5 billion it returns to the provinces something in the order of 6%. As a result we are finding provinces going out in co-operation and tolling roads.

My question is for the Minister of Transport. The Canadian Automobile Association has stated on numerous occasions that 20% of the taxes being returned from that fuel tax would solve our problem. When will the minister return 20%—

The Speaker: The Minister of Transport.

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, the federal government has been involved in assisting the provinces with highway construction since 1919 so in effect a national highways program has been going on for many years.

The question is not should we have such a program but what conditions should we attach to its continuation and how much money is involved. On the specific question of taxes this is

something I am sure that other colleagues will deal with, perhaps the Minister of Finance, at a later date.

There is no question that we have a program. We have just announced the extension of the agreement with New Brunswick. I hope we can continue that over the years.

* * *

[Translation]

PAY EQUITY

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, the President of Treasury Board has always placed a ceiling of \$1.3 billion on any pay equity settlement with its employees.

● (1500)

The Minister responsible for the Status of Women, however, has just stated that the federal government apparently has more money available to end this dispute.

So why is the President of the Treasury Board delaying settlement of the pay equity issue, when we now know he has more money in his pocket to resolve matters?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, with respect to the issue of pay equity, last April we offered a settlement that would have amounted to \$842 million.

We increased this offer by \$500 million between April and August, and during that time the union made no concessions with respect to its demands. Negotiating consists basically of two parties reaching a compromise.

We are waiting for the union to make a reasonable compromise, and we will then be ready to negotiate a solution.

[English]

The Speaker: My colleagues, that would bring to a close our question period.

* * *

PRESENCE IN GALLERY

The Speaker: My colleagues, I would like to draw to your attention the presence in the gallery of my brother Speaker, the Honourable Dale Lovick, Speaker of the Legislative Assembly of British Columbia.

Some hon. members: Hear, hear.

* * *

POINTS OF ORDER

MAIN ESTIMATES

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I rise on a point or order with respect to the main estimates which were tabled

Point of Order

in the House on Wednesday, October 1, 1997 and which have just been returned from committee study and are to be concurred in shortly.

My point of order concerns irregularities with certain of these estimates. However, I would like to point out that as Madam Speaker Sauvé said on June 12, 1981, as recorded in *Hansard* at page 10546, it matters not whether the amount spent is a large sum or simply \$1. It is the parliamentary process to which I am objecting today.

• (1505)

In this regard I would like to bring to your attention several votes which I believe to be out of order and inappropriate for inclusion in the subsequent appropriation bill flowing from these estimates.

Going as far back as 1971, members of this House have repeatedly objected to the government's use of the estimates as a vehicle to amend legislation and to seek authority to spend money on programs that have not received legislative authority. Your distinguished predecessors, Mr. Speaker, have consistently ruled in support of these arguments for striking votes from the estimates on March 10, 1971, March 22, 1977, December 7, 1977, March 25, 1981, June 12, 1981, June 21, 1981, March 21, 1983 and March 21, 1984.

Mr. Speaker Jerome in a landmark ruling on March 22, 1977, at page 4221 of the Debates, stated that the government received from Parliament the authority to act through the passage of legislation and receives the money to finance such authorized action through the passage by Parliament of an Appropriation Act.

This decision flowed in part from rulings of Mr. Speaker Lamoureux who, on February 5, 1973, at pages 94 and 95 of Journals, stated that the authorizing bill must become law before the authorization of the relevant estimates by the Appropriation Act.

That legislation is a necessary precondition to sanction grants of supply is also based upon ancient constitutional usage as Erskine May's *Parliamentary Practice* 25th edition states at page 689.

Flowing from early British laws and customs through the Constitution Act and on to Standing Order 80(1), it is claimed that all aids and supplies granted to the sovereign are the sole gift of the House of Commons.

Although the task of governing belongs to the crown, it cannot possibly provide as many services to the people unless the funds in the consolidated revenue fund are made available to it. These funds can only be made available to the crown by the House of Commons.

The House insists that the crown, when requesting funds, must specify the particular purposes for which the funds are required. It is therefore this claim to the right of control over the purse strings of the nation that we must defend vigorously and retain for this House alone.

In this defence I now bring to your attention, Mr. Speaker, the fact that eight votes in the main estimates are not properly before this House. Five votes in the estimates seek parliamentary approval for funds which have not yet received legislative authority. Three votes are attempting to legislate through the application of the Appropriation Acts.

First, the Department of Agriculture and Agri-food in its vote No. 1, operating expenditures, has an activity entitled "Policy and Farm Programs" which, among other things, concerns the Canadian Wheat Board.

As outlined in its part III, expenditure plans, the department will implement changes which centre on revamping the Canadian Wheat Board. However, no such legislation has been passed to permit this action.

Such changes were introduced in the last Parliament as Bill C-72. The bill only reached report stage before dissolution. It was, however, reintroduced as Bill C-4 on September 25, 1997 and, as of this date, has not received royal assent.

I should note here that the part II book, commonly referred to as the blue book, listing the estimates as they will appear in a subsequent Appropriation Act, does not give sufficient detail concerning each vote. Thus, it is necessary to refer to the part IIIs for details of departmental plans and priorities with respect to the funds they are requesting this House to approve.

We must use the part II book since it mirrors the proposed Appropriation Act approving the estimates.

As it is difficult to determine precisely the amount of any particular item within each respective vote, I therefore ask you, Mr. Speaker, to strike vote No. 1 of the Department of Agriculture and Agri-food from the estimates since it contains funds to finance programs which have yet to receive parliamentary approval.

• (1510)

Second, the Immigration and Refugee Board under vote 15, program expenditures, in its convention refugee determination division activity, has indicated that it would begin single member hearings in mid-1997 which is in conflict with the Immigration Act.

Legislation that was introduced in the last Parliament, Bill C-49 to amend section 69.1 of the Immigration Act, died on the Order Paper before receiving second reading. As a result, the board, as indicated in part III and inherently in part II in the estimates, is operating outside legislative authority for its funds as presented in the estimates.

Again, since we must use the part II book containing the estimates and as it is difficult to determine precisely the amount of this particular item within the vote, I therefore ask you, Mr. Speaker, to remove vote 15 of the Immigration and Refugee Board from the estimates.

Point of Order

A similar situation is occurring at Environment Canada. Within its vote 1, operating expenditures, the department has activities called "healthy environment" and "safety from environmental hazards" wherein it has set a key initiative to fully implement the new Canadian Environmental Protection Act and the Canada Endangered Species Protection Act. Neither of these two pieces of legislation has received royal assent.

The Canadian Environmental Protection Act was introduced in the last Parliament as Bill C-74 on December 10, 1996 but did not receive second reading. The Canadian Endangered Species Protection Act, Bill C-65 in the previous Parliament, reached report stage before Parliament was dissolved.

Again, since we must use the part II book containing the estimates and as it is difficult to determine precisely the amount of this particular item within the vote, I therefore ask you, Mr. Speaker, to strike vote 1 of Environment Canada from the estimates.

The Department of Indian Affairs and Northern Development, within its Indian and Inuit affairs program at vote 5, operating expenditures, under the sub-activity of lands and trusts services, is working toward devolution and economic opportunities through sustainable development of natural resources with the help of various pieces of legislation that were introduced in the last Parliament but did not receive royal assent.

Some of these bills have been reintroduced, namely C-6, Mackenzie Valley Resource Management Act and C-8, the Canada-Yukon Oil and Gas Act. However, the modifications to the Indian Act, formerly Bill C-79, have yet to be presented to this House.

Again, we must use the part II book containing the estimates, and since it is difficult to determine precisely the amount of this particular item within the vote, I therefore ask you, Mr. Speaker, to delete vote 5 of the Department of Indian Affairs and Northern Development from the estimates.

My fifth point concerns Transport Canada. The department's vote 1, operating expenditures, under its business lines entitled policy and programs and divestitures, is asking the House to appropriate funds from the consolidated revenue fund to, among other matters, incorporate Canada's major ports, establish a not for profit corporation to run the Great Lakes-St. Lawrence Seaway system and to permit pilotage authorities to recover all the costs of their services in addition to winding down the Canada Ports Corporation.

A bill to authorize these undertakings was introduced in the last Parliament as Bill C-44, but it only reached the third reading stage on April 16, 1997 before dying on the Order Paper. Today, Bill C-9, a repeat of the former Bill C-44, is at report stage and Bill C-9 includes clause 197 which repeals the Canada Ports Corporation.

The departmental estimates show that payments to the Canada Ports Corporation have been reduced to zero which indicates that the department is in fact implementing C-9, which leads me to believe that the other items of Bill C-9 which require the expenditure of funds is also contained within the vote. With the corporation's budget being reduced to zero, how else would the department be able to operate?

• (1515)

Once again we must use the part II book that contains the estimates. As it is difficult to determine precisely the amount of this item within the vote, I therefore ask Mr. Speaker to strike vote 1 of the Department of Transport from the estimates.

The next group of three departments and agencies indicated in part III seeks parliamentary approval for funds for operational needs but in doing so is amending legislation through the use of an appropriation act. In this regard I refer to Speaker Jerome's ruling on March 22, 1977 at page 4220 of *Debates* when he said that changes in legislation ought to be dealt with by legislation and not by supply items.

The Speaker: Colleagues, this point of order could have far reaching effects. I would like to hear what the hon. member has to say. If you have other meetings I would invite you please to use the lobbies. I would very much like to hear this point of order and I am being a little distracted. I return to the hon. member for St. Albert.

Mr. John Williams: Mr. Speaker, first is the Canadian International Trade Tribunal which through vote 35 on program expenditures is extending its mandate with the implementation of the agreement on government procurement. To date there is no legislative authority to extend the tribunal's mandate, as set out in the Canadian International Trade Tribunal Act, allowing it to hear complaints pursuant to this agreement which has yet to be brought before Parliament for confirmation.

Again we must use the part II book containing the estimates. As it is difficult to determine precisely the amount of this item within the vote, I therefore ask Mr. Speaker to strike vote 35 of the Canadian International Trade Tribunal from the estimates.

A second irregularity comes from the Department of Public Works and Government Services. Under the supply and services program vote 15, program expenditures, is the Canada Communication Group's revolving fund, which is a special operating agency. It was established in 1990 in part pursuant to section 29.1 of the Financial Administration Act and is responsible for the government's printing and publishing operations.

In March 1997 the department officially privatized the Canada Communications Group. Parliament is now being asked to increase the CCG revolving fund by \$21 million due to the sale of the

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printing services and distribution logistics services of CCG according to part I book of the estimates.

Privatization of the government's printing operation requires amendments to the Department of Public Works and Government Services Act, section 19. This section requires that the minister appoint an officer of his department as the Queen's printer for Canada responsible for printing and publishing operations of the Government of Canada. To date no such legislation has been introduced into this House to amend this act. The department is in effect legislating through the use of an appropriation act.

It is important to note that although the CCG item in the estimates is listed as a statutory item, it is not placed there just for information, as used to be the case with previous legislative items such as salaries for ministers.

• (1520)

I draw attention to the fact that since 1991, section 29(1) of the Financial Administration Act allowed revolving fund agencies to use appropriation acts to change the purposes and draw down limits, thereby giving Parliament the right to be involved in their affairs. As a consequence, I ask that this item, as indicated at page 1-58 of the part II book of estimates, be deleted.

Finally, there is an unusual establishment of the Canada Information Office and its vote 40, program expenditures. This office was established by order in council on July 9, 1996 under the authority of the Financial Administration Act, section 3(1)(a) by renaming the voluntary action program as the Canada Information Office and placing it under schedule I(1) of the Financial Administration Act.

The Financial Administration Act permits the governor in council to add the name of any division or branch of the public service to schedule I(1). However, the voluntary action program was neither a division nor a branch of either the department of communications or the Department of Canadian Heritage.

In addition, it should be noted that the Financial Administration Act uses the word add, not the word create, thereby justifying my argument.

Furthermore, I would argue establishing an agency by an order in council certainly does not meet the definition of legislative authority as expressed by Speaker Jerome who said in part on December 7, 1977, as recorded in *Hansard* at page 1642 that the legislative process requires three readings, committee stage and, in other words, ample time for members to participate in debate and amendment.

The Canada Information Office subsequently sought to obtain legislative status through the supplementary estimates in an appropriation act. Nevertheless on March 22, 1977 at page 4220 of

Hansard, Speaker Jerome ruled that supplementary estimates ought not to be used as a means to seek funds for new programs, as these supplementary estimates are only for short duration.

This point was reiterated by Madam Speaker Sauvé on June 12, 1981 at page 10546 of *Debates* when she said that the Appropriation Act is not the place to seek authority to do something such as to establish a new program. Rather, that act should only seek authority to spend money for a program that has been previously authorized by statute.

Again, as quoted in Beauchesne's sixth edition at citation 938, she expanded on this on March 21, 1983 at page 23968 of *Hansard* by declaring that the previous amendment of legislation by an appropriation act cannot justify a repeated use of an item in the estimates to amend legislation.

Therefore, in accordance with these Speaker's rulings, I ask that vote 40 of the Canada Information Office be deleted from the estimates.

I must at this time indicate my dismay with the practices of this government. The main estimates for the fiscal year 1997-98 were tabled in this House on February 20, 1997.

Because Parliament was dissolved, the main estimates were not approved by June in accordance with the standing orders. As a consequence, the government had to reintroduce in this Parliament the estimates but it reintroduced the same old package on October 1, 1997, even though it was quite aware that not all its legislative program on which these estimates were based had been completed.

In my view this action is an expression of this government's contempt of this House which requires this House to defend vigorously its sole right to grant supply. I submit that the votes I cited, Mr. Speaker, are in fact all out of order. I respectfully ask that you so rule.

In conclusion, if we are to protect this institution in our role as the sole granter of aids and supplies from misuse by the crown, then surely it is imperative that we follow the proper parliamentary procedures with respect to that supply process and within the rule of law which was so often quoted by the Minister of Justice in the last Parliament with respect to another issue.

• (1525)

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I will not be quite as long as my colleague.

The official opposition is bringing this to your attention today because we feel it strikes at the very heart of this democratic institution we have here. The government is attempting to usurp the authority and responsibility of this House and its members. This is far from a routine point of order. This is and has been a study. It is an analysis and it is a very serious issue of a fundamental question. Does government operate through the legislation of the people or

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does government operate outside of the very legislation it expects all citizens to be guided by?

As you are aware, this responsibility of the House represents a basic principle of our Constitution. The fundamental principle that the crown has no power to tax except by grant of Parliament is to be found even in the Magna Carta. The bill of rights of 1689 declares: "Levying money for or to the use of the crown by pretence of prerogative without grant of Parliament for longer time or in another manner than the same is or shall be granted is illegal".

The principle that Parliament approve expenditures for the specific purposes for which they were intended began as far back as Charles II and was developed under William and Mary. As a result, we are governed today by rules that make it illegal for the executive to make expenditures except those expenditures that are approved by Parliament in ways approved by Parliament.

The member for St. Albert has argued that certain items in the main estimates have breached these rules because they lack the sanctioning of necessary legislation. To support his argument, I refer to citation 937 of Beauchesne's sixth edition:

The test which items must meet to be included in the Estimates is whether or not the government is putting forward a spending estimate under authority it already possesses, or whether it is really seeking new legislative authority to do something. It makes no difference whether an item attempts to spend a large sum or simply one dollar. The government may not, by the use of an appropriation act, obtain authority it does not have under existing legislation.

Our extensive research by a number of well qualified people finds that no authority exists in the areas we have defined.

Citation 935 puts it simply like this:

A supply item ought not to be used to obtain authority which is the proper subject of legislation.

I would support the member's claim that the amounts objected to in vote 35 concerning the Canadian International Trade Tribunal, vote 15 of the department of public works, and vote 40 concerning the Canada Information Office are without legislative authority.

The member for St. Albert has also objected to the amounts in vote 1 of the department of agriculture, vote 15 concerning the Immigration and Refugee Board, vote 1 of environment, vote 5 concerning the department of Indian affairs and vote 1 of the Department of Transport. He argues that these items seek spending authority in legislation not yet passed in Parliament.

Citation 941 of Beauchesne's sixth edition makes the case:

If a vote in the Estimates relates to a bill not yet passed by Parliament then the authorizing bill must become law before the authorization of the relevant vote in the Estimates by an appropriation act.

This is a mandate, not a request.

Citation 942 points out:

Asking for money in the Estimates before legislation is passed to establish programmes "puts the cart before the horse".

Through these items in the main estimates the government is attempting to spend the dowry and plan the honeymoon before popping the question. Our rules are based on tradition, and before the government books the honeymoon suite in the Niagara Falls Hilton, it must take us out on three successful dates: second reading, report stage and third reading. It must also court our neighbours next door, not to mention the final approval from dad in Rideau Hall.

• (1530)

In conclusion, Mr. Speaker, I would like to draw to your attention a reference from the introduction of the main estimates document part II, the very document which introduces these estimates. It states: "Proposals included in votes seek authority during the 1997-98 fiscal year to make expenditures necessary to deliver various mandates which are under the administration of a minister and are contained in legislation approved by Parliament".

That in fact is not true. The very document which contains breaches of our parliamentary rules ironically sets those rules out in its introduction. To knowingly state the rules and then ignore those rules makes a mockery of every member in this House and those who elected us.

This represents another disturbing attempt by the government to erode the influence of the Commons and render its members irrelevant. It has demonstrated this by introducing bills in the Senate, advertising the passage of bills before they are passed and setting up bodies based on legislation not yet approved by Parliament, this House.

Today the government is going too far with this attempt to spend money without legislative authority. We ask that you protect the ancient constitutional right of the Commons to insist on legislative authority as a precondition to sanction grants of supply.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the core argument today is the following.

The only words that go into the appropriation act are the words that appear in part II of the estimates. As we know, last year the part IIIs of the estimates were tabled only later because they include information on subsequent years. Nothing in part I or part III appears in the appropriation act. Only the precise wording in part II appears in the appropriation act and therefore has the force of law. Our procedure depends on the wording in part II only and in nothing else.

Point of Order

Mr. Speaker, before going too much further in this intervention, I would like to point out that the government has shown high respect for this House in the way it has handled the estimates process and everything else.

Some hon. members: Oh, oh.

Hon. Don Boudria: Before the election was called—

The Speaker: I appeal to you, my colleagues. I want to hear what is being said, so I would ask you please to refrain from heckling.

Hon. Don Boudria: Mr. Speaker, before the election was called, the government sought interim supply to last through the election period. In so doing, it obtained the consent of this House for the functioning of Parliament both during the election period and in the subsequent period. This is something that has seldom been done before, if ever.

Second, immediately after the election and contrary to what had been done in many previous parliaments, if not all of them, no Governor General's warrants were issued although those would have been totally appropriate and in conformity with the Financial Administration Act. Out of respect for this House everything was done to do things in a timely fashion and in order to avoid the use of Governor General's warrants.

I would like to add there was co-operation of members on all sides of the House, and the House leaders in particular, who saw fit to arrive at a formula whereby we could debate supply and provide for the number of opposition days and arrive at the day at which we will have arrived tomorrow, which is the final day for debating supply and the subsequent appropriation bill. This was done with the consent of all parties and I thank all hon. members.

• (1535)

Fundamentally it was the will of the government to adhere not only to the rules of the House, but to ensure that certain vehicles such as the use of Governor General's warrants were avoided in order to show nothing but the highest of respect for the institution. Although as I said, the use of such warrants would have been permitted.

The part IIIs of course do not form the principal element of this issue. As I indicated previously they are a rather recent invention. As a matter of fact, last year they were not even tabled at the same time as the estimates. They were tabled at some point later so that additional information could be put in the part IIIs in regard to subsequent years and in conformity with one of the campaign commitments that we made prior to the 1993 election. We believe that this formula has allowed members to participate more fully.

I want to address a few of the issues that have been raised in detail by the hon. member. It has been said that the wheat board

item should be set aside because appropriation is being sought where according to the opposition no government bill setting out the details has yet been passed. A similar argument is being made about vote 15 for the Immigration and Refugee Board. The same is alleged with regard to Environment Canada vote I.

I would like to suggest two things. First is that every one of these bills that is before the House where necessary has a royal recommendation regarding the crown's prerogative to spend money. Second is that of course this could not be done without having proper supply.

To that extent I want to indicate first that this is not an expenditure in itself. This is merely an action by these estimates providing for the funding for the expenditure. The expenditure itself will only come if and when the legislation is passed. Of course the money would not be spent either without the bill or the attending royal recommendation if such is required under a particular act.

There is another thing which I believe is quite important for the Chair to consider. Those very same expenditures were voted on in the interim supply last March. I submit to the Chair that if this argument on the part of the opposition is all that valid, we have to wonder why it was not valid according to the same sources and the same people only a few months ago.

If the House had no problem in voting interim supply on the exact same wording as part IIs last March, I submit that the House is equally qualified to vote on these same estimates as they are when it votes on these estimates presumably late in the day tomorrow.

It could very well be that the President of the Treasury Board might want to add to the comments I have just made. Nothing I have said should be equated with my speaking on his behalf.

On behalf of the government generally, in terms of how these estimates were put together, I do believe that they were constructed in a good and appropriate way according to the customs of the House and not only that, but according to the way the House voted on many of the same items only a few months ago, namely in March 1997.

That is the submission I wish to make to the Chair. I ask the Chair to consider that the point made by hon. members across is not valid and that the estimates as they are presently printed are in order and should be disposed of at the appropriate time which could be tomorrow.

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, I have two or three points I would like to raise on this same point of order. I can tell that all members of the House realize the importance of this point of order not only to the government but to the opposition and to Parliament itself. This cuts to the very core of why we are

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here, which is to approve legislation and the funding required to carry it out.

If we follow through on the government's request, to follow the logic of the government House leader, he says that just because we approve the estimates is no big deal because nothing happens until the legislation is passed. If that is true, then the entire estimates process is a sham.

• (1540)

We approve the estimates in good faith assuming that the government will follow through on the spending contained therein. To bypass the estimates process, which is to scrutinize it to make sure that the money is spent where and when it is authorized and so on, is truly putting the cart before the horse. The expenditures are being approved before legislation is in place to give the government the authority to do so.

Second, I would point out that the goodwill arrangement and the negotiations that go on between the government and opposition parties with respect to supply days is carried out in good faith. Again that is irrelevant to this argument today, which is that supply cannot be voted on unless the legislation has been approved. We can negotiate in good faith and arrange days for debate. There is a supply day tomorrow but that is irrelevant to the point of order which is before you today, Mr. Speaker, which again comes down to which comes first, the law or the estimates?

Third, earlier in this Parliament, Mr. Speaker, you ruled on a point of order that I brought forward with respect to the creation of an investment board by Bill C-2, which is a bill not yet passed. Although you ruled at that time that because no money had been spent the bill was not contradicting my privileges as a parliamentarian, you did admonish the government. You said words to the effect that you took this very seriously. You admonished the finance department and those responsible for putting these types of things together. You said that they were pushing the edge, and I realize I am ad libbing here. They were right at the edge and you said that you took it very seriously. You said that this was not the first time it had happened and that you hoped it would not happen again.

Tomorrow if you allow the estimates to proceed as tabled, we will not only be near the edge, we will be down in the abyss, at the bottom looking up at what used to be a very noble procedure where laws were put in place and then appropriations were given.

Mr. Speaker, I would urge you to look at the arguments presented by members on this side of the House today. To not do what was asked by the hon. member for St. Albert would be to neuter the role of parliamentarians in their attempts to bring all the light which is necessary to bear on the estimates process.

Mr. Speaker, I urge you to realize that the line has been crossed. I urge you to make the proper decision tomorrow, which I hope will be that these estimates votes be deleted from tomorrow's voting.

The Speaker: Is the hon. government House leader rising to present new information?

Hon. Don Boudria: Mr. Speaker, I want to comment pursuant to the last remark that was made and not comment on anything that was said previously pursuant to how you instructed us. Commenting only on what the hon. member has just said and adding new information to that, the reverse of what the hon. member has just stated would be totally illogical.

If one could ever conceive that this government would pass all kinds of legislation and royal recommendations inherent involving the spending of money and provide no funding within its estimates for the programs it was planning to deliver, this would essentially mean that all of us would be legislating and no program could ever be put together in the same calendar year. You would have to provide funding only for subsequent years because you would never be providing funding in order to make it happen. A situation like that would be totally irresponsible and unworkable.

Conversely, if governments were to plan to spend money in legislation and never have anything in the estimates in the same year to provide for it and to go ahead with it right away, it would be the same people across the way challenging the government. They would be indicating, and probably quite correctly, that in fact the government is undertaking new expenditures for which it has received no authority under appropriation. It cannot be both ways.

• (1545)

I do not believe the last point raised adds to the point made before by the hon. member. What has just been stated now adds to the credibility of the government and the way in which the estimates were put together.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I rise on the same point of order. I have just a couple of quick points, if you would indulge me.

The first is that in reply to the statement previously made by the hon. House leader of the government, I was under the impression that the reasoning behind the practice of supplementary estimates, not the main estimates, is to ensure the government has a vehicle in which it can bring forward legislation and actually get it under way in the same calendar year.

Second, just briefly on the issue, it is a longstanding tradition that ministers appear before the standing committees. Speaking as the chief opposition critic for the minister of agriculture, the minister responsible for this first disputed item, vote 1, policy and farm programs, has not given the opportunity to members of Parliament and me as the critic to question him about that

expenditure. Had that happened perhaps some of this could have been avoided.

I am informed a large number of ministers have not appeared. Now with the seventh and last supply day being tomorrow, as was indicated by agreement effectively if ministers appear subsequently they will not actually be debating the estimates or have any effect on whether those estimates can be reduced following their cross-examination at committee.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I have one small point again in rebuttal to the government House leader.

Much legislation died on the order paper when parliament was dissolved last April and that included the main estimates. The main estimates were reintroduced without any changes whatsoever on October 1. However, because the government did not reintroduce the legislation that died, it was obvious its agenda had changed.

If the government's agenda had changed, if its decision about what was to be spent and what was not to be spent had changed, surely it had an obligation to the House to amend and introduce the estimates to reflect its agenda after the election, not the one before.

The Speaker: To say the least an interesting point of order has been raised. I will surely take into consideration the information and the opinions of both sides.

I will take all the information and I will do my own study of it. I will return to the House not today but hopefully in very short order. I will take all these things into consideration and report to the House after I have reviewed everything.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I rise on a point of information. I presume you are telling us that you would report back to the House prior to the vote on the estimates tomorrow night.

The Speaker: My intention would be to do as much research as I can, but I am sure the hon. member would not want me to make a decision if I did not have all the information I could possibly have in front of me. I will endeavour to do that and hopefully I will be able to do that.

Mr. Randy White: Mr. Speaker, we are saying in effect that a vote on the current estimates is quite frankly illegal. It would be inappropriate for the House to vote on the estimates as they stand.

The Speaker: I will take all of this into consideration in trying to make my decision. I will make a decision not based upon the pressures of time necessarily, although it is a factor, but I will base my decision on the material I can gather to make a decision for the House that I will not have to overrule or overturn some place down the road. I want to be sure of my grounds.

Routine Proceedings

ROUTINE PROCEEDINGS

• (1550)

[English]

ORDER IN COUNCIL APPOINTMENTS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments which were made by the government.

Pursuant to the provisions of Standing Order 110(1) these are deemed referred to the appropriate standing committees, a list of which is attached.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to six petitions.

* * *

COMMITTEES OF THE HOUSE

NATIONAL DEFENCE AND VETERANS AFFAIRS

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, I have the honour to table the first report of the Standing Committee on National Defence and Veterans Affairs.

May I take this opportunity to thank the members and staff of both committees, defence and foreign affairs, who travelled to Bosnia and saw firsthand what a great job our troops were doing not only in keeping peace but also helping so many citizens to pick up the pieces and to rebuild their lives. They have made a great impression on the international community and have made Canadians everywhere proud and happy to live in such a beautiful country.

I am pleased to table the report which was adopted unanimously by all parties that were in agreement that our presence in Bosnia should be continued until June 1998.

In closing, I also wish to extend an acknowledgement of extreme gratitude to the troops, embassy staff and Canadians who greeted us with open arms and made sure that our visit was complete and all inclusive.

FOREIGN AFFAIRS AND INTERNATIONAL AFFAIRS

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee of Foreign Affairs and International Trade.

Routine Proceedings

In order to assist the government in its decision on whether to recommend Canadian military personnel to participate in the international stabilization force currently operating in Bosnia, a delegation of four members of the Standing Committee on Foreign Affairs and International Trade and four members of the Standing Committee on National Defence and Veterans Affairs, as mentioned by my colleague, the chairman of the committee, visited Bosnia two weeks ago.

The report contains our recommendations, including one to continue our participation until the end of the S-4 mandate in June 1998. These recommendations are based on this trip, a public hearing and a debate of the issue before our two committees.

[Translation]

I would also like to take this opportunity to thank all those who provided us with assistance during our visit and to say how impressed we were with the work being done by the Canadian military, diplomatic and NGO staff in the region.

[English]

INDUSTRY

Ms. Susan Whelan (Essex, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Industry.

In accordance with its order of reference of Wednesday, October 22, 1997, our committee has considered Bill C-5, an act respecting co-operatives, and has agreed on Thursday, November 20, 1997, to report it with amendment.

JUSTICE AND HUMAN RIGHTS

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Justice and Human Rights.

Pursuant to Standing Order 108(2) your committee proceeded to review the circumstances leading up to and surrounding its consideration of Bill C-16. The report was undertaken by your committee. It addresses certain concerns we had and to which I alluded when I tabled our first report on Bill C-16, the so-called Feney bill, about 10 days ago.

Because the report relates to the ability of members of the House of Commons to function effectively, we have taken the additional step of requesting that the government provide us with a response to the report in accordance with Standing Order 109.

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 12th report of the Standing

Committee on Procedure and House Affairs regarding membership of some committees.

If the House gives its consent, I intend to move concurrence in the 12th report later this day.

* * *

• (1555)

[Translation]

ACCESS TO INFORMATION ACT

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ) moved for leave to introduce Bill C-286, an act to amend the Access to Information Act and amending the National Archives of Canada Act as a consequence (destruction and falsification of documents and access to confidences of the Privy Council).

He said: Mr. Speaker, it is a great pleasure for me to introduce in this House, at first reading, a bill to amend the Access to Information Act and the National Archives of Canada Act, particularly as regards the destruction and falsification of documents. The proposed amendments are very important, given what is regularly reported by the media, since they would allow us to have access to documents of the Privy Council which are currently confidential.

The Access to Information Act does not have enough teeth, as a number of people have said, including the information commissioner in his most recent report, and it does not meet current needs.

I can assure you that my proposed amendments to these two acts reflect in every way the information commissioner's concerns and expectations. I hope that all members of this House will support my initiative, so as to give more visibility, more access and more teeth to the Access to Information Act, and particularly to include penalties for those who do their utmost to prevent its application.

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

* * *

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if the House gives its consent, I move that the 12th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

The Deputy Speaker: Does the parliamentary secretary have unanimous consent of the House to move the motion?

Some hon. members: Agreed.

The Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

TRIPLE E SENATE

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, pursuant to Standing Order 36, I present a petition from the people of Medicine Hat calling upon parliament to affirm its commitment to a triple E Senate and immediately move to permit the election of senators by the people of the province of Alberta.

CRIMINAL CODE

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, another petition calls upon parliament to affirm the duty of parents to responsibly raise their children according to their own conscience and beliefs and to retain section 43 in Canada's Criminal Code as it is currently worded.

PENSIONS

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, the final petition calls upon Parliament to enact legislation to wind down the Canada pension plan while protecting the pensions of current seniors and that Canadians contribute to mandatory RRSPs of their own choosing.

HEALTH

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, it is an honour and a privilege to rise pursuant to Standing Order 36 to present a petition from constituents of my riding of Okanagan—Coquihalla.

It contains over 1,500 signatures of people concerned that the Codex committee on nutrition and foods for dietary use has proposed legislation that will lead to drastic changes in legislation and that would have significant and very negative effects on the health and well-being of thousands of Canadians, especially the elderly and the chronically ill.

The petitioners request that parliament oppose the regulation of dietary supplements.

• (1600)

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, I have four petitions from members of my constituency to present today.

The first one is on the issue of health foods, similar to the preceding one presented by my colleague, stating that health foods are valuable as a preventive measure for all Canadians.

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ABORTION

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, in the second petition, the petitioners ask for a binding national referendum to be held at the time of the next election, asking Canadians whether or not they are in favour of federal government funding for abortion on demand.

EUTHANASIA

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, finally, I wish to present two petitions that decry the sanctioning of the act of euthanasia.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): I suggest that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

ANTI-PERSONNEL MINES CONVENTION IMPLEMENTATION ACT

The House resumed consideration of the motion that Bill C-22, an act to implement the Convention on the Prohibition of the Use, Stockpiling Production and Transfer of Anti-Personnel Mines and on their Destruction, be read the second time and referred to committee of the whole.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill read the second time and, by unanimous consent, the House went into committee thereon, Mr. Milliken in the Chair.)

The Chairman: Order, please. House in committee of the whole on Bill C-22, an act to implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

(Clauses 2 to 5 inclusive agreed to)

[Translation]

(On clause 6)

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Chairman, this morning I tabled a proposed amendment intended to

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clarify the introduction to a provision in the convention itself in the implementation legislation, because clause 6 of the bill refers to only two of the general obligations contained in the draft treaty.

I discussed the matter with representatives of the justice department and they told me it is not necessary to integrate this provision with clause 6 of the bill.

• (1605)

I am not convinced by their arguments and I feel that, for enhanced clarity and in order to send a message to all those who wish to make this general obligation part of the legislation, I feel it would be useful to add subsection 6(1)(c) as I suggest, so that the convention will be better integrated into Canadian law. That is therefore the proposal I am submitting to the House.

The Chairman: If the hon. member wishes to move his amendment, would he please read it?

Mr. Daniel Turp: Mr. Speaker, I move:

That Bill C-22, in Clause 6, be amended by adding after line 15 on page 3 the following:

“(c) assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under the Convention.”

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, I would like to respond to the amendment to remind members of the House that the convention is already covered by section 21 of the Criminal Code.

If we were to specifically reference those specific items again, it might lead to the suggestion that the Criminal Code only applies where it is specifically referred to. This could have the effect of complicating the Crown's ability to apply the Criminal Code to other aspects of the legislation. It would require specific references to the Criminal Code in each and every kind of reference.

The amendment would actually have the impact of re-enacting the Criminal Code. I do not think anyone in the House wants to get into that business. We have been through that before. I would suggest to hon. members that this is already covered in the Criminal Code. This would simply complicate any interpretation and might lead to some difficulties with court interpretation on the matter.

The Chairman: Is the House ready for the question?

Some hon. members: Question.

The Chairman: The question is on the amendment. All those in favour of the amendment will please say yea.

Some hon. members: Yea.

The Chairman: All those opposed will please say nay.

Some hon. members: Nay.

The Chairman: In my opinion the nays have it.

An hon. member: On division.

The Chairman: I declare the amendment lost.

(Amendment negatived)

(Clause 6 agreed to)

[*Translation*]

(Clauses 7 to 9 inclusive agreed to)

(On clause 10)

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Chairman, the Bloc Québécois once again proposes a way to better introduce the treaty into domestic law and, to this end, I noted on reading the implementation legislation that an important part of article 3 of the convention had been omitted from clause 10.

• (1610)

I take this opportunity as well to point out that, at a meeting of the Standing Committee on Foreign Affairs and International Trade, a representative of the International Campaign to Ban Land Mines pointed out the importance of this provision and of the part on the minimum number of anti-personnel mines that should be kept by the states.

Accordingly, I would like the bill to be amended to include the last section of article 3.1 of the treaty in clause 10.

I move:

That Bill C-22, in Clause 10, be amended by adding after line 39 on page 4 the following:

“techniques, but the number of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.”

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, we support the hon. member's amendment.

[*English*]

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, although this amendment has some good points, it is really irrelevant to this bill. It is not necessary, adds nothing to the bill and we oppose this amendment.

The Chairman: Is the House ready for the question?

Some hon. members: Question.

The Chairman: All those in favour of the amendment will please say yea.

Some hon. members: Yea.

The Chairman: All those opposed will please say nay.

Some hon. members: Nay.

The Chairman: In my opinion the yeas have it.

An hon. member: On division.

The Chairman: I declare the amendment carried.

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(Amendment agreed to)

(Clause 10, as amended, agreed to)

(On clause 11)

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, I believe the government has an amendment to this clause.

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, as I indicated in my speech during second reading stage, when we looked at this clause we wanted to absolutely ensure that the charter requirement is absolutely honoured. I therefore move:

That Bill C-22, in clause 11, be amended by replacing lines 13 to 16 on page 5 with the following:

Application for Court Order

“(2) If a person objects to providing or fails to provide any requested document or information within the specified time, the minister may apply to a judge of a superior court or the Federal Court-Trial Division for an order requiring the person to provide it,

Notice of Hearing

(3) The minister shall give the person at least seven days notice of the hearing of the application.

Order

(4) On hearing the application, the judge may order the person to provide the document or information if the judge concludes that, in the circumstances of the case, the production of the document or information is necessary to ensure Canada’s compliance with the convention and that the public interest outweighs in importance the privacy interests of the person.”

• (1615)

The Chairman: The question is on the amendment.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Chairman, I simply want to ensure that the legislation is properly translated in the French version. I think the subclause (2) should read “division de première instance” rather than “section de première instance”.

If this is so, I would like the word “section” replaced by the word “division” in subclause (2) of the French version of the amendment introduced by the minister. I understand someone is checking on this.

The Chairman: Perhaps while this is being considered we could hear from the hon. member for Esquimalt—Juan de Fuca, who wants to speak to this debate.

[*English*]

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Chairman, I wonder from the minister and his advisors what he believes reasonable grounds are and what provisions exist within this part of the bill to protect the privacy of members of the public.

It seems to be somewhat heavy handed in that it gives the minister and extraordinary amount of power to enter or require information from people. I would like to have him define what reasonable grounds are.

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, it is for the reason the hon. member mentions that we are proposing the amendment.

Rather than simply having the minister declare that information must be provided as is required under the convention concerning the possession or acquisition of land mines, we are proposing an amendment that would require us to ask a judge to give a court order after hearing the proper evidence that the requirements of the treaty would outweigh the public interests or privacy interests. We are giving the court the authority to make that judgment, not the minister.

[*Translation*]

Mr. Daniel Turp: Mr. Chairman, I have noticed that this amendment seems to involve an amendment to another provision of the bill, clause 21, and that, if I understood correctly, contravention of clause 11(2) will no longer be considered an offence, as was originally provided in clause 21.

I would like to know why clause 11(2) is no longer mentioned in clause 21 under the subsequent amendment. I want an explanation for why 11(2) is being removed from the list in clause 21.

[*English*]

Hon. Lloyd Axworthy: Mr. Chairman, the reason why we take out the reference to 11(2) in 21 is that we do not want to presume or pre-empt a judgment by a judge. I have always been very careful in my career never to try to presume what a judge is going to do. It would be very wise in this case to do the same.

[*Translation*]

The Chairman: Is there now agreement regarding the wording of the French version?

• (1620)

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Chairman, we are waiting a few moments to have the translation of the terms queried by the hon. member for Beauharnois—Salaberry checked.

The Chairman: Perhaps we could move on to other clauses of the bill for the time being. Is that agreed?

Some hon. members: Agreed

(Clauses 12 to 14 agreed to)

[*English*]

(On Clause 15)

Mr. Bob Mills (Red Deer, Ref.): Mr. Chairman, I have a question about clause 15(4). Basically it talks about not getting a

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warrant. We did have legal counsel explain to us that this is when mines are being rushed out the back door and we want to apprehend people. I guess that is all right. The only thing is it seems there is room for abuse. Is there any way to fix that or tighten it up?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, that was put in there explicitly to take into account that the House is presently considering what are called the Feney amendments to the Criminal Code. They take into account these extenuating circumstances. This is meant to be consistent with the particular Criminal Code change which is being made.

(Clause 15 agreed to)

(Clause 16 agreed to)

[Translation]

(On clause 17)

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Chairman, guided by the attention to accuracy characteristic of our political party, particularly when it comes to the French version of legislation, I would like the French version only of clause 17 amended to include the adjective humaine after the word dignité so that it is consistent with the English text, which speaks of human dignity.

I know there have been some objections, but I have checked in a number of international texts in which the words dignité humaine are used in French with the same meaning as the words human dignity in English.

I therefore move:

That Bill C-22, in Clause 17, be amended by replacing, in the French version, line 27 on page 8 with the following:

“réputation ou la dignité humaine de tout individu;”

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, we are in agreement.

[English]

The Chairman: Shall the amendment carry?

Some hon. members: Agreed.

(Amendment agreed to)

The Chairman: Shall clause 17, as amended, carry?

Some hon. members: On division.

(Clause 17, as amended, agreed to)

[Translation]

(On Clause 19)

Mr. Daniel Turp: Mr. Chairman, the Bloc Québécois does not propose any amendment regarding clause 19, but I would like to ask a question to the minister. It seems that, as a minimum, regulations should be made to give effect to the convention. In fact, there is a reference to such regulations in clause 6(2) of the implementing legislation.

I would like to know whether the minister intends to propose regulations that would complement the act and ensure full legislative and regulatory implementation of the convention and, if so, when exactly he intends to do so?

• (1625)

[English]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, it is a good question. We would bring in any pertaining regulation once it is actually signed and in place. That really would apply to the Export-Import Control Act and we would apply it but we have to have the treaty actually completed first and deposited with the secretary general before we would move toward bringing in those regulations.

[Translation]

Mr. Daniel Turp: Mr. Chairman, am I to understand that the government is not in a position to have the regulations adopted before the treaty is signed and ratified by the government?

[English]

Hon. Lloyd Axworthy: Mr. Chairman, that is basically the intent. We would have to wait for the actual signing of the treaty which will take place next week. It will then be deposited by the prime minister with the secretary general. We would then have to bring in the regulation which pertains directly to the Export-Import Control Act. We will repromulgate that regulation at that point in time.

[Translation]

Mr. Daniel Turp: Mr. Chairman, if I understand correctly, the government is not in a position to have the regulations adopted before the treaty is signed and ratified because the deadlines do not leave enough time.

[English]

Hon. Lloyd Axworthy: Mr. Chairman, it does get into somewhat of the arcane way these matters work, which I know the hon. member is well acquainted with from his academic career.

As it is, we cannot promulgate new regulations until the treaty is actually signed. It then gives the governor in council the authority to go ahead and apply the treaty as set out in the legislation. We cannot make that application until we have actually signed the treaty.

[Translation]

(Clause 19 agreed to)

(On Clause 20)

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Chairman, our proposed amendment raises an issue which is certainly more fundamental, and the debate on the bill provides an opportunity to discuss the participation of parliament, especially of the House of Commons, in the conclusion and the implementation of treaties.

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This is an important issue, since it raises the question of the role of elected representatives and of the House of Commons as a whole in the conclusion of treaties. The treaty to be implemented was negotiated and concluded by the executive branch and it will be signed and ratified by the same, without parliamentarians and the House of Commons having truly taken part in the process.

Since clause 20 sets out that this convention will be amended, and that subsequent to the amendment changes to the legislation can be made by order, it seemed worthwhile to debate the role of Parliament and to ensure that Parliament is involved in approving a treaty which would amend this new convention on anti-personnel mines, even before the Government of Canada moves to accept such an amending treaty.

We would therefore like to see this bill include parliamentary participation and a debate in Parliament before the government accepts an amendment to the treaty. We therefore propose that this clause be amended. This would be an amendment which might significantly the practice of treaty approval, which in Canada is totally inconsistent.

• (1630)

It is a practice in which the House of Commons has no significant participation, and other parliaments could serve as an example, such as the Parliament of the United Kingdom which has for some years now been more actively involved in discussion and debate around treaties which the executive plans to sign and ratify on behalf of the government.

This is therefore an opportunity to stir up debate and to find out the Minister of Foreign Affairs' position on this question and whether he wants Parliament to be more involved in the treaty process.

I therefore move that:

That Bill C-22, in Clause 20, be amended by replacing lines 18 to 24 on page 9 with the following:

“Amendment to the Convention

20. Where an amendment to the Convention is adopted at an Amendment Conference under Article 13 of the Convention, (a) the Minister shall cause the amendment to be laid before Parliament within fifteen days after it is adopted by the Amendment Conference; (b) on approval of the amendment by Parliament, the instrument of acceptance by Canada shall be deposited with the Depositary; and (c) the Minister shall, by order, amend the schedule to this Act accordingly and shall cause the text of the amending order to be laid before Parliament on any of the first fifteen days that either House of Parliament is sitting after the order is made.”

[English]

The Chairman: The question is on the amendment.

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Chairman, the point raised by the hon. member is an interesting point of general principle and theory. The hon. member has raised it within the standing committee on

foreign affairs of this Parliament and the standing committee has created a task force or a subcommittee which is studying the matter of general principle.

I can say without exaggeration that this is a very strong subcommittee in the sense, as has often been said, of very strong courts. Our view would be that the amendment would affect a fundamental change, as is clearly intended, in the constitutional law of parliament. We leave open positions on this, but our suggestion would be that it is not proper to make it within the interstices of an amendment to a technical law before parliament. It should be considered as a matter of general principle as has already been foreseen by the standing committee on foreign affairs in creating the task force.

Our suggestion to the hon. member, therefore, would be that he should withdraw the proposed amendment at this stage. We would undertake that the general principle would be discussed by the task force. It would always be appropriate, if and when the task force makes a recommendation, to propose amendments to the legislation and others, if and when it is adopted. That would be our position.

In a technical sense it is constitutionally inelegant to propose a fundamental constitutional change in the law of parliament by indirection. Therefore we would suggest to the hon. member that he might withdraw the amendment. We would undertake to give full speed to the study by this impressive task force which has a very well qualified chairman. I believe the other members are equally well qualified.

Mr. Scott Brison (Kings—Hants, PC): Mr. Chairman, the amendment is very complex and has far-reaching impacts on this type of negotiation.

The standing committee of foreign affairs is the appropriate forum for discussion of the amendment. We would not support the amendment today. However we do see the potential for this type of discussion in committee and the potential for this type of change for future treaty ratification.

• (1635)

It is important to recognize that a lot of countries will be looking at Canada's legislation relative to the land mine treaty and will be adapting some of the Canadian approaches in their own countries.

We do not want to create some type of legislation that is easily bogged down in the mechanism of parliament that prevents speedy ratification for other countries. It is similar to what happened in the U.S., for example, with the fast track negotiating powers which had not been granted to the president and are thus inhibiting and impeding progress or U.S. ability to participate in international trade negotiation to the full extent that it would have been able to with fast track.

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Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, the Reform Party cannot support the amendment by the member for Beauharnois—Salaberry, but we certainly see the utility of having it introduced into the House of Commons for further debate and for further examination.

If the amendment were to be proceeded with right now, it would change the bill in a manner that would detract from the current activity and the current thrust of the bill. We look forward to going ahead in the future and examining it in further detail.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Chairman, I want to reassure the parliamentary secretary that it was not my intention to be inelegant in proposing such an amendment and with respect to the Constitution, because these matters are far too serious for one not to be elegant.

As you noted, the intent was to raise a matter with the minister, which, it appears, arouses the interest of both the official opposition and the Conservative Party. This question should be debated in full. Other parliaments have debated it, but this parliament has failed to do so sufficiently in recent years.

Before considering the proposal by the parliamentary secretary, I would nevertheless ask the minister if he could give us his initial reaction to the question which this amendment raises and which other amendments could raise about the role parliament, including the House of Commons, in negotiating treaties.

I would ask for a very preliminary comment in the light of his recent experience with the treaty this legislation is attempting to implement and which this House may debate at some time other than when the legislation is implemented. I would appreciate a comment from the minister on this question.

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, I certainly find the hon. member's proposals interesting. I agree with the parliamentary secretary's recommendation that there be an interesting exchange of viewpoints in the foreign affairs committee.

As he said, it is a general problem of replacing the representatives of the executive in the negotiation and signing of the treaty. Generally speaking, I am interested in looking at all the ways parliament is involved in foreign affairs issues especially, for example, a government decision to establish military intervention under the aegis of the United Nations and so on.

At this point, I am a keen observer of the work of the foreign affairs committee. I will look forward to the work of the committee with considerable interest.

• (1640)

Mr. Daniel Turp: Mr. Speaker, I appreciate the answer. I can see that the minister does not want to say too much at this point in

time, but it would nevertheless be worthwhile to put this question to a vote to know where the various parties stand.

Accordingly, I do not intend to withdraw the proposed amendment, but I will, of course, submit the question to the Standing Committee on Foreign Affairs and International Trade, as requested by the minister.

The Chairman: Is the House ready for the question on the amendment?

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, it is my understanding that the purpose of the motion moved by the hon. member for Beauharnois—Salaberry is to promote a substantive debate, and it is already clear from the somewhat short remarks we have heard how committed all the parties are, and the government in particular. The minister himself would like to know what would come out of an in-depth review by the Standing Committee on Foreign Affairs and International Trade.

I am wary and reluctant because, if the question is put and the amendment is negated, then I do not think the government will repeat the offer contained in this amendment so that the issue can be looked at by the Standing Committee on Foreign Affairs and International Trade, whose agenda is already pretty full. But if the matter is of such importance that we would like it to be debated by the Standing Committee on Foreign Affairs and International Trade, I would ask for the consent of the House to withdraw this amendment and allow the committee to consider the matter in keeping with the commitment made by the minister himself.

The Speaker: Is there unanimous consent to withdraw the amendment for committee consideration?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: There is not unanimous consent for the proposal.

Is the House ready for the question on the amendment?

Some hon. members: Agreed.

[*English*]

The Chairman: Members have heard the terms of the amendment. Is it the pleasure of the committee to adopt the amendment?

Some hon. members: No.

(Amendment negated)

(Clause 20 agreed to)

(On clause 21)

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Chairman, I have a question for the minister.

Clause 21 indicates that the hybrid offence provides an opportunity for enforcement officers to determine, depending on the gravity of the offence, whether or not to proceed with a more serious instance of indictable process.

What criteria will be used to differentiate between a summary conviction and an indictable offence within the context of the bill?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, as in most cases it would be up to the prosecutor to determine what would be the criteria. Again I would not want to prejudice any able prosecutor in what they would define that to be. I think we would leave it to the normal Criminal Code process.

Mr. Keith Martin: Mr. Chairman, are there any precedents or examples to which the minister can speak that would show how the prosecution can decide whether or not in circumstances such as these there is a separation between summary convictions and indictable offences?

I am concerned that the bill can be driven into very punitive measures where a great deal of effort is put into convicting people of indictable offences. On the contrary, a great deal of effort could be put into making sure that people are charged under summary convictions.

I would like to know from the minister and his officials what separation exists. Are there examples that we can examine, or examples he can give the House today to show how the process would actually work?

Hon. Lloyd Axworthy: Mr. Chairman, it is a little difficult to give examples because this is the first time it has been done.

In other international treaties, chemical weapons conventions and others, we have not been in a position where we have had to actually use the question of principle. The normal test would apply, which is the seriousness or the gravity of the action. If under the act someone inadvertently provides information or sends one of the munitions abroad, not with deliberate intent to get around the legislation but inadvertently, then clearly the prosecutor has a judgment call for the lighter sentence. However, if it is done deliberately to contravene the act for malicious purposes, if someone wants to export land mines for use in another country as part of a military arsenal, then clearly the heavier weight of that would be applied.

• (1645)

That would be a judgment call by whatever prosecutor was used. They would have to weigh the gravity of the offence and use the temperate nature of our Canadian justice system to determine how it would work out.

The Chairman: Perhaps the Chair might ask if the minister has an amendment to this section. Earlier in the discussion there was

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some reference to the fact that there might be an amendment to section 21. I notice one is not forthcoming.

Hon. Lloyd Axworthy: Mr. Chairman, it goes back to the amendment that was proposed and passed under clause 11(2) which obviates the need for this amendment.

The Chairman: Thank you.

Hon. Lloyd Axworthy: Mr. Chairman, I have been asked about the matter of the French-English translation under the clause 11(2) amendment. In looking at the proper interpretation, our officials were able to determine that the reference to the federal court trial division is exactly the same as the “section de première instance de la Cour fédérale”.

The Chairman: That is on clause 11. Perhaps we could complete clause 21 first. Are there further questions or debate on clause 21?

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Chairman, I believe it was on Thursday, late in the day, that I had the opportunity to meet with lawyers from the justice department. At the time, I was told that the bill had been reviewed by the authorities to make sure it complied with the Canadian Charter of Rights and Freedoms. I am now rather surprised to see an amendment to ensure such consistency.

I am also a little curious as to whether the whole bill was reviewed to make sure it is consistent with the charter, and I wonder if the government could tell us when this review was conducted by the authorities?

[*English*]

Hon. Lloyd Axworthy: Mr. Chairman, I thank the hon. member for his comments. Perhaps it shows the value of the ever vigilant activity of members of Parliament. In our opening remarks we did beg the indulgence of the House. This legislation was drafted in a two and a half week period which, if you know the system around here, is pretty fast.

We wanted to take into account all particular references to the charter. The hon. member's examination last week was tough in that regard. Then we asked for a full review again this weekend by justice officials who went over with a fine tooth comb all particular ways in which the term apply, and that is when we came out with the proposed amendment under section 11(2). It was to make sure the courts would be the interpreter, not the minister.

I give the House my assurance that in our best judgment, based on the tertiary review that took place this weekend, that was the only question. Even at that, it was just that we did not want to leave any question. We wanted to make sure it was airtight in terms of its relevance to the charter.

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[Translation]

(Clause 21 agreed to)

(On clause 22)

• (1650)

[English]

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Chairman, on subclause 22(2), I have a question for the minister and his official.

They talk about things that have been seized in respect to the commission of an offence. I would like a point of clarification here. When they talk about things being seized, does that clarify subclause 22(2) and refer to things being specifically modified for use in committing the offence which excludes property only marginally related to the offence?

In other words, do things in subclause 21(1) refer to things that are directly associated with the commission of the offence, for example a car that can be used to transport mines, not the person's home?

Also, when you are referring to the fact that the minister has the discretion as to how the things that are seized are to be disposed of, should not the courts decide how these things, as they are defined in subclause 22(2), be the power that decides where and how these things are supposed to be disposed?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, in response to the hon. member, and clarifying with officials, this follows practice already in the Criminal Code where rather than seizing the entire property of an individual who may be indictable under the act, the difference would be that we do not want to seize the house even though one of the products that is prohibited may be within it.

To wit, if somebody is in possession of an anti-personnel land mine and that piece of property is to be seized as a matter of evidence, we do not want to seize the entire house and all the things in it as a matter of conviction. The family may still be there and they are not liable. That is the same kind of principle that is now applied in the Criminal Code, say, on drug offences.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Chairman, I thank the minister for his answer. I wonder, though, if he could address the second part of my question. In subclause 22(1) it states that the minister has the discretion as to how the things being seized are to be disposed of. Should it not be the courts that decide how things are to be disposed of and not the minister?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Chairman, I should clarify just in case people did not quite understand it.

When we used the designation "minister" in the definition, it did not necessarily refer to the Minister of Foreign Affairs. Different ministers could apply. In this case, clearly it would be the

Attorney General of Canada who is the legal officer for the Government of Canada, again comparable to the other offences in the Criminal Code where they would act on behalf of it. The Minister of Foreign Affairs I can tell you would have absolutely no interest in being the operative agent in this case.

(Clause 22 agreed to)

(Clauses 23 to 25 agreed to)

[Translation]

(On clause 11)

The Chairman: We have an amendment proposed by the Minister of Foreign Affairs to clause 11.

Shall the amendment carry?

(Amendment agreed to)

The Chairman: Shall clause 11, as amended, carry?**Some hon. members:** Agreed.

(Clause 11, as amended, agreed to)

[English]

(Clause 1 agreed to)

The Chairman: Shall the schedule carry?

[Translation]

Mr. Daniel Turp: Mr. Chairman, I have a question.

It is not really necessary to include the convention in a schedule, as some lawyers from the justice department told me, but I think it is worthwhile to include the convention in a piece of legislation so it becomes better known.

• (1655)

Earlier, the minister read in a very eloquent manner a treaty drafted by children, who hope to see included in the declaration their rights under the convention. Does the minister intend to publicize the text of the convention, on which all parties in this House agree and in which they put their hopes that the use of anti-personnel mines will be eliminated?

I want to know what measures the government intends to take to publicize the treaty.

[English]

Hon. Lloyd Axworthy: Mr. Chairman, first, I believe it was last week that a kit was distributed to all members of Parliament which contained information about the treaty. I believe a copy of the treaty was included.

The treaty has also been on the website and is available for everybody to access. We can give hon. members the website number. I should mention we have also established a separate website to cover the conference itself. We will be, during the course of the proceedings next week when the treaty conference is being held at the Conference Centre, organizing within the

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parliamentary area a special room in which members of Parliament can watch the proceedings.

We intend to bring a number of participants, ministers, NGOs and some of the children who are involved to meet the members of Parliament. We will have our officials available to share information.

I think that portion is scheduled for next Thursday, probably after question period. We would like to involve the the members of Parliament as much as possible. The conference room is small in terms of the number of people who can get in. That is why we thought we would open an ante-room here at Parliament so that members could participate and have access to the number of individuals, officials and participants who come for a special session on Thursday.

It happens from time to time that staff take our documents to read and cherish them. If this has happened in the case of members, we will be more than happy to replace them, perhaps through the spokesperson for each party. If any of the members would like further documentation we would be more than happy to supply it.

Furthermore, Mr. Chairman, I beg your indulgence not to use props. We just had hand delivered this morning the logo pin for the conference. If any member of Parliament would like to have one, I would be more than glad to distribute them when our proceedings are completed.

The Chairman: I hear no points of order on the issue.

(Schedule agreed to)

(Title agreed to)

(Bill reported as amended, and concurred in)

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.) moved that the bill be read the third time and passed.

• (1700)

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Frontenac—Mégantic, Dairy industry.

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, the minister has a commitment which will take him away from the House. I wonder if we could seek the unanimous consent of the House to allow the minister two to three minutes maximum to say a few words without being counted as a spokesperson at third reading.

I ask for the unanimous consent of the House to allow the minister to say a few words.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

Hon. Lloyd Axworthy: Mr. Speaker, I thank the government whip for his intervention.

I want to use this opportunity to express my thanks to members of the Chamber for the way in which the proceedings have taken place today.

If there has been anything which has characterized this movement on land mines, it has been a sense of partnership. No one has ownership of this. It has been a collective effort of NGOs and private citizens, members of the cabinet, the Prime Minister and my colleagues who have taken decisions. I think of my predecessor, Mr. Ouellet, who started the first movement with a moratorium, and decisions made by the former Minister of National Defence to eliminate land mines. I think of members of the opposition who earlier on valiantly presented private members' resolutions to move this House along on this matter.

There is a wide range of people who have been able to rise above many of the more immediate questions to something which has a larger horizon.

I have been in Parliament a long time as many people know and as someone said today, every once in a while we have a fine hour. This is one of our finest hours. I would like to thank all members for making this a day which Canadians will long remember.

Mr. Bob Kilger (Stormont—Dundas, Lib.): Madam Speaker, in the same spirit of co-operation, I wonder if the House would give its consent for the following.

While in the normal course at third reading the government lead spokesperson would have 40 minutes, I propose that the Parliamentary Secretary to the Minister of Foreign Affairs and the chair of the Standing Committee on Foreign Affairs and International Trade, the hon. member for Toronto Centre—Rosedale, would each speak for 10 minutes and then we would continue the rotation as is the normal procedure of the House.

I give my undertaking that both the parliamentary secretary and the hon. member for Toronto Centre—Rosedale, the chair of the committee, will only speak for 10 minutes each.

The Acting Speaker (Ms. Thibeault): Is that agreed?

Some hon. members: Agreed.

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Madam Speaker, I will be sharing my time as the House has already been advised with the hon. member for Toronto Centre—Rosedale.

This treaty is a significant achievement in its own right. It continues the step by step process of building a peaceful world which began during the cold war, in its more enlightened moments, with the progressive treaties toward nuclear and general disarmament and the cessation of nuclear tests.

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It should be noted however that in this treaty there has been a significant innovation and that is the involvement of people who are not normally involved in the treaty making process. Jeremy Bentham once said that the law is not made by judge alone, but by judge and company. The company in this case includes the non-governmental organizations, and as has been rightly commented by members of the opposition, the late Princess Diana and others. It has been a citizens' movement in which the force of public opinion has carried the momentum to produce a treaty written off as something taking many years, but it has been completed really in 12 months with the ceremony that will take place in Ottawa in December.

We have made history in a certain sense and it will continue. The democratization of foreign affairs and treaty making I am sure will continue because of this significant first step.

A second point I will make, which has already been commented on in this debate, is that this is a short treaty. This is a succinct treaty and a treaty that has teeth. It is something that goes to the gamesmanship of making treaties. There is a way of getting treaties through a diplomatic conference by making them mellow, open ended or vacuous, whatever phrase one would like to use. One can rally an enormous consensus but there is nothing in the treaty.

• (1705)

This is a treaty that has teeth in it. A deliberate decision was made by our government and I think by the NGOs and others participating that it was better to have a treaty that stated something even if it meant that some significant states would be absent from the treaty's signature and ratification. We have pushed ahead on that basis. Some will notice that what started with a relatively small number of countries now has reached over 100 and that is a rather significant achievement in itself.

In Canada treaty making and treaty ratification are the two steps necessary to give international law validity to our signature to a treaty and they are executive acts, as has been noted already. The parliamentary process is limited to adopting the very important implementing legislation but it does not affect the validity of the treaty as international law. However that is not true of all countries and that is why in approaching our own steps in international law making, the signature which will come formally in the next two weeks and the ratification which could be the same day, we have felt it necessary and desirable to press ahead with the treaty implementing legislation.

We want to send a message to other countries where the legislature is involved, the United States as part of its Constitution with the Senate involved, to get their act together. If they are going to take part in the law making, then they must get their legal adhesion to the treaty completed. If it means the signing, ratification and the legislation, get it done as quickly as possible.

I direct attention to what is called the attrition factor in treaty making and the law making of treaties. I cite the famous law of the sea convention to which Canadian diplomats contributed so much. It was to become law when ratified by 60 countries. It was signed in 1982 by 102 countries but it took 14 years to get 60 of those 102 to ratify it and make it law. I could cite the first of the big terrorist control conventions, the Tokyo convention of 1963 on aerial piracy. That was to become law when ratified by 12 countries. It took eight years to get 12 countries.

In our case with this treaty 40 states are necessary to ratify it to give it legal effect. Then it takes effect six months after the 40th instrument of ratification. We would like to complete the whole process beginning to end in a year. That is why the momentum this Parliament is establishing with the consent of all parties is so vital.

There is another matter on which I should comment because I think we are helping consolidate law in the making. That is to say, what is the effect? Some people have said that we have left out some of the principal manufacturers and exporters of land mines. Some who might transfer to other countries are not bound. Is that not a treaty with gaps in it?

Let me simply say that as a matter of international law going back to the dissenting opinion of the greatest of the judges of the International Court of the post-war period, Judge Manfred Lachs, a treaty even when not ratified by a country may become binding on that country simply because of the sheer preponderance of other countries who have ratified. That is to say, it ranks either as customary international law or it ranks in some cases as a superior form of international law, *jus cogens*. It may be binding on non-ratifiers or non-signatories and in the World Court case concerned it was West Germany. I simply cite that that was an *avant-garde* opinion in 1969 when it was uttered in the World Court. It is no longer *avant-garde* and is acquiring an increasing acceptance. We will find that jurists in Canada will be making that argument.

If we can get 100, 120 or 140 countries to sign and ratify, it will be somebody with great temerity who would say we could ignore the treaty provisions.

• (1710)

Let us put it this way. There is an educational value in signing and proclaiming acts of this sort and making them law even for those who do not sign them. Countries are very concerned about their international law image. We are already finding this with countries we have approached to ask if they will join the treaty. They are saying no, but maybe they can regard themselves and say that they will be bound by certain parts of it even though they do not sign and ratify the treaty as a whole.

Here I simply say that the International Court of Justice in its decision in nuclear tests established a principle of law that unilateral declarations of intention to be bound by principle, law,

treaty or anything else of that sort can become legally binding entities.

In fact the French government was held bound by a declaration made by its president, Giscard d'Estaing, and its foreign minister even though perhaps at the time they did not realize the significance that was given to it.

We think there is an educational value in going ahead. That is one of the reasons we took this risk. It is better to have a treaty with teeth in it even if it leaves out the United States, China and Russia. It is better to have that than a vague, open ended treaty.

We are relying on the fact that many countries or some countries who have said they cannot for national political reasons sign and ratify the treaty yet say they believe they can adopt certain parts of it. We are going to encourage that.

This is law in the making. Therefore in a second sense the innovation made by bringing in non-governmental people and participatory democracy, we are making new international law. I commend the adoption of this legislation to this House.

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Madam Speaker, I appreciate the unanimous consent of the House to allow me to share my time with the parliamentary secretary. Although my gratitude is somewhat tempered by the enthusiasm with which the member for Red Deer insisted that it be restricted to 10 minutes, I shall certainly do my best to restrain myself in accordance with his wishes and those of the other members of the House.

This treaty and this legislation we are considering today are the culmination of years of efforts of NGOs spearheaded by Jody Williams and her colleagues in the United States who appeared before our committee recently and were so ably seconded by our government, by the foreign affairs minister and by the Prime Minister. It illustrates as other members of the House have said how we can get things done in today's world in spite of the complexity of today's world. With determination, work and above all co-operation we can bring in results.

Members of this House and humanity as a whole owe a great debt of gratitude to the countless thousands of citizens and NGOs in many countries, governments and international organizations that have worked together on this great enterprise that will culminate here in Ottawa next week.

We have heard a great deal about land mines from the minister and others. We have heard there are 110 million of them in the ground in countries like Bosnia, Laos, Cambodia, Angola, Afghanistan and Kurdistan where their military usefulness may be questioned but where their presence years after they have been put in is taking a toll from the population, women, children, farmers, anyone. They not only create horrible human tragedies of lives lost in ruin but they also inhibit the development of the economies of those countries. Millions of farmers are unable to continue their

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productive work and live in poverty because they no longer have access to their fields.

Since 1975 there have been over one million casualties around the globe due to anti-personnel mines. As the minister said, last week four members of the foreign affairs committee and four members of the defence committee visited Bosnia. They had the opportunity of visiting with our troops and seeing firsthand the conditions created by the presence of those small objects which are so easy to put in and so costly and dangerous to remove. They are so ingenious in their destructiveness. They are small, some no larger than a hockey puck and are placed in the ground. Some are attached to trees and can be set off by a trip wire to go off at maximum effect at the level of a head or a chest of an innocent person passing by.

• (1715)

We learned of the difficulty and the danger of removing these horribly effective weapons. We met our troops and talked with them, our troops who risk their lives and limbs on a daily basis performing the delicate and dangerous task of removing them. We think at this time of Corporal Mark Isfeld who gave his life in 1994 in this task.

We visited the United Nations Mine Action Centre and learned that it takes 1,000 men one year to clear 10 square kilometres of mines and that at least 100 square kilometres of mines need to be cleared in Bosnia alone at minimum. As there are only 750 present practitioners of that art, it is estimated that some 30 years or more will be required to clear that unfortunate place of the ravages of war. We need only think of the same situation being replicated in Angola, Afghanistan, Laos and other unfortunate places on this globe.

The conditions we saw illustrated the need for other aspects of the treaty, not just a ban on these items but the need for an effective compliance regime and effective mine clearance operations financed on a global scale. To that must be added the need for aid to the victims if humanity's needs are to be served.

We can take pride in the fact that Canada is contributing to all these important goals in places like Bosnia. Referring to the work of our troops, they are removing mines themselves and training others to do the job as well. They are supporting the United Nations de-mining centre. We are contributing through the World Bank and other financial means to the work of that and other centres throughout the world as we are contributing both on a bilateral and multilateral basis.

We are contributing to the rehabilitation of victims. When we were in Bosnia we had the opportunity of visiting the hospital in Sarajevo. We talked with doctors from Queen's University who were training other medical personnel in how to rehabilitate unfortunate victims. We talked to CIDA experts who are doing the same. We talked to our own troops who were in the process of

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helping to repaint and clean up hospitals which were damaged by war and which will serve the victims of this terrible tragedy.

We know this work is being done elsewhere throughout the world by CIDA and by other Canadian NGOs that operate courageously in far corners of the world under difficult circumstances.

The legislation will implement the treaty and ensure its terms will be enforced in Canada. This is the second agreement of this kind that the House has had to consider recently, the first treaty being the chemical weapons convention. We saw the need to have a universally credible means of ensuring that an agreement of this kind is put in place, is effective and is enforceable throughout many countries.

It is my belief that this is not the last time the House will be called upon to enact similar legislation. It is my belief that in the world in which we live today we will be called upon more and more to do work of this nature to ensure the world in which we live is a safer and a saner place.

The treaty represents something in general to me as it should to members of the House. What lessons can we reflect upon in relation to the issue as Canadians? What does it tell us about our international role in an increasingly interdependent world? Why is Canada, a country with no land mine problem itself, spearheading what will always be known as the Ottawa process?

Canadians believe in the need for our country to be an active participant in the global community, to make sure our values, in particular those of tolerance and compassion which have grown out of our bicultural and pluralistic society, are carried out into the world. To this end we need to work productively with others, with other countries, international institutions, NGOs and individuals to bring people together in a common cause to better humanity. In that sense the treaty and the legislation represent the Canadian goal.

• (1720)

What better example can we follow in the footsteps of Lester Pearson, John Humphrey, Dr. Norman Bethune and many other Canadians who recognize that to live in this world today we must participate fully in it? When we choose to do that we can achieve incredible results.

[Translation]

In conclusion, I would just like to offer a small comment on the nature of our work today and on what has been accomplished by this treaty.

It seems to me that this treaty and the role Canada has been able to play in its preparation, the diplomatic success it represents, is proof yet again of what Canada can achieve as a strong and united country.

I am sure that most members present will agree with me that our strength internationally and our ability to effect change in the world for the well-being of humanity as shown by this treaty gain from the fact that we are a country united from sea to sea and that we bring our collective national experience to the international scene.

This is therefore another lesson we want to draw from this experience, a lesson that will come up increasingly in the future in this heavily interdependent world, a lesson that can be of benefit to all, to the citizens of Quebec, Ontario, British Columbia and other provinces of this magnificent country.

[English]

We are taking an important step today. Let us build on it together for the benefit not only of all Canadians but of humanity as well.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, it is a privilege to stand before the House and speak to Bill C-22. I will try to keep my remarks as brief as possible so that as many speakers as possible can speak to this important piece of legislation.

Just in starting off, as the member for Rosedale said, Canadians are pleased to see that parliamentarians can take issues like this one and through co-operation come up with a solution and move it quickly through the House. Particularly in the area of foreign affairs they want to see that sort of diplomacy being demonstrated even in these premises, something we do not have a lot of, but certainly this is the opportunity for us to do that.

It is my pleasure to congratulate the minister on his co-operation and on his achievement in pushing the matter through and on to the international scene. All this started off in the last House with one of our members putting forward legislation.

I congratulate the NGOs, Jody Williams and all the others who appeared before committee and had so much to do with the legislation.

It serves us well as Canadians that our legislation, the legislation that we are now passing in the House, will be used as an example for some of the other 40-odd countries that have agreed to sign next week. It will hopefully provide motivation for other countries to come on side.

I have to admit that initially I was not very familiar with what mines were all about. I certainly did not realize the significance of them. We saw the map of Bosnia. We saw pink all over the map. We saw how the entire country was covered in mines. We saw people in some of the border towns, perhaps half of the population,

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who literally did not have an arm, a hand or a leg. That brought it home for all of us as to just how serious the problem was.

We found out that under the bark of trees there could be land mines, and that land mines were not something that were sticking out so that everybody could see but were hidden. They were in bricks with a little hair coming out that could trigger an explosion. They were underneath what appeared to be full coke tins sitting on a table with a plastic explosive underneath it. A young child could come along and grab that tin of coke and be maimed or killed. Then one realizes just how serious the problem was and how it was something that could not be accepted by anyone in the human race.

• (1725)

It was pretty easy for us to say we would co-operate on the issue and that we were proud Canadians to lead an initiative that would have an impact around the world.

There are areas of the legislation where the government has been given power within our country to encroach on some of our rights. However, in looking at it, most of us would agree that is an encroachment we can accept.

We have to be somewhat cautious in being too much of a boy scout when it comes to how we appear internationally. We have to be sure that we are not just talking, that we really mean what we saying and that we really are committed to helping countries de-mine their fields, their riverbeds, their roadways and so on.

It is often easy for us to pass legislation. I think back to when we talked about youth prostitution in foreign countries. I cannot imagine how we would ever enforce that kind of legislation. We feel good passing it and we agree with it but how would we enforce it?

We have talked about the Hague convention, something a subcommittee is working on, and kidnapped kids. All of us realize how emotional and difficult that is. It is easy to say we are against it but it is difficult to do something about it.

I should have mentioned at the start that I will be sharing my time with the member for Calgary East.

The Deputy Speaker: Order, please. There is a slight problem. The House will have to give its consent to that since the hon. member has a 40-minute slot. Perhaps we could clarify that now. Is there consent for the hon. member to share his time?

Some hon. members: Agreed.

Mr. Bob Mills: Mr. Speaker, I am sorry for not mentioning that at the outset.

We have to be sure we will put ourselves into the enforcement of the legislation and continue to promote it even though it will be difficult at times.

We also have to talk about the huge problem of de-mining that exists around the world. We have figures like 200 million or 300 million mines being out there. The numbers are huge. We need to help people to help themselves in that area. Our Canadian troops are doing the job by helping children to know where the mines are, to alert the authorities and to actually do something about it. Those are the kinds of commitments that do not cost a lot but are important if we are to rid the world of this serious problem.

We must understand some of the reasons some countries will not sign initially. We heard Mr. Clinton in Vancouver yesterday say that the reason they could not give up land mines was for the protection of their own soldiers. We may or may not agree with that reason, but we need to encourage them to come up with alternatives to the use of regular land mines. There are alternatives. As science progresses I am sure these alternatives will be used by countries like the U.S.

• (1730)

We also have to look at renegade states and their potential use of land mines. I am a firm believer, as I have said in this House many times, that in the 21st century terrorism is probably going to be one of our biggest threats as citizens of this world. Of course we have to be concerned about the presence of land mines, the use of land mines and the use of different types of explosive devices. We could talk about plutonium being sent to Canada from Russia. We could talk about that whole area.

It is important for us to put a diplomatic and organizational pressure on the world which we are in an excellent position to do. I think of our membership in organizations such as the Francophonie, the Commonwealth and APEC. Through those organizations we can bring a lot of pressure to bear on countries to consider signing this treaty and getting rid of land mines.

The point that we need to make in the House is that we are not just going to talk about it. We are not simply going to pass this bill, pat ourselves on the back and move on to something else. We have to be sure that this is an ongoing process and one which will last a long time.

I know that a number of members of the House have experienced firsthand what it means to see people living under the fear of land mines. We in Canada are lucky. When we come back from places like Bosnia, Cambodia or Laos we realize how lucky we are to live in this country. Our children do not have to worry about running out and playing in the field because there are no land mines. Let us never let there be land mines in this country and let us try to remove them from the world.

It is important that we broaden this to look at UN reform. The minister made reference to this. Certainly the streamlining of the UN is something that will help us all to achieve what we want in the 21st century. Changes within the UN are desperately needed. We must work with the NGOs and other countries to make sure they are

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not so busy fighting turf wars and fighting over what they are going to do that we have this this terrible duplication of services and the terrible bureaucracy which ties up so much of what they do.

I should mention the foreign affairs committee. Many people do not know what we do in that committee. There are several members in the Chamber who are a part of that committee, as well as others. It is important for us to deal with issues such as this and that we deal with current issues that are of concern to the Canadian public. So often we get hung up on writing big reports. The big reports basically end up consuming a lot of time and expertise. They cost a lot of money. Ultimately they end up being put on the shelf.

This is an example of a case where there is an issue that is real. We can put a face on it. It is something which people care about. It is something that the committee can get involved in.

A lot of members have urged the government to make committees relevant. We have urged the government to let the committees deal directly with the minister. We want the committees to talk about the issues, be they slavery in the Sudan, the terrible problems in Nigeria and Iraq, the kidnapping of Canadian children or terrorism. Let us talk about those issues which are real to Canadians and real to members of this House for which we can, hopefully, have the same sort of conclusion as we have seen today.

That is something to work toward. Some of it will be a dream. We have seen this sort of presentation before. We all know about the failures which have happened. However, it is time for us to look at what we are doing and try to make things better.

• (1735)

That is why it is a privilege to stand and to co-operate on the implementation of this piece of legislation.

Mr. Deepak Obhrai (Calgary East, Ref.): Mr. Speaker, it is my pleasure to speak in support of this bill today.

Bill C-22 is an important bill and I am happy to have this opportunity to share my comments with my colleagues in this House.

I would like to take a moment to express my appreciation for the tireless hours that several individuals have dedicated to this very worthwhile cause.

Internationally the names of this year's Nobel Peace prize recipient, Jody Williams and her organization, and the efforts of the late Princess Diana brought international attention to this cause. I applaud the Nobel Prize committee for recognizing the efforts of Jody Williams and her organization who rightfully deserve the Nobel Peace prize.

Here in Canada there are many individuals and groups such as Mines Action Canada who have taken the initial momentum to work toward an international ban on land mines.

On a more personal note, I applaud my colleague for Esquimalt—Juan de Fuca who has worked tirelessly over these past several years in making this an issue on the Canadian stage.

In late 1995 he introduced a private member's bill that called for an international ban on the anti-personnel mines, a bill which was supported by the then Minister of Foreign Affairs. When the current minister came into this portfolio, he too supported this initiative.

I would also like to take this opportunity to congratulate the Minister of Foreign Affairs for his efforts which began the Ottawa process. This is a proud achievement for Canada. My congratulations go out to all Canadians who participated and made it possible to bring together over 120 countries which will be present in Ottawa next week for the signing of the treaty.

This treaty includes the banning of the use, production, stockpiling and the trade of anti-personnel land mines. It also includes assistance for de-mining and for victims of land mines. This was intended to be a collective disarmament treaty and has several significant humanitarian elements that will not only ban the creation of the land mines but also ban countries from using and trading them.

Canada's exemption will allow it to import, export and possess mines for military training, mine clearing and destruction. Police officers and the RCMP will also have the authority to possess and transfer the mines in the course of their duties to defuse them.

In the event that a country falls under suspicion of violating the treaty, fact finders will be sent by the international community. They will have the powers to search and seize them with or without warrant. Dwelling houses can be inspected with a warrant. Warrants are not required to search military bases and/or warehouse facilities.

This bill comes into effect once given royal assent and also takes effect in all provinces. As I only have 10 minutes on this bill, I will leave most of the technical details of this legislation to those who have spoken before me as well as those who will speak after me, as I agree with most aspects of this bill.

Land mines are a very serious issue in the international arena. The use of anti-personnel mines already violates numerous tenants under international law. Each and every year it is estimated that over 250,000 individuals are at the least maimed and all too often killed by land mines. That works out to one person every 20 minutes. This is a tragic loss. To make it even more tragic is that these losses are often unnecessary.

Without the removal of land mines in post-war areas, many of the land mine victims have died or have been injured unnecessarily. These land mines are currently deployed in over 70 countries, most of them developing countries. Countries such as Afghanistan, Angola, Bosnia, Cambodia, Croatia, Eritrea, Iraq, Mozambique, Somalia, Sudan and Vietnam are all affected. There are approximately 100 million mines that are waiting for their next victim. With the variety of land mines in existence, there are over 350 different types of land mines. The severity of injury can be quite varied.

• (1740)

These losses could have been and, more importantly, should have been prevented. Land mines do not discriminate. They will target any individual who comes into their path. Our brave peacekeepers have paid a heavy price in places like Bosnia. These brave soldiers carry on their duties which bring honour and pride to our nation and are to be saluted for their courageous work in spite of danger to their lives.

It is interesting to note that those who manufacture or order the deployment of land mines themselves are in no danger of losing life or limb to these land mines. It is instead the soldiers that are at risk as well as innocent civilians who ultimately are the victims of this senseless carnage. I often wonder how many politicians or high ranking officials face danger from these land mines.

I take a personal interest in this bill. Coming from Tanzania, which is the northern neighbour of Mozambique, a country which has been devastated by the use of land mines, which has been the result of an internal conflict within that country, from my experiences in my native land, I can see how land mines placed indiscriminately can cause havoc in the civilian population.

In these countries the infrastructure development is concentrated in the urban centres. In the countryside people walk on trails and bush paths going from village to village. Women use these trails to fetch water from rivers and from wells. Children play using these areas, running up and down these trails to meet their friends from neighbouring villages.

When unchecked, the use of these land mines interferes with a society whose primary mode of transportation in the countryside is the time honoured use of two feet. We can, therefore, visualize what terrible deeds these land mines can do. Women, children, elderly people, soldiers all pay a heavy price for the absurdity of men who pursue political agendas.

Those who manufacture such items of horror should be held as responsible as those who place those land mines. It is only fitting. Therefore, we can move forward and stop manufacturing land mines.

There are real economic costs to the production and removal of land mines is estimated at 2 million land mines being deployed

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every year. When one considers the cost of production for each land mine which runs anywhere from \$3 to \$70 each, just think what this money could be better spent on. It is estimated that approximately 100,000 mines are removed each year at a cost of approximately \$300 to \$1,000 each. With these figures there is an estimated cost of approximately \$50 billion. Although this figure is enormous, I would argue that this would not compare to the loss of life. It is believed that for every mine removed another 20 are planted.

At the current rate of de-mining, if more land mines were to be placed it would take over 1,000 years to rid the world of these dangerous killers. Getting rid of these mines is not going to be easy.

Besides the sheer time involved in finding these mines, as most mine fields are not mapped out, de-mining is a very dangerous job. It is believed that for every 5,000 mines removed, one person will be killed and another two will suffer injuries.

I could go on and on and read a whole list of statistics and figures, but that does not bring the real issue to the forefront. This is not a financial issue, but an issue of our core moral values.

The contribution that those who were maimed or killed would have made to our society would have far outweighed the so-called economic loss of getting rid of these land mines.

• (1745)

To put it more simply and bluntly, one cannot put a price tag on life. We all have to move forward to ensure that this senseless killing of innocent civilians and soldiers stops.

I would like to note that several key nation states have not yet signed this treaty and I hope they overcome their differences and sign on as well.

For the most part these countries are citing security reasons for using the mines. Yet often the use of these mines is as destructive for the armies that have set up the mines as for the enemies.

We now live in a global village. We are members of one gigantic family. Our efforts should be devoted to promoting harmony and peaceful coexistence. All religions of the world espouse neighbourly love. Wars are destructive, causing loss of precious human life, breaking up families, causing pain.

However, we have a long way to go before we can peacefully coexist. This treaty is the first step toward achieving that goal and it receives my full unconditional support.

In conclusion, I would like to say that while I stand proudly in supporting this bill, I also feel and share the pain of those who were the victims of land mines. To them I say while we may have been late and have let them down, our prayers are that our present and

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future generations will not suffer the same pain that they have suffered.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, I wish to inform you that I will be sharing my time with my colleague, the member for Laval East.

The Deputy Speaker: As I indicated during the speech by the hon. member for Red Deer, since the hon. member had 40 minutes at his disposal, the consent of the House is required for him to divide his time with another member.

Is there unanimous consent?

Some hon. members: Agreed.

Mr. Daniel Turp: Mr. Speaker, the first time I heard about the convention and anti-personnel mines was when I was having discussions with colleagues at the Université libre in Brussels. Professors and students in international law were calling for the elimination of these “instruments of death”, as they were already calling them at the beginning of this decade.

This is an issue that I became involved in, as did everyone who was calling for disarmament, everyone who was following, in Vienna and elsewhere, the conferences organized to bring the international community to abandon the instruments of death such as nuclear arms, smaller arms, mines of all types and especially anti-personnel mines.

However, I still had not seen personally what these instruments of death were until I went with my colleagues in this House to Bosnia-Herzegovina several weeks ago, where we were briefed on several occasions on these mines, on how they operate, on the way they kill and the way they endanger human life. It was a rather moving experience and one that showed how important it was to support the international community's objective of banning the production and use of these mines.

These facts helped me convince the members of our party, the Bloc Québécois, to support the initiative of the Minister of External Affairs and to ensure that our party would give its support to the convention as it is outlined today in the Canadian legislation.

• (1750)

Increased awareness of this in Canada and abroad issue must not, however, lead us to forget that this convention is an unfinished creation and will undoubtedly remain so. The debate we witnessed today in this House reveals how much we live in a system where democracy has its failings when it comes to signing such a

convention and implementing it in domestic law. I would like to take a few minutes to discuss each of these issues.

This convention will most likely be signed by over 100 countries on December 3 and 4. Apparently, some 120 countries will be in Ottawa to sign this convention. But there are 191 countries in the international community and at least 70 states will not be there, 70 states that have not yet committed to eliminating these mines.

And also the states who will be signing the convention will have to become parties to this convention and to ensure that their legislature or their government will ratify or endorse it. Among the states that are still hesitating to support this convention, there are three members of the Security Council, that is the United States, Russia and China, which are some of the most powerful nations in the world and which refuse to come to Ottawa or buy into the Ottawa process.

Therefore, this work is unfinished and it might remain unfinished. In that sense, the work accomplished by the Minister of Foreign Affairs is only beginning and the work of all those who supported him, including the work that is being done in this House, must continue. The Bloc Québécois will support the initiatives taken to ensure that this convention will have an increasing impact on the international community.

However, the debate today helped illustrate how parliament and parliamentarians lack a proper voice, I would say an adequate voice, in the process by which treaties are adopted, the process by which treaties are developed and create obligations that are very important and that often entail legislation, as with this treaty, by which treaty obligations can be implemented.

We presented this afternoon an amendment which sought to determine to what extent the government was willing to commit itself to a democratization of the process by which treaties are concluded. The Parliamentary Secretary to the Minister of External Affairs was speaking earlier of the democratization of external relations that had been witnessed by the international community with the adoption of this treaty, which involves not only governments but also non-government organizations, which of course work in partnership with international bodies. It is time to also democratize the process by which states participate in international negotiations and in the conclusion of international treaties.

The Bloc Québécois therefore attempted to determine in what frame of mind the Minister of External Affairs was operating in this area, and it found out that this issue did not create as much interest as it should, although it will be raised when the Standing Committee on Foreign Affairs and International Trade meets. The Bloc Québécois hopes that, at that time, there will be a real debate leading to important changes to the this process.

• (1755)

In this case, therefore, by the end of the day we will have a bill, one we have sought to enrich by constructive proposals aimed at improving the implementing legislation. This will be a bill for implementation of a convention with which the Bloc Québécois is basically in agreement, a convention which will bind Canada, when it has signed and ratified the convention, and which will one day, I am sure, bind the sovereign Quebec so wished for by the Bloc Québécois, in accordance with the requirements of international law which will be applicable when the State of Quebec state attains sovereignty.

In conclusion, this treaty and this act will be a source of pride for the international community next week. It is true that the Minister of Foreign Affairs has shared with his colleagues, and with those in this House, the glory involved in getting this convention signed, but it is the international community that will benefit from it. It is the men, women and children of the world who will be the main beneficiaries, for their basic rights, the most fundamental one being the right to life, will be better protected by this convention.

Humanity will be the beneficiary of this convention, a humanity composed of the men and women whom states and nations have a duty to protect at all times, including when treaties are signed. I would like to use the words of a great internationalist, one that Professor Jacques-Yvan Morin, an academic colleague of mine and a professor of international law known in political circles, having been a minister and deputy premier in Quebec, has a predilection for quoting. In fact, he quoted him in his 1994 course at the academy of international law. The quotation is from Bartholomé de Las Casas, the great internationalist, who said "*Todas las naciones son hombres*".

Mrs. Maud Debieu (Laval East, BQ): Mr Speaker, I would like to say right off that I rise to speak with great interest on Bill C-22, which concerns the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

I do so as well with considerable compassion for those, often innocent individuals, whom death has claimed or whose quality of life has been significantly reduced through the explosion of a mine. There is another important element to this too, that of de-mining and the effort expended by the international community in this regard.

One fact remains, and it represents an important step. In a few days, in Ottawa, we will witness the signing of the convention prohibiting anti-personnel mines. Unfortunately, this treaty will not resolve the problem once and for all, because certain major countries will not be signatories. It will, however, help to limit the terrible effects. The Bloc Québécois recognizes the leadership of

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the Government of Canada and its Minister of Foreign Affairs in this matter along with the efforts of the public and the NGOs.

• (1800)

I will now give some background on anti-personnel mines. These mines are cheap weapons. Each costs somewhere between US\$3 and US\$50 and has as its sole purpose the mutilation of the enemy. Despite its low purchase cost, this is a pernicious weapon that continues its destruction long beyond the end of wars and conflicts, as we will see.

Inexpensive, easily produced and effective, these weapons were used in a good many conflicts. It will be recalled that the war between India and Pakistan, the war between Iraq and Iran, the Gulf War and the domestic conflicts in Cambodia and Angola demonstrated the destructive power of anti-personnel mines. First used as defensive weapons in international conflicts, they formed a protective barrier essentially designed to slow enemy progress. That is what mine fields were used for originally.

However, the use of such mines was expanded. Today they are used in domestic conflicts and in civil wars, they are used by police forces as well as by insurgent, guerrilla and paramilitary groups.

The saddest thing about all this is that some governments use these mines against their own population. In Kurdistan, the Iraqi government is said to have mined the fields of several villages, to terrorize the villagers into submission. Anti-personnel mines thus become tools to control population movements and to create fear within the population, the main goal being, sadly, to kill and maim civilians.

As we can see, the use of anti-personnel mines has many very serious consequences. And as if the situation were not terrifying enough as it is, civilians are now faced with this problem, as anti-personnel create war-like conditions in peacetime.

Anti-personnel mines make no discrimination between men, women and children, innocent victims of cruel wars taking place in their country. Those mines that are left behind cause human tragedies of untold sadness. Most of the time, mine victims who are not killed lose a limb. However, let us remember that countries having to deal with anti-personnel mines are almost all developing countries, poor countries that cannot provide adequate care to the injured because of a lack of human and financial resources. These heavily handicapped victims are unable to participate in the local economy, to work to provide for their families.

And what about the economic tragedies caused by anti-personnel mines? In some countries, farmers are unable to cultivate their lands or to put their cattle out to pasture because their fields are mine-ridden. We have seen previously self-sufficient farming areas that now depend on external food aid. For example, it is estimated that in some areas of Angola anti-personnel mines have reduced food production by more than 25%.

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Furthermore, it is quite often impossible to deliver food, because truck drivers will not venture out on roads that are strewn with mines. At the same time, besides causing terror, mines prevent post-war reconstruction by interfering with the work of humanitarian organizations and peacekeeping forces.

However, if there is something horrifying and unacceptable when it comes to anti-personnel mines, it is the physical and psychological harm done to the children who are the victims of these barbaric weapons. The images of innocent children horribly burned by napalm caused universal consternation. The effects of anti-personnel mines are every bit as devastating.

• (1805)

For this reason, and it is not the only one, as we have seen, governments that have signed this convention must pursue their persuasive efforts with non-signatory governments. As I said earlier, however, the problems caused by anti-personnel mines will not disappear overnight with the signing of this convention. Their impact will be greatly diminished, it is true. The issue of mine clearing will, however, remain intact.

Worse yet, for every mine removed from the ground, 20 new mines are being laid at the present time. At this rate, it is estimated that it would take 1,100 years and over \$30 billion to completely eliminate the anti-personnel mines now scattered throughout the world.

It is therefore imperative that mine clearing be approached effectively and with tools as modern as those used to lay them. We know, however, that mine clearing is an expensive operation. In 1994, the UN spent \$70 million US to clear fewer than 100,000 mines. As a matter of fact, it costs between \$300 and \$1,000 to remove a single mine.

The international community can claim that it does not have the resources necessary to remove all mines. The fact is, however, that, in the 1980s, exports of heavy and of light arms to third world countries represented 70% of the world trade of rich countries. There is an obvious international responsibility here with respect to countries that have become poor to the advantage of rich countries and arms lobbies.

But, despite a large drop in heavy arms exports to developing countries, we have been seeing a worrisome proliferation of light arms in the 1990s. An analysis reveals, and I quote "From 1980 to 1995, ten African nations with a total population of 155 million were torn apart by civil wars. Between 3.8 and 6.9 million people, or 2.5 to 4.5% of the population of these ten countries, died, almost all of them killed by light weapons. It seems that the leaders of western nations are increasingly preoccupied by arms stockpiling in third world trouble spots, in the very areas to which they are being called to send ceasefire monitoring groups. An awareness

seems to be emerging from this fundamental contradiction: on the one hand, rich nations are trying to end conflicts while, on the other, they are continuing to supply arms to belligerent nations". History is repeating itself.

Here again, action must be taken and solutions do exist. This is why the successful implementation of the Anti-Personnel Mines Convention is very encouraging and gives us hope that a multilateral agreement on light weapons can be reached.

In conclusion, the Bloc Québécois reaffirms its support to Bill C-22. The Ottawa process has become essential. However, as I said previously, we still have a long way to go. At first, our purpose was to deal with tanks and other armoured vehicles, but now we want to protect the civilians whose lives are threatened by these anti-personnel mines, the people who have suffered the most from war.

The signing of the Anti-Personnel Mines Convention, next December 3, will hopefully reduce the number of these human tragedies. However, de-mining remains a sensitive issue that the world community has yet to address seriously.

That is the price we have to pay to give some meaning to the words justice and fairness. It is also the price we have to pay for peace and security.

[English]

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, I rise on a point of order. There have been discussions among representatives of all the parties for the following motion, and I would ask that you seek unanimous consent of the House for the following.

An hon. member: Oh, oh.

The Deputy Speaker: Perhaps I could hear the proposal of the chief government whip.

• (1810)

Mr. Bob Kilger: Mr. Speaker, it is not my intention in any way, shape or form to deny anyone the opportunity to speak on this very important matter. As can be witnessed by the number of members in the House today, this subject matter is one that many members want to speak to. In that same spirit I move:

That at the end of this day's debate on third reading of Bill C-22, the question shall be deemed put and adopted unanimously.

[Translation]

The Deputy Speaker: Does the chief government whip has the unanimous consent of the House to present the motion?

Some hon. members: Agreed.

[English]

The Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

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Some hon. members: Agreed.

(Motion agreed to)

The Deputy Speaker: Earlier this day I informed the House of proceedings on the adjournment motion to be held this evening. It is with profound regret that I advise the House that those proceedings have been cancelled. Accordingly, we will continue with the debate before the House.

Mrs. Michelle Dockrill (Bras d'Or, NDP): Mr. Speaker, it is a great honour for me to stand on behalf of the New Democratic Party to speak in support of our country's initiative to ban land mines.

This treaty is a testament to the power that people can have when they act together and to the positive power that governments can have when they put their minds to it.

Just one year ago most nations of the world decided that even though the economic costs were large and the military implications larger, this issue is a moral one. Anti-personnel land mines are an evil which has no place in the arsenal of modern democracy.

In Canada we are blessed with thousands of kilometres of open space. It is difficult for me to imagine living in a country where you risk crossing a unseen border with every step, the border between your life today and a life without a leg or a life without your child; where the field you and your family have tilled for generations is now a dangerous and foreign land full of hazards that could in an instant destroy lives and ruin futures; where your children cannot play in the streets or in the woods; where there is no freedom from fear.

Perhaps I feel strongly about this treaty because I am the mother of a young daughter. I read about the scores of children like her who are killed or maimed every day by mines. I read about mines made with brightly coloured plastic or cloth designed to attract children, designed to kill children. Designs like these have no place in the world I want for my daughter.

In Canada and other first world countries we spend a lot of time talking about rights and duties and codes of acceptable behaviour. At the same time we have allowed our governments to manufacture and export land mines, weapons whose only purpose is to cripple and to maim. That is the worst sort of hypocrisy.

Since 1868 and the St. Petersburg declaration which outlawed weapons which uselessly aggravate suffering, through to the Geneva convention which banned the use of terror against non-combatants, governments have worked long and hard to make sure that human lives are spared the painful excesses of modern military technology. But they have worked simultaneously to advance that technology, to make it possible to develop devices like the gravel mine I talked about a minute ago, a mine that includes the

following line in its owners manual: "They are especially effective against inquisitive children. They make life difficult for rural communities without endangering troops and armoured vehicles".

How about the wide area anti-personnel mine. These are dropped from aircraft and throw out eight fine threads which then act as trip wires. Anyone who steps on any of the trip wires sets off the mines and lethal pellets scatter over an area of 60 metres. Mines have been filled with flechettes, small and irregularly shaped scraps that embed themselves deep in the victim's flesh. Some are made of plastic, not because it is cheaper but because the plastic will not show up on X-rays. A surgeon has to gouge blindly inside the patient's body. A recent innovation has been to tip the pellets with depleted uranium so victims will also suffer from radiation poisoning.

This is what the governments of the world have been working on in their labs while the leaders preach peace and compassion.

This treaty is a huge step forward, a step on to safer ground. We are not free from danger yet. Until the superpowers have the courage to sign this treaty and the United States has the courage to accept the ban wholeheartedly, we know that every day for decades to come more lives will be shattered by mines.

• (1815)

Every year in Europe a few mines left over from the second world war explode, killing yet more people. That war ended over 50 years ago. Since then more mines have been laid than ever. Countries like Afghanistan, Vietnam, Cambodia, Angola and Bosnia are carpeted with bombs that will take decades to clear. During those decades more families were broken. This is a fact and one we cannot escape, but we can reflect on it and do our best to make sure the cycle of violence and death is broken.

The United Nations has done excellent work co-ordinating mine clearing projects around the world but that work is useless unless we, members of the governments of the world, promise to ourselves and our children that we will stop adding to the stockpile. Making that promise means more than speeches in the House of Commons. It means applying the full moral weight of our nation to those countries that still insist land mines are a vital part of their defences.

It is ironic that today the leaders of the APEC nations are gathered in Vancouver hosted by our Prime Minister. The leaders of China and the United States both have refused to sign this treaty. Yesterday U.S. President Bill Clinton at least had the courage to congratulate Canada and urged us to move forward with the treaty. Meanwhile the Chinese government, which is responsible for a large percentage of the global manufacture and export of mines, has refused to sign the treaty and even to discuss signing the treaty.

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It is truly a positive step for this Liberal government to have initiated this treaty. I want to extend sincere thanks from the NDP caucus to our Minister of Foreign Affairs for his diligent work to make this treaty a reality. It shows what governments can do when they decide to make a positive difference. My only regret is that it often seems the minister is a lone voice in this administration pushing for a more moral and humane approach to foreign affairs. While he pressures the Chinese and tries to take them to task for their refusal to meet the standards of international decency, other government leaders are wining and dining the Chinese president in Vancouver.

I am just one person whose voice has joined the global chorus calling for the abolition of land mines. There are tens of thousands of others, including the winners of this year's Nobel peace prize and many other individuals, groups and governments. I would also like to mention the efforts made by the British Labour government and Prime Minister Tony Blair who have shown what a moral government with the courage to use its authority can do. For them banning land mines is part of the moral philosophy of social democracy just as it is for us in the NDP caucus. It is part and parcel of our belief in human dignity and international co-operation.

This issue has to be put in a larger context. Land mines are an obvious and unquestionably evil expression of man's inhumanity to man, but there are others just as evil that receive little or no attention from the world's leaders. To be brutal, why ban land mines if there are no hospitals to treat children with measles? Why replace death from shrapnel wounds with death from malaria, with death from cold or hunger?

This treaty must be a first step, but the fact that I can rise in this House to discuss the issue that our government has been the author of a civilized page in the global book of laws remains a credit to this government. We are creating a new law for the civilized countries of the world and that is a worthy thing. On behalf of the people of my riding, of my party and for myself and my daughter Kayla, I thank all the people who made this treaty a reality.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I remind the hon. member that there were others involved in the land mines process. Mines Action Canada, a conglomeration of non-governmental organizations, has done an outstanding job of bringing this issue forward. Other members of Parliament in this House have brought the issue forward. Members of the public have been bringing the issue forward for the past four years. It was not just the government that worked on this. I just wanted to correct the member.

I also wanted to correct the member on another point. Not only England was involved in this process and only after Princess Diana pushed the government to pursue this course, but other countries around the world including Norway and Canada were also involved. Belgium was one of the first countries in the world to take the initiative of unilaterally destroying its mines. It banned mines before the issue ever came to the forefront.

• (1820)

I would like to set the record straight on that point. If the member wants to correct her speech to that effect, I am sure she is free to do so.

Mrs. Michelle Dockrill: Mr. Speaker, I would like to thank the hon. member for his comments. As we all know, our time for speaking is very limited. I could have continued on a lot longer to mention the things which he just talked about.

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, my comments will be brief today but extraordinarily meaningful. I will be sharing my time with the hon. member for Compton—Stanstead.

These are challenging times for a middle power. In a post cold war environment there has been a sharp decline in the role of the nation state in terms of its ability to meaningfully impact foreign policy and international policy. There has been a commensurate increase in the power and strength of NGOs, multinational corporations and in fact in individuals.

This treaty is an example of how government can recognize the changing times and harness the new power of NGOs to create meaningful foreign policy amidst the challenges of a new environment.

Another trend in a post cold war environment is the entrance of a new phrase, a new term, and that is human security. Human security is being used increasingly in place of national security in a growing foreign policy circle. Human security recognizes that since the end of the cold war most conflicts have been interstate conflicts. The majority of those interstate conflicts have been between governments and their own people.

It is in that environment we must recognize we need to protect the security and the safety of individuals. Hence human security is increasingly becoming as important as national security. This land mine treaty recognizes this trend as well and serves to strengthen human security for all citizens of the world.

Canada must continue to play a vigilant role in utilizing all levers at our disposal, including the World Bank and the IMF, to pressure non-signatories to come on board and support this treaty. We must also ensure that the financial resources are made available to assist countries in complying with the conditions of this treaty.

Canada's leadership role in the Ottawa process stands as an example of what we can achieve. It also stands as an example of what we must continue to do, which is that we must continue to play a strong role as a middle power in a post cold war environment. We can and must continue in the tradition of Lester Pearson and in the tradition of Joe Clark to play a pivotal role in foreign

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policy, in foreign affairs, and to protect the rights, security and safety of all peoples.

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, I will also be very brief. I have a couple of comments to make with respect to the speeches which have been made by hon. members today.

Jody Williams was mentioned several times. I attended a breakfast for her a couple of weeks ago, as did many hon. members. When she was questioned on what she would be doing for her next project, she was quite clear that she had nowhere near finished her project on land mines. She said that she would be continuing with that project.

Right now we have the opportunity to take this issue one step further, which is the type of thing she would like to do. The Asia-Pacific economic co-operation meeting is taking place in Vancouver. I understand that the APEC meeting will not address human rights concerns, that it will only address economies. That is not the right thing to do. I know that many Canadians and the minister feel that this is not the right thing to do.

The human rights records of our trading partners should be mentioned and not just in passing. Similarly, APEC provides an excellent opportunity to discuss security matters. The Pacific Rim is becoming more volatile as communist China grows stronger and North Korea becomes more and more unpredictable. In the future APEC will address international security concerns in the region. It will soon not be able to ignore the issue. It would be a wonderful start to set an important precedent if Canada led this initiative.

• (1825)

It is my suggestion that Canada bring up the issue of the land mines treaty fully and publicly and not just in bilateral meetings. If the government is really serious about ridding the world of land mines, the APEC summit would be a timely opportunity to challenge countries to join.

Again, I want to congratulate the government and particularly the Minister of Foreign Affairs for his efforts.

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, I will be sharing my time with the hon. member for Burlington.

I am very pleased to be able to speak on this legislation before the House today. It will enable Canada to fulfil its obligations under the international convention banning land mines.

As members of this House know, over 100 countries will come to Ottawa on December 3 to participate at the Treaty Signing Conference and Mine Action Forum. This event will bring to a close the Ottawa process which was initiated last year by the Minister of

Foreign Affairs after the United Nations sponsored conference on disarmament talks in Geneva bogged down.

This legislation, which is entitled the anti-personnel mines convention implementation act, is of course necessary in order to give the full force of law to Canada's political and diplomatic obligations as a signatory to the convention. I certainly hope that other signatories to the treaty act with the same speed and resolve that we in this Parliament have demonstrated in ratifying this treaty.

On behalf of the residents of my riding of Nepean—Carleton, I would also like to once again offer my personal congratulations to the Minister of Foreign Affairs for the tremendous personal effort he put into this initiative. He has made all of Canada proud. His efforts are very much in keeping with the finest traditions of Canadian diplomacy.

When Canadians think of our diplomatic achievements, they think about Lester Pearson, the Suez crisis and peacekeeping. We can add to that list the Minister of Foreign Affairs and the land mines treaty. Great credit is of course also due to the hundreds of NGOs, international organizations led by American activist Jody Williams and supported by others like the late Diana, Princess of Wales. Together a very important humanitarian goal has been achieved.

We have all heard about the statistics on land mines. There are an estimated 100 million mines in the ground in 70 countries around the globe. Every 20 minutes a person is maimed or killed by an anti-personnel mine. For every mine taken out of the ground, 20 new mines are planted. Fully 80% of the casualties are innocent civilians, a large portion are children and women. They live in countries like Afghanistan, Cambodia, Mozambique, Somalia and Vietnam. Long after the wars for which the land mines have been sown have ended, the legacy of the land mine lives on with random and indiscriminate violence causing death and serious injury.

On the North American continent we are very fortunate indeed not to have to live with the constant threat of land mines as we go about our daily lives. Others are not so lucky.

Seven years ago I travelled to Zimbabwe in southern Africa as part of a CIDA sponsored delegation. One aspect of our visit involved a trip to a refugee camp on the Mozambique border called Tongagora. What I saw there in three and a half hours left me with an unforgettable image of what life is like for many people less fortunate than we are.

For over 40,000 refugees from the war in Mozambique, many attempting to overcome the effects of malnutrition, malaria and diarrhoea and other diseases, this camp was their home. Over half the population of the camp were children. Many showed the

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physical scars of war, including amputated limbs as well as other disfiguring wounds.

The sight of one child in particular seared an image on my brain which I will never forget. Like all the children in the camp, this young fellow was clothed in rags. He was probably about 11 or 12 years old and walked with a makeshift crutch to support himself because one of his legs was amputated at the knee. One-half of his jaw on the right side looked as if it had been blown away. When I looked at that child from a comfortable seat on a bus as we were leaving the camp, the only thing I could think of was the fact that he would never enjoy the life that so many of us in this country are blessed with.

Starting life as a refugee is bad enough but having to cope with amputated limbs and serious disfigurement takes an extremely bad situation and makes it dramatically worse. Whether he suffered his injuries from a land mine is something I will never know, but it is clear that the land mines were responsible for many of the amputated limbs at that camp. Every time I see that young boy's face in my mind's eye, I think of the land mines and the incalculable damage done to innocents. As unfortunate as that boy was, many land mine victims in Mozambique never made it to a refugee camp. Some simply could not make the long journey to safety and others bled to death at or close to the land mine that they had detonated.

• (1830)

The effect of land mines goes beyond the physical damage that is done. Also of concern is the profound psychological damage that accompanies living with land mines. A series of letters which appeared in last Saturday's *Globe and Mail* from young Bosnians about the menace of land mines speaks eloquently of their effect on young minds.

One young man, Admir Mujkic, a grade 12 student in east Tuzla wrote "Spring will come soon. Warm nights full of temptation to go out for a walk. We have had enough of smoke filled cafes, but where to go. Mines are all around us. Our fields, meadows, forests are probably covered with mines. That could probably ruin my life or somebody else's life, youth, beliefs, love. I want to run through flowery fields with my girlfriend. I want to pick the first violet for her, to climb the trees and forests. I want to lie in the grass and watch the sky for hours. I want to dream".

Another student, Melisa Dzanovica, in grade 7 and also from Tuzla, wrote "My friend, do not look at the sky, do not count the stars, do not look at the yellow moon because in a split second it can become bloody. It takes only one wrong step. So lower your head, my friend. Your enemy is in the earth. It has surrounded you with a thick wire. Remember there is something worse than a war. Survive, my friend, the peace".

There are a number of challenges we face in connection with this treaty. One is to ensure that ratification by the signatories proceeds quickly so that this treaty can become part of international law that stems the manufacture, possession, use and export of land mines. As parliamentarians we must work with our counterparts in other countries to ensure that this happens quickly.

Another challenge is to bring those who will not be signing the treaty, in particular our friends to the south, on as signatories. This would be a major step forward.

It is indeed unfortunate that the United States has decided not to become a signatory to the treaty at this time. As we know, it has cited its defensive situation in South Korea as its rationale for not signing, even though at least one of its own generals, General Norman Schwarzkopf, has said that the United States does not need land mines to defend itself or its allies.

To give credit where credit is due, however, the U.S. has destroyed 1.5 million land mines and has promised to destroy another 1.5 million in the short term. It has also vowed to increase its already sizeable budget for de-mining operations by 25% next year.

This brings me to perhaps the most important challenge that we now face as a global community; that is to move beyond the treaty signing and ratification to the next phase which should be a concerted international effort to get these mines out of the ground. This next phase will make the Ottawa process seem easy by comparison. It will require political will, significant resources as well as up to date technology to ensure that more lives are not lost and more injuries sustained in the de-mining effort.

As Canada has led the Ottawa process and the anti-personnel land mines treaty, so should we lead the process of ridding the world of these horrible weapons. We have some of the best trained personnel in land mine removal among the members of our armed forces and we have some of the most up to date technology.

In the first statement I made in this House I drew attention to two companies in my riding that I am proud to say are working on state of the art land mine removal technologies, Computing Devices of Canada as well as Thomson-CSF.

In the case of Computing Devices of Canada, they are working on a system which combines a variety of land mine detection technologies in one package. Their particular technology will have a system to detect even small amounts of metal. With ground penetrating radar their system will detect the presence of foreign objects in the soil. With an infrared camera it will detect heat flow disturbances in the soil associated with buried land mines. Yet another sensor is capable of detecting nitrogen, a key component of explosives.

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The Thomson-CSF technology involves a very sophisticated robotic system with the capability of digging up, removing and disposing of land mines.

I mention this to indicate that the task of ridding the world of over 100 million land mines is a tremendously difficult but not an impossible task.

• (1835)

Great strides are being made with technology which will significantly reduce injuries and deaths related to de-mining activities.

To conclude, I want to say that all Canadians should be proud of this tremendous diplomatic achievement by the minister and the many others who are responsible for having this treaty moved forward.

We have come a long way in the space of one year toward solving a problem that afflicts a large portion of humanity. We must remember that the really tough job lies ahead.

I am confident that with the political determination, the financial resources and the latest technologies Canada can once again take the lead in one of the most important humanitarian issues of our time.

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, I too am pleased and honoured to be able to rise today in support of Bill C-22. I am particularly pleased but not at all surprised that this bill has received support from all parties in this House.

We do not agree often, but on this issue we do because we stand first as Canadians and stand for peace in the world. I was honoured along with my colleagues from Brossard—LaPrairie and from Esquimalt—Juan de Fuca to participate with the minister at the Oslo conference in Norway this September as the treaty was being negotiated and at the forum for the non-governmental organizations with the people who have been driving this issue for years and years.

The Canadian delegation performed admirably. Their action, their commitment, their perseverance in Oslo was second to none and as a result, countries from around the world look to Canada for leadership on this issue.

In fact, with the passing of this bill, we will be in a position to be the first country to ratify the treaty to ban land mines. This, coupled with our recent destruction of our last operational land mine, signifies the level of our commitment to ensuring that land mines are destroyed and lives will be saved.

During this debate we heard the member for Nepean—Carleton talk a great deal about the impact of active land mines and what he has witnessed and the important role Canada has played in bringing this issue to its present place.

We all have a vested interest in this House and across the nation in ensuring that the world is de-mined. I thought I would focus my

comments, therefore, on why Canadians are working so hard and at such a speed to impose this world-wide ban. What are the next steps?

This is a bill about peace and international security. It is a bill about taking steps to protect people's land, allowing people to provide safely for their families. For too long people in a number of countries have starved while their rice paddies and fields lay empty for fear of the consequences of entering those areas.

Most important, this bill is about people. It is about saving lives. It is about preventing senseless deaths and it is about restoring hope to communities.

It is frightening to think that even with the tremendous co-operation in this House, in the amount of time that we have taken to debate this bill, hundreds of people, civilians, women, children and farmers will be maimed or killed by anti-personnel land mines, one person every 20 seconds.

During this presentation and that of my last colleague, 30 people were hurt by land mines. Some will die immediately. Others will take weeks to die. Physically, we have already heard it is a tremendous injury on the individuals and medical care is not always accessible.

I heard stories in Oslo of having to take six days to reach emergency help and even then sometimes it not being adequate, of getting help for their immediate injuries and then suffering gangrene later, of being fitted with 30-odd prostheses through their lives if it is a child who is injured, the cost of that alone, the inability for people after being injured to provide for their families because in a lot of countries jobs are very scarce.

They can no longer manoeuvre in the rice paddies, go out and work on the farms. The effect for young women on their marriageability is rather drastic. If they should be so fortunate to get married, often there are later complications in childbirth.

There are many obstacles along that road. Of course, as the member for Nepean—Carleton has mentioned already, emotionally it has a devastating impact on children and adults who are injured.

The social reintegration of the individuals is absolutely important. These are innocent victims. They are women working in their fields supporting their families, children playing freely or gathering firewood.

On December 4 when delegates return to their respective countries and heads of state leave with their official copy of the treaty, our work will just be beginning.

• (1840)

Colleagues, we must really focus on our work at that point and we must work in earnest. The signing of this treaty is only the first step. We must sustain political and public attention on the issue. We must continue to encourage non-signatory countries to sign, otherwise there will still be countries that can buy land mines,

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transfer land mines, stockpile land mines and they will wreak havoc on our world.

We have the momentum. There is a lot we can do with this energy. We must encourage all countries to move forward. We must universalize the treaty.

This treaty is a fantastic example of diplomacy, of what can be achieved when governments listen to the people and then act, and of what can be attained when individuals and groups work together relentlessly and of what our country, Canada, as a middle power, as a peaceful nation, is capable of advancing in this century and in the next.

I would like to add my congratulations to those of all members of the House of Commons to the individuals who have been involved in this historic treaty, especially to the member for Brant for her initiative and for helping to focus me several years ago on this issue, and to the Minister of Foreign Affairs for his insight, perseverance, commitment and energy. He took a risk last year and has followed through and worked doggedly on this. I congratulate the Prime Minister for using his political pressure to bring people into the fold. It was critical.

On December 2, 3 and 4, the world will be watching as we take this important humanitarian step and lead the world into a new phase of disarmament. There are more issues that we can tackle in this progressive new way to deal with things.

On December 4, evil will be defeated, good will triumph and people around the world can be joyous that we will finally be on the progressive side of dealing with this deadly, indiscriminate weapon. They will know that finally one day we will see that end, we will see when mines are removed from our land. My colleague has identified opportunities for Canadians to participate in that process. We can know that without mines being used in such a terrible fashion that our peacekeepers, who are trying to help in various nations around the world, will have a better chance and will be a little safer.

This has been a terrific debate and I am proud to have been a part of it.

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, I shall be sharing my time with the hon. member for Souris—Moose Mountain.

The good people of Surrey Central are very happy to have me speak on their behalf in support of this legislation to implement the convention on the use, stockpiling, production and transfer of anti-personnel mines and their destruction.

My constituents and I would like to salute and pay special tribute to my Reform Party colleague, the hon. member for Esquimalt—Juan de Fuca, who not only attended the convention at Oslo, but

who has many years experience working as a medical doctor in the mine infested area of Mozambique. In fact, in 1995 and 1996 he was the Reform member of Parliament who introduced a private members' bill calling for an international ban on anti-personnel mines, but the government refused to make the bill votable.

If that bill had been declared votable, the treaty could have been signed much earlier, perhaps over two years earlier, and we could have saved many lives around the world.

On this rare occasion the Liberal Minister of Foreign Affairs said he would support the private members' motion. A Liberal minister actually stating his support of an opposition member's private members' bill was important because it boosted the spirit of the activists and non-government organizations who were already concerned and fighting to have these destructive weapons eliminated.

• (1845)

The new Liberal Minister of Foreign Affairs also supported the anti-personnel land mines initiative. Canada began pursuing the matter with other countries in the world, hoping to get a consensus on an international ban.

In October 1996 at the International Strategy Conference, Canada challenged the international community to sign a treaty to ban the production, use, stockpile and export of land mines, and so began the Ottawa process.

The international non-government organization community has always argued that a ban on land mines is necessary because the mines actually violate international human rights and international law by killing or maiming over 20,000 civilians per year.

A draft treaty was produced in Oslo, Norway, in September 1997. Included in this treaty was the banning of the use, production, stockpiling and trade of anti-personnel mines, but it also included assistance for de-mining and for the victims. So far over 120 countries have indicated that they will sign the Oslo treaty. Other nations are seriously considering signing the Oslo treaty. Next month there will be a formal signing ceremony in Ottawa.

The treaty is supported by the Canadian Armed Forces. In fact there is ample military evidence to support the ban of anti-personnel mines.

The Oslo treaty is intended to be a collective international disarmament treaty. The bill we are debating today is the product of the Oslo draft treaty. Bill C-22 has many significant humanitarian elements that will not only ban countries from producing land mines but will ban countries from using and trading them.

Canada's exemptions to this treaty will allow us to import, export and possess land mines only for military training, mine clearing and destruction. Peace officers and RCMP officers will

also have the authority to possess and transport land mines in the course of their duties to diffuse them.

In the event a country falls under the suspicion of violating the treaty, fact finders will be sent by the international community and will have powers to search and seize with or without a warrant. Private homes can be inspected with a warrant. Warrants are not required to search military bases and/or warehousing facilities.

The bill has 14 sections. I would briefly like to describe a few of the sections which are important.

There are prohibitions as we know. Under the bill it is illegal to place a mine under, on or near the ground or any surface area. It is also illegal to develop, to produce or to stockpile mines directly or indirectly except for training purposes, to dismantle, or for display in museums. It is also illegal to import or export anti-personnel mines.

There is a destruction of mines section. Individuals who are in possession of anti-personnel mines must deliver them to specific locations for immediate destruction with the exception of the military, RCMP or those authorized by the minister to render the mines useless.

There are inspection rules. In the event that a country is accused of violating this treaty, the foreign minister of that country must provide to members of the United Nations fact finding team a certificate that will allow members of the mission to inspect areas where there is suspicion of mines, that is military bases or industrial warehouses. This power is only extended to commercial dwellings. They cannot enter into private dwellings unless the owner allows them.

Finally there is an enforcement section. This allows the opportunity for enforcement officers to determine fines and convictions. Summary convictions range from a fine of \$5,000, jail time of up to 18 months, or both. Convictions on indictment range from a fine of \$500,000 or imprisonment for a term no longer than five years, or both.

The United States and China have refused to be signatories to this treaty. However they have both implemented many significant aspects of the treaty such as the destruction of their stockpiles of mines. Also they have not exported mines for some years. We hope that in times to come China and the United States will sign the treaty.

• (1850)

The U.S.A. has done more than any other country in terms of committing more money to de-mining. It has made sure that the anti-tank weapons are not anti-personnel any more. It has destroyed a record number of mines already. The U.S. was the first

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nation to ask the United Nations to call for a ban on anti-personnel mines. The U.S. expects to lead in the role of peacekeeper in many parts of the world and expects to be accommodated, but in Oslo the nations did not agree. We know that last week the U.S. lost a plane and its crew off the coast of Africa while en route to de-mining activities in Africa.

Countries in war zones such as Bosnia, Turkey, middle eastern countries, India and Pakistan have not signed on either. Even though these nations have not become signatories, the fact that a treaty with teeth has been produced is more successful than a treaty that is agreed to by everyone but has enough loopholes to make it worthless.

With respect to the bill in its current form one of the issues that causes concern is the lack of specifics concerning who will be assigned by the minister to be the watch dog over the destruction of any mines and the enforcement of the law within Canada.

Another issue is the request for assistance. A commitment for assistance with no fixed moneys is stated in the treaty. This is assistance that can be given where appropriate and affordable. The government should ensure that whatever aid is given through assistance is done in the most cost effective fashion. This is a serious issue. It is important for the bill to be passed by parliament as soon as possible.

Let us imagine the civilian human aspect for a moment. History shows that mines do not stop armies but stop people's lives completely. In certain villages mines are all around in the fields, meadows and forests. The schools are covered with posters asking kids to think mines. The vocabulary of those school children includes war, mines, danger, fear, kill, blood and similar words. They ask children not to touch the mines because they are toys of war.

They are being told not to look at the beautiful sky or the yellow moon or count stars because in a split second it can become bloody. It takes only one wrong step, so they should lower their heads because their enemy is in the earth.

There is something worse than a war. They have to survive the peace. Families are familiar with crisis and lack of money. Even the children have to work to support the families in those countries. The forgotten mines take away their young dreams in a split second. The war is still in their hearts, souls and memory. There are people out there with one leg of their trousers hanging empty. There is no more hissing sound of shells or sirens but a sudden sound of detonation. Nobody knows how to handle them. To conclude—

The Deputy Speaker: I regret to inform the hon. member he has gone well beyond his time. I know he is splitting time with the hon.

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member for Souris—Moose Mountain. I think he would want to ensure the other hon. member has his 10 minutes.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I thank my hon. colleague for his brilliant and erudite intervention.

What do his constituents think about the issue?

Mr. Gurmant Grewal: Mr. Speaker, my constituents and I are proud to support the passage of the bill by the House. It was an honour to have the opportunity to speak in support of it.

• (1855)

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, on an evening like this one it is difficult for someone to stand and try to say something that has not already been said. I am pleased to support the bill. I am also pleased to know that the support in my constituency, which is a large one, would be unanimous.

When we close the House tonight and go home we do not expect to hear the blast of a gun. We do not expect to hear an explosion of a land mine. We live in relative peace and quiet. However, as we pass the bill, and it will be unanimous, there are people in Canada tonight who are not as easy as we are about weapons that are being concealed within our country. People know about them but apparently there is no legal way or legal effort to stop it.

A mine is one of the easiest things to conceal and bring into the country. Nothing could be easier to hide and bring into the country than a small plastic mine. We know from fact that many illegal guns are being smuggled into Canada every day.

I was on the plane with a chap from the city of Cornwall who mentioned the illegal smuggling that takes place there. He talked about it being the smuggling capital of Canada. I asked if there were any chance that mines were being smuggled into Canada? He answered: "Why not? They are bringing guns in. Why wouldn't they be bring mines in?"

When the bill passes I would like the House of Commons to take a moment to think about the build-up of weapons, the arsenal being built up in Canada. Having spoken to police officers in Saskatchewan and the man I met on the plane from Cornwall, maybe we have a land mine that is ready to explode.

I am pleased by the great work that has been done in the House by the minister and my colleagues. I am pleased to support the motion. I hope all Canadians will look around them to ensure these weapons of destruction and those who possess them will be dealt with expediently and that we in Canada do not relive anything that has been experienced by many parts of the world.

On behalf of my constituents I am pleased to say that I most assuredly will support the bill.

[Translation]

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, I am very pleased to address Bill C-22.

Indeed, the Bloc Québécois fully supports Bill C-22. On my own behalf and on behalf of my fellow Bloc members, I want to congratulate all the NGOs involved in this issue and the Minister of Foreign Affairs for the successful conclusion of the Ottawa treaty.

Everyone is aware of the ravages caused by anti-personnel mines. The Bloc Québécois, which is always at the forefront when it comes to world issues, warned the Liberal government a number of times in recent years regarding the atrocities caused by anti-personnel mines.

As early as December 1995, the hon. member for Laval East rose in this House to urge Canada to eliminate these weapons of suffering, as she called them. In May 1996, the hon. member for Repentigny strongly condemned the agreement reached at the international conference on anti-personnel mines, then held in Geneva, where the Canadian government signed that treaty. It will be recalled that the agreement did not fully prohibit the use of mines. On the contrary, it stated that future mines had to be detectible or self-destructible. The hon. member for Repentigny called the agreement "absurd" and he was absolutely right.

• (1900)

But it is never too late to do the right thing. Everybody must be delighted with this convention banning anti-personnel mines. And the figures speak for themselves.

At \$3 a piece, land mines are a cheap way of terrorizing one's enemies. That is why, among other reasons, there are about 110 million land mines scattered over more than 70 countries in the world. Five million more are sold each year. Land mines create fear in countries such as Angola, Cambodia, Mozambique, Somalia, Vietnam and many more.

In these developing countries where mines are often forgotten, they prevent people from functioning normally. Because of mines, large tracts of land become unusable and unworkable. Food supply and development assistance are often a perilous enterprise for NGOs working in these generally poor countries, which has the direct effect of making entire communities even poorer. And this poverty becomes even more appalling considering the inability of these countries to pay for wheelchairs or even prostheses for the victims.

And what about children? The most precious gift that life has given me is my two very healthy children. It is unthinkable but nonetheless true that one quarter of the people treated for land mine injuries in Red Cross centres in Afghanistan and Cambodia are children. What is more normal for a child than to go to school? In Mozambique, every day, at least one child is injured or killed by a

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land mine on his way to school. This slaughter has to stop and fortunately we are on the right track.

Since I became critic for international cooperation, I have been better able to see and appreciate the remarkable work done by non-governmental organizations. It is crucial to give credit to the work done in this area by Jody Williams, the ICBL coordinator. Originally made up of a handful of well-intentioned activists and led by a very determined woman, it has become a coalition of a thousand members. The work done by Mrs. Williams and her associates was even recognized by the Nobel Prize Committee, who presented her with the Nobel Peace Prize.

The campaign against land mines was launched at the end of 1991. It brought together 11 organizations representing more than a 1,000 NGOs from over 60 countries. These organizations shared a common purpose: to ban anti-personnel mines.

Considered a utopian goal at first, the idea of a ban on anti-personnel mines gained ground. With the support of hundreds of NGOs, the ICBL was able to change the world agenda and to bring many governments on side.

Following all these successful endeavours, the United Nations General Assembly passed in 1996 a resolution asking its members to actively pursue a ban on anti-personnel mines as soon as possible.

In October 1996, Canada took it upon itself to call all the countries in favour of the ban to a strategic conference, under the theme "Towards a Global Ban on Anti-Personnel Mines", in which 350 delegates from 75 countries took part. As of January 1997, 50 countries had banned the use of anti-personnel land mines; 15 countries had destroyed or started to destroy their stockpiles; 30 countries had banned mines or at least suspended their use; and 20 countries had announced they had stopped producing them.

At the conclusion of what came to be known as the Ottawa process, Canada's Minister of Foreign Affairs concluded the conference with an invitation to governments to come to Ottawa in December 1997 to sign a treaty to ban anti-personnel mines. That is where we are now.

Needless to say, Canada has played a significant role in bringing about the treaty banning the use of land mines. As we have seen, the aim of the Ottawa process is to have an international treaty banning the use, production, transfer and stockpiling of anti-personnel mines negotiated and signed by December 1997 at the latest.

● (1905)

Without the initiative of the ICLM and Canada, this convention might have been delayed by a few more years, thereby taking a further and unacceptable toll in terms of human suffering and lives.

Canada has been an international leader in this area. But it must be watchful.

So, while the Ottawa process phase 1 is concluding, we must now think of the Ottawa process phase 2. The convention's signing in December does not mark the end of the process, quite the contrary. "Ottawa Round 2" will need to look at the on-site implementation of the convention. Canada will need to ensure that the convention becomes implemented universally as soon as possible, and that new massive mine removal and victim assistance programs are adopted. With "Ottawa Round 1" we were involved in theory, but "Round 2" will be putting the theory into practice.

The most important work for Canada and the international community will start on December 5, as soon as the convention has been signed on December 2 through 4. Then the serious nature of the convention will become evident.

There is a shadow over the event, however. Certain countries, such as China, Russia and the USA, do not intend to sign the Convention. It is not my intention here to pass judgment on these non-signatories. However, reports like the one by Human Rights Watch entitled "In its own Words", based on archival documents from the Pentagon, and the one by Demilitarization for Democracy entitled "Exploding the Landmines Myth in Korea" argue convincingly against the marginal and often unproductive usefulness of land mines.

These reports even indicate that American land mines were one of the main causes of American losses in the Vietnam war. Such arguments, however, failed to convince the President of the United States to change his mind.

It seems fairly clear to me that, under pressure from the military lobby, the president decided not to sign the treaty. Furthermore, he said he would not sign out of a concern for protecting American troops stationed in the Korean peninsula. Like everyone else, I watched the televised reports of the armed conflict with Iraq in 1991. In view of the high tech arsenal the United States have at their disposal, how can the U.S. president claim that they need weapons as primitive as land mines to defend American troops?

I believe the countries that have not signed the convention simply lack the political will to do so. This is very regrettable. But I think that international popular pressure will eventually bring these countries around.

To conclude, I would like to remind the House that we may have won a battle, but the war is far from over. We must remain vigilant et join forces to make this world a better place, free from the scourge of anti-personnel mines.

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, with your permission, I will share my time with the hon. parliamentary secretary to the Prime Minister.

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Every 22 minutes a person is killed or injured by a mine that goes off. In very concrete terms, this means that since this morning—I took my seat in this House at 11 a.m. and it is now approximately 7.10 p.m.—while I was taking part in this debate in this House some 25 people, mostly civilians and children, were killed or injured by mines. Some mines are even specifically designed to attract children. Take butterfly mines for instance.

• (1910)

Many of my colleagues mentioned the social and environmental costs of these mines. It is important to note that, in the final analysis, there is no proof that the use of mines has ever made a difference in any conflict. No conflict has ever been won through the use of mines.

I would like to read from a paper written by former US Foreign Secretary Cyrus Vance. He wrote this:

[*English*]

“With international attention focused on negotiations to destroy nuclear weapons and prevent a new nuclear arms race on the Korean peninsula and in south Asia, some may think that land mines, those tiny weapons that can fit in the palm of the hand, are hardly a threat to world peace. In fact, while reducing the threat of nuclear war must remain the first priority of international arms control efforts, it is small weapons that are killing and wounding far more people every day. The U.S. Department of State has noted that land mines may be the most toxic and widespread pollution facing mankind.

“We are convinced that nothing less than a total ban on the production, possession, transfer and use of anti-personnel land mines will move us closer to the goal of completely eliminating this scourge. We believe the United States should take the lead to achieve this goal”.

[*Translation*]

The United States did not take the lead, but Canada did and we must be very proud of that. I would like to take a few moments to mention in particular the efforts made by the Prime Minister, by the former Minister of Foreign Affairs, André Ouellet, by the current Minister of the Environment, and by the current Minister of Foreign Affairs who, as we all know, strove to pursue the great Canadian tradition of maintaining and promoting peace.

I would like to tell you briefly about my experience in Oslo. I was there when the treaty was negotiated. I was accompanied by the hon. member for Burlington and the hon. member for Esquimalt—Juan de Fuca. The Canadian negotiators enjoyed a high level of credibility over there. These senior public servants from Foreign Affairs and National Defence were a credit to Canada. All too often

public servants are criticized. But everyone should know how well they represented our country in Oslo.

As the treaty was being negotiated, NGOs held a conference. I visited the exhibition set up by these NGOs, across from where the negotiations were taking place. I was accompanied by a public servant. He introduced me to someone from the Red Cross as a Canadian parliamentarian. I do not know where she came from, but a young Cambodian woman appeared in a wheelchair. She had lost her legs when she stepped on a mine. She looked at me and said: “Well done, Canada”. That is an experience I am not about to forget. It is an experience that makes one extraordinarily proud of this country.

On September 9, the Minister of Foreign Affairs spoke before the conference of NGOs. I can tell you that the emotion in that room when he finished speaking was absolutely remarkable.

What I would like to say to all Canadians is this: Be truly proud of your political leaders. Be proud of this House, which is going to unanimously support one of the greatest humanitarian causes in recent decades.

As has been strongly emphasized, the Ottawa process is a large alliance of civilian groups, NGOs, Jody Williams, whom I congratulate, of course, and the organization she represents, as well as the Red Cross.

• (1915)

I would like to wrap up, if I may—it will take just a few seconds—by launching an important appeal to Canadian youth. When I took up politics, I was criticized for being idealistic. I would like the young people of Canada to know that, scarcely one year ago, everyone was sceptical about the Canadian initiative. In a few days, over 100 countries will be here in Ottawa, either to sign or to indicate their moral support for this treaty to prohibit anti-personnel mines.

What I want to tell young people is that there is room for idealism in politics. Today is proof of that. And yes, as members of parliament, we can make a difference, but only if we understand that a society is made up of elected officials, of NGOs, of an entire population deciding to join forces. That is the embodiment of what we are doing this evening.

I know that much remains to be done to bring peace to the world, but I am immensely proud today to be taking a large step in the right direction, in the company of all my colleagues and, in fact, of the entire country.

[*English*]

Mr. Rey D. Pagtakhan (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, first I thank my colleague from Brossard—LaPrairie for sharing the time with me.

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I rise in the House in support of Bill C-22, an act to implement the convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction.

The member for Winnipeg North—St. Paul is assured this House will rise to the challenge. Indeed this bill also known as the anti-personnel mines convention implementation act is a defining moment for the Canadian Parliament and therefore for the Canadian people.

The bill when enacted will implement Canada's obligations under the convention. It will put in place not only domestic laws necessary to fulfil our convention obligations but also charter of rights safeguards. It will provide Canadian courts with greater ease of interpretation to facilitate prosecution of any alleged violation.

May I at this juncture salute the government for this historic initiative and in particular, the hon. Minister of Foreign Affairs for his perseverance and persuasive prowess.

The minister of course has the full support of the government caucus. In fact, the Prime Minister himself has pursued the issue with great will and determination as well. May I remind the House that the Prime Minister brought the subject matter to the attention of leaders of eastern and western Europe in his recent trip there a couple of weeks ago. Just a few days ago on the occasion of the APEC forum in Vancouver, he again brought the issue to the ears of President Clinton of the United States.

This government's commitment is resolute. Its determination to succeed is unwavering and the government sees full success on the horizon.

Already we see China, which has agreed to extend a moratorium on exports and will attend in December as an observer, marking its first ever attendance at a land mines conference. We see the United States which has extended its moratorium, actively seeking ways to replace the mines it now uses and has announced new action on demining and victim assistance. We see Russia which has committed to signing at the earliest possible date. These are very laudable developments.

In two short weeks, Canada by hosting the Treaty Signing Conference and Mine Action Forum, dubbed the Ottawa Process 1, will show to the world Canada's diligent stance on seeing the insanity of anti-personnel land mines is ended.

As Canadians we have reason to be proud that our country has taken a leadership role in an issue that has climaxed to international heights because it is an issue that touches the soul of humanity.

• (1920)

I am proud to inform the House that in my province of Manitoba, NGOs such as the Council for Canadians with Disabilities, the Centre for Disability Studies and Disabled People's International have assisted other disabled people's organizations in countries around the world in acquiring the advocacy skills needed to press governments and communities for support of the issue. The efforts of a global movement have been made possible as NGOs, experts and officials come together to address the vast dimensions of the problem.

Truly we cannot forget the real tragedy of land mine victims, the incomprehensible loss of innocent children and youth, the victims for whom we are to speak. It is the young people of today who will continue the anti-land mine legacy of our present generation if they are to see a future without deadly armaments of war that inflict harm and kill more civilians than military targets, that killed more than lives claimed by nuclear and chemical weapons combined.

Addressing the Canadian Conference on Humanitarian Demining and Landmine Victim Assistance held in Winnipeg on January 31 this year, the Minister of Foreign Affairs said: "We are making a difference. We must continue to work together, taking full advantage of the momentum we have generated in Canada to help the world rid itself of these intolerable weapons".

We in Parliament and through us, our constituents can be part of that difference. As the Prime Minister said recently: "We have worked with others of like-minded beliefs and showed doubters that Canada can make a real difference as a force for good in the world—. The job has been well started, but it will not end until we persuade even more countries to sign on. And we will keep working until the last moment and then beyond".

Beyond the Ottawa Process 1 so we can gather the necessary minimum number of ratifications, 40, that will allow the full force of the convention binding in international law. Beyond, so that we can help ensure a future if not totally free of war, at least free of the unnecessary loss of civilian lives, free of amputated limbs, blind eyes, scarred bodies, emotional shock, and preventable human sufferings due to anti-personnel land mines.

In conclusion, this bill is a historic one and calls on all of us to play a historic role. I am pleased that we in Parliament on behalf of all Canadians can rise to the call with resolute confidence.

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it is a privilege to speak on this very special day on a special bill which will produce an act to implement the convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction.

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The bill relates to the implementation of Canada's obligations under the international treaty on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction. This binds Canada to co-operate in a number of ways so as to facilitate the implementation of the treaty and to ensure that persons refrain from engaging in activities prohibited under the treaty.

Mr. Speaker, I am going to split my time with the hon. member for Kitchener—Waterloo.

Each nation under the treaty undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses or that are under its jurisdiction or control as soon as possible but no later than four years after entry into force of the treaty.

This is the act which is a necessary step to allow us to lead the world in signing a treaty which will ban land mines worldwide.

Once again in the tradition of Mike Pearson in this House, Canada is leading the world in true peacekeeping. It has been a long road to get to this point and there is still a way to go. But today I must confess I am much more optimistic than I was only a couple of years ago. I am not a pessimistic person by nature. I know there is a more or less effective world ban on chemical and biological weapons but my hopes for a land mines ban were not high only a couple of years ago.

• (1925)

As recently as April 1996 as a part of Canada's delegation to the Inter-Parliamentary Union which was led by Senator Peter Bosa, we were unable to have this issue accepted as the principal agenda item, although we were able to speak to it and move it up for future agendas of IPU meetings.

In that same year I recall a meeting on Parliament Hill sponsored by Mines Action Canada, the Canadian Red Cross and Bruce Cockburn, under the auspices of the member for Brant, now Minister of Indian and Northern Affairs. Despite Bruce Cockburn's presence, attendance was sparse. In my pessimism I underestimated the influence of the grassroots here in Canada and around the world.

Ever since I was elected, I have received a steady flow of calls and letters about land mines. Whenever I visit schools, high schools or elementary, I get questions about land mines. Various groups in Peterborough have taken a continuing interest in this matter. Only yesterday in church, people were discussing the massive task of demining which is still ahead of us. For example, one person suggested planting trees as areas are cleared of mines. The grassroots interest has been there and is still there.

This groundswell of interest was Peterborough's share of what our Minister of Foreign Affairs described in his speech in the conference in Oslo. He described the worldwide interest among ordinary people as "a coalition of civil society and committed governments coalescing around the movement to ban anti-personnel land mines, a coalition that has had the power to change the dynamics and direction of the international agenda".

In that same speech our Minister of Foreign Affairs paid special attention to the role of non-governmental organizations, NGOs, in the process. I have mentioned Mines Action Canada and our own Red Cross. He mentioned as examples the International Campaign to Ban Land Mines and the international committee of the Red Cross. He went on to say, and again I quote from the speech in Oslo: "Clearly, now no one can relegate NGOs back to a simple advisory or advocacy role in this process. They are now part of the way decisions have to be made. They have been the voice saying that governments belong to the people and must respond to the people's hopes, demands and ideals".

This is a change in itself, a recognition of the proper relationship between people and their governments. The role of the people and their NGOs is an ongoing one in this land mines ban. It does not stop here. Again, I quote the Minister of Foreign Affairs in Oslo: "There is a question of the watch dog role for civil society"—that is to say the grassroots—"in evaluating the compliance of states to the obligations they have signed. Canada, the International Campaign to Ban Land Mines, and the international committee of the Red Cross and several of our core partners have consistently argued that a humanitarian treaty without traditional forms of arms control verification can be an effective response to the anti-personnel mines crisis. This implies that civil society"—the grassroots—"can and will play an effective role in deterring and detecting wilful non-compliance".

This change in people to government relationships goes even beyond this important anti-mines treaty. In my view, it gives us hope for moving the nations of the world toward lasting peace.

• (1930)

My last quotation from the speech of our Minister of Foreign Affairs in Oslo is that we need to ask ourselves whether we can maintain and build upon the close and constructive working relationship that has developed between governments and civil society through the Ottawa process, this process of producing this treaty which we are proud to call the Ottawa process.

He goes on and asks whether we can maintain and build upon the incredible sense of political momentum that this unique relationship helped to create, offering hope to millions that an integrated and effective international response to the global land mines crisis is years and not decades away.

Can we demonstrate that the Ottawa process offers an effective lasting model as a response to the changing nature of international conflict?

I would say that the only answer to all of those questions is yes, we can and must build on this wonderful example of grassroots action.

In conclusion, like my colleagues and all members of the House, I congratulate and sincerely thank all those who have brought us to this day. I pledge my support for this bill, for the treaty and for all the follow-up activity that is required.

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, every once in a while an event transpires in this House that galvanizes all the parties and all the members to move in one direction. It is one of those days today.

On this issue, we have been united. The issue is land mines, banning land mines, dismantling land mines and trying to make our world a bit more sane. I am very proud to be a member of Parliament, to be part of this Chamber at this time. I think all Canadians should be proud for the role that we are playing.

Forty years ago on February 28, my family and myself left Hungary and went to the Austrian frontier. As we went across the border at night, we were conscious of the fact that we were going through land mines.

I say this because the reality of having to deal with the evil of land mines affects many people on this planet. There are many people who are Canadians who have experience with this. I can say that walking through a field which should not be an extraordinary exercise can be a very terrifying one.

At the time I was 10 years old, my brother was 12 and my sister was three. My parents were in their mid-thirties. Land mines were used to keep people out but so often land mines were used in Iron Curtain countries to keep people in.

The terror of that night is something that has never left me. It was a year ago this past September that I had the experience of being an observer for the elections in Bosnia-Herzegovina. In an area that had a population of four million people, they had six million land mines.

• (1935)

When I was in Mostar, I was on a bridge over the Neretva River which divides East Mostar from West Mostar. On one side we have Muslims and on the other side we have Croats. This is a very beautiful river. After seeing it, one wants to walk down to it. If you had your fishing rod you would want to try fishing. It is a very beautiful and scenic site. The reality was that you could not walk down to that river because any place you walked in Bosnia-Herz-

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govina you had to be always mindful that there were six million unmarked land mines.

We have to ask what kind of experience we have in terms of an individual who has to live in those kinds of conditions where the simplest pleasure of walking in the woods can be a tragic and terrifying event.

I reflect back to all the graveyards that had those fresh flowers from people who were victims of that terrible war and to know there were six million land mines waiting to go off long after the conflict was over, perhaps blowing somebody up as they were trying to rebuild their war-torn home or killing a farmer who is working in the fields or maybe killing a child playing in the fields.

I am incredibly proud to be in this Chamber. It was back in 1956-57 when Canadians under Lester B. Pearson invented peace-keeping in order to deal with the problem of Suez. We certainly are continuing in that tradition with the initiative before us today.

In lending support to what the previous speaker from Peterborough said to a grassroots movement, we are recognizing that the insanity of land mines and the insanity of war that maims hundreds of thousands, indeed millions of people, is something that we must stop and work against.

When we reflect upon the demographics in Canada and why we are the way we are as a nation, peacekeepers striving to make this planet a better place and, in many cases, representing a beacon of hope in a troubled world where we can bring people together from all corners of the world, we have one-sixth of the people in Canada who were not born in Canada, but it helps us to understand why we as Canadians so very much want to play a role to make this world a better place. It does not matter where there is a conflict on this planet, we have Canadians who came from that part of the world with relatives and friends in their homeland who are hurting and suffering.

Yes, I am incredibly proud as I think we all should be at what is taking place here today and the role that we have played in making the banning of land mines a reality in the not too distant future.

I can only commend all my colleagues for the kind of unity they have shown on this issue.

• (1940)

I would certainly single out the Minister of Foreign Affairs and the Prime Minister for pushing with such great vigour in the political arena on the international front the whole cause of banning and ridding this planet of land mines.

It is only proper that the Nobel Prize recipient, Jody Williams, was someone who spearheaded the non governmental organizations in the battle against land mines. I also reflect back to my home community where so many people have worked on this issue, particularly the Mennonite Central Committee.

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As we push this ahead, we know that we have Canadians with us. I think we can indeed be proud of the mission which we have undertaken and the difference we are going to make.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, before I start to speak on Bill C-22 I want to thank the Chair, the Table Officers, the staff and the pages for staying so late today on this important debate. All of us as members greatly appreciate your efforts.

This is the perhaps the last speech tonight. I want to say what an honour it has been to spend the day in the House listening to all the interventions by members from all party lines and showing a degree of co-operation we rarely ever see in this House.

We have by-passed the usual entrenched inefficiency of the House of Commons for once and managed to co-operate on an issue that one would find very difficult to disagree with. Once again I would like to add my name to the work that has been done by so many members of the Canadian public, the international community, the non governmental organizations and members of Parliament who sat in this House in the years gone by, and who sit in this House today. I would particularly like to thank members of the Reform Party for supporting this initiative as eloquently as they have and as all members from the House have.

It is a shame that it took such an issue to bring us all together. I hope that in the future we will be able to perceive collectively other foreign policy initiatives which will be for the betterment of all people in this country and around the world.

Bill C-22 will save lives. As has been mentioned before, over 30,000 people are maimed by land mines, most of whom are innocent men, women and children. In my experience in dealing with land mine victims, you only have to look in the eyes of somebody who is on the operating room table, a young person who tried to seek out and find a better place to live. Look into their eyes and watch the fear they have as they peer down to see the lower part of their body blown away.

As we amputated the legs of individuals who have stepped on land mines, I could not help but reflect on the tragic circumstances those persons now face, a life which is so different from what they had before. They went in a brief second, in the click and the blink of an eye, from being a productive, healthy member of society to one that will occupy the lowest socioeconomic rung in countries racked by civil war.

These devices do not affect rich countries like ours. They affect the poorest nations of the world from Angola to Cambodia, from Somalia to Egypt, from Rwanda to the former Yugoslavia. These land mines create a terrible toll, not only in human terms but also in economies laid to waste. This bill will go a long way to preventing that carnage from occurring.

Let us look beyond land mines. Let us look to life beyond land mines and see what the future holds for us. There is life after land mines. What we can do now is reflect on the Ottawa process and use and redirect that unusual co-operation between members of the non governmental organizations and governance working together for a common goal. This cannot be left to wither away. It must be acted upon, nurtured, and redirected to address other security issues facing us all.

• (1945)

As we look to the 21st century and the challenges facing us as a nation as well as other nations around the world, we cannot help but reflect on the fact that we have failed in our foreign policy.

The biggest challenge is conflict. Land mines are an important part of conflict, but in the big picture they are a small part. We must look at conflict in a broader context and search for more constructive solutions.

We can reflect on the Bosnian conflict. The signs were continually there. We were continually told that the former Yugoslavia would tear apart and explode in a level of bloodshed that Europe had not seen since World War II. We the nations of the world sat on our hands and wept. We engaged at best in diplomatic initiatives and at worst in hand-wringing inefficiency when we did nothing at all.

The result was the deaths of thousands upon thousands of innocent civilians, the rapes of thousands of innocent women and the deaths of thousands of children. It was potentially an avoidable tragedy. Certainly many of those lives could have been saved.

We were repeatedly told for months on end that a massive slaughter was imminent in the great lakes region of Africa. Major-General Roméo Dallaire repeatedly warned right to the end that thousands of people would be slaughtered. What did we do? Virtually nothing. Today genocide will raise its ugly head once again in the great lakes region and again we are doing nothing.

We have it within our power to use the Ottawa process to address these significant problems. Canada is a nation state uniquely poised to change foreign policy from an era of conflict management to an era of conflict prevention.

Here are some constructive solutions. There are a number of nation states of medium power which are neutral, relatively affluent, have extraordinary diplomatic power and, above all else, have international respect. Norway, New Zealand, Australia, Austria, South Africa and Canada are some of these nations. The world is looking for a leader to bring these nation states together to form a nucleus upon which we can start to bring other countries together to change international foreign policy. We have to rethink the way we deal with each other as nation states.

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The big powers, the security council members such as the United States, France, Germany, England, Russia and China, cannot do this because they have their own political baggage and are not as widely respected as the middle powers. We then can play an unusual role in working with the NGO community to address the problem.

First, we must set up an early warning monitoring system to address conflict. That early warning system could be the NGO community that would form part of the nucleus of the Ottawa process. NGOs are often the first to witness the precursors to conflict, to witness the breakdown of judicial and governmental structures, and to witness the persecution of minorities and the trampling of basic human rights.

Their input into a central region, for example the UN crisis centre in New York, would be a logical place for this information to be gathered. It could then be dealt with by the United Nations as a whole.

We are now dealing with UN reform, which involves revamping the security council and removing veto powers from its members. Again that is something with which we as a nation and the international community will have to deal.

● (1950)

The solutions involve the setting up of a monitoring system and the setting up of an area to receive information, the UN crisis centre. A series of responses could be put forth, responses such as diplomatic initiatives, peace building initiatives, the introduction of positive propaganda into areas that are breaking apart to bring belligerents together, the introduction of more punitive measures such as sanctions, where appropriate, and the use of international financial institutions as economic tools and levers to try to take away the fuel of war, which is money. Money drives wars. The international financial institutions give a great deal of money to a number of countries of the world, some of which are in conflict.

It is exceedingly important to pursue this issue. These are not just words. If we fail to address it we will see an explosion of ethnic conflict.

Between 1945 and 1985 there were roughly six UN peacekeeping missions that cost about \$2.3 billion or 23% of the UN budget. Since 1985 to now the UN spends 77% of its budget on peacekeeping initiatives. That is more than twice as much as it spends on everything else added together. It has driven the United Nations into bankruptcy. This then is not a situation that can be sustained.

Why should Canadians be interested in this issue at all? It is for the simple reason that what happens half a world away comes home to roost sooner or later. When conflict occurs and countries explode into an orgy of bloodshed and economies are laid to waste, the

responsibility for setting that up and dealing with that goes to the international community.

We incur costs in our defence budgets, our peacekeeping budgets, our aid budgets and economic reconstruction, and our social programs domestically when refugees, tragic souls, fleeing their homelands come to other countries looking for a haven. They come to our country looking for safe haven and because we signed the UN charter on refugees we are obliged to take them in, which we do. It costs us roughly \$75,000 per refugee to integrate them into Canadian society. This is a lot of money. It contributes to the already weakened system we have in our social programs.

I am not blaming refugees by any stretch of the imagination but merely illustrating that in these days of economic hardship and of governments not having any money we cannot afford having increased costs placed upon us, not to mention the danger our peacekeepers and our aid workers incur when they go abroad.

A number of peacekeepers have been killed or maimed by land mines and working abroad in danger zones. Does it not make more sense for us to prevent these situations from occurring rather than pick up the pieces later on?

Furthermore once a war breaks out the seeds of ethnic discontent and future conflicts are sewn forever. One need not look any further than at the situation in Bosnia to see that country will not remain as it is in the future. It is artificially maintained right now through force. Unless we are prepared as an international community to stay in Bosnia for the next 75 years, nothing will change. Once we move, if we move before that, the country will break apart in a violent shudder. It is important for us to realize that and to initiate efforts to ensure these situations do not occur again.

Not only can the Ottawa process be applied to international military security issues. It can also be applied to the other problems that affect us from environmental issues to economic issues. We already apply many of the principles to our economic multilateral initiatives through the NAFTA, FTA, WTO and now the MAI. All these things are examples of the international community trying to work together to resolve differences.

In closing, I would like to say how proud I am to be a Reformer today, how proud I am to be a parliamentarian, and how proud I am to be a Canadian. Canadians and Canada have set a new standard of co-operation in the House and internationally to pursue objectives to help those who are most helpless, to save lives and to make our world a better place.

Mr. Speaker, I stand before you and thank the House for its time. I hope that this will not be the end of initiatives that will involve co-operation between members of the House to pursue a better Canadian society for all.

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• (1955)

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, last September my wife and I joined with my brothers and my sister for a family reunion and holiday in France. We gathered at a farm in Normandy from which we visited the sites and beaches that World War II has made part of world history today.

Two of my brothers served in uniform during the war but the rest of us were in school. Yet the place names, the events of World War II which cast such a huge shadow on the world then, were a vivid part of our consciousness and of our lives as young people. Whether it is through the awesome silence of Utah Beach, Omaha Beach or Juno Beach where our own Canadian troops landed or whether it is the stunning sight of massive concrete bunkers and gun emplacements left by the Germans, the whole historic coastline tells a story of the savagery, the utter futility and the great sadness of war and armaments.

It is difficult for anyone to visit Bayeux, Caen, Ste. Mère L'Église or Arromanches and not be terribly moved by the huge human cost of warfare and armaments. Each corner echoes the screams of human beings fighting in a deadly war. Thousands upon thousands of lives were literally torn apart by weapons of destruction.

Whether it be bullets or mortar shells, whether it be ocean mines or land mines, weapons of war and destruction know no mercy for their only raison d'être is to maim and destroy. As we visited war graves to pay our respects we were terribly struck by the immensity of the sacrifice. Young adults of 20 years or 25 years of age or sometimes still in their teens had been mowed to death because of one man's folly and pride. Millions of people, in fact tens of millions if we count the huge human losses suffered by the Soviet Union and Nazi Germany, were sacrificed at the altar of war and weapons of destruction.

[Translation]

I can easily imagine a young Canadian—maybe he was from Quebec or from Manitoba, maybe he was from Vancouver or Toronto or Cape Breton—landing on Juno beach under an infernal shower of explosions. What courage one must have to advance when each step may be the last, when each cannonball, each bullet, each mine becomes an instrument of death that is always more lethal and more destructive than the previous one.

Have we learned our lesson about the futility of war and weapons? Have we learned the lesson taught to us by the thousands of people around the world who have made the ultimate sacrifice, we who are so lucky not to have suffered the same fate?

Unfortunately, hundreds of thousands or even millions of innocent victims continue to pay the price of futile wars and weapons of destruction. Whether yesterday in Mozambique or in Angola, whether yesterday in Bosnia, whether today in Lebanon or in Algeria, just to name these countries, how many innocent people, how many hundreds of thousands of innocent people have endured

and continue to endure these atrocious wars when all they want is to live in peace and tranquillity with their family and in their community.

• (2000)

[English]

I am immensely grateful that our country should be a land of peace and conciliation, shunning war and shunning armaments as means of settling disputes.

I am deeply thankful for my own children and their children that our country should be so deeply ingrained in the tradition of democracy and peace.

I salute our foreign minister and all those who worked so hard on his initiative to achieve a land mine treaty. I thank him for having led our country toward the tangible expression and achievement of peace in a world which too often and too readily turns to hostilities and weapons of destruction to settle disputes.

May this rapid and amazing success which greeted the Canadian initiative open the way for future international disarmament initiatives. May the land mine treaty be such a powerful symbol of the emerging century that it should lead us to a new world order where peaceful resolution of conflicts replaces the futility, the savagery and the immense human cost of war and weapons of destruction.

In closing, I would like to quote from a poem by one of our colleagues, the member for Cochrane—Superior, in a book of poems that he gave me recently called *Semences*. I think it tells the reason why we are all together on this initiative.

[Translation]

Where the children shriek
Between bursts of machine gun fire
Mothers protect their bosoms
That give the sweet milk of life
Soldiers trample under foot
A usurped land
In the silence of occupation
Where the deaf can hear
Speak to me of love.

I, a child,
Have no revolver, no tank
I do not understand
I can no longer play war
Yet the grownups
Play it so nicely

I am a child
Let me weep
And I will grow up tough
Let me laugh now while I can
For I will not have the time for it
When I am a grownup.

[English]

Indeed, the land mine treaty is a legacy for the children of the world, that they may behave differently from their elders, ourselves, and learn to live in peace, in real and lasting peace and harmony.

Government Orders

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I appreciate the member's sharing his time with me. I know the lateness of the hour but I am really honoured to stand and to speak on behalf of my constituents of Etobicoke—Lakeshore.

Many of them have been watching the debate most of the day and I have had several calls of support and calls of congratulations to the men and women on both sides of this House today who stood unified, who stood together to ensure and to speak to the passage of Bill C-22, the anti-personnel mines convention implementation act, an act to ban the use, stockpiling and transfer of anti-personnel mines.

I am also pleased to hear not only the eloquent speeches but also the congratulatory notes and the recognition of the work that has been done by all.

• (2005)

On December 3 and 4 the world will be watching Canada, not only Canada but the 89 or more countries that will be here to sign this anti-personnel mines convention. I too commend the Minister of Foreign Affairs, the United Nations Mine Action Centre and other non-governmental organizations, Jody Williams and those who have received the Nobel prize with her, those who have worked tirelessly in making the signing of the land mines convention in Ottawa on December 3, 1997 a reality.

Canada's efforts in ridding the world of these deadly weapons is a testament to our humanitarianism as a country, as a nation, and of the strong tradition in which Canadian foreign policy is modelled. As a nation we are admired for our deep compassion for others less fortunate than ourselves and this is amplified in this treaty.

I was one of the group from the foreign affairs and defence standing committees who went to the former Yugoslavia, a country that laden with land mines. I saw firsthand the devastation to lives that these weapons can do. It is estimated that there are over 18,000 minefields in Bosnia. It has been predicted that it could take over 70 years to clear the approximately three million land mines, land mines left from the recent conflicts.

Needless to say, an estimated 25,000 civilians, many of them children, are killed worldwide each year by land mines.

This convention is long overdue. I am proud that Canada has taken the lead in the global community to rid this planet of these horrible weapons. Bill C-22 is the beginning to global awareness of land mines. Young and old suffer the emotional fallout of being injured or have suffered the loss of a loved one to land mines.

The signing of the convention is a starting point to bringing greater awareness to this issue.

The Ottawa process provides an opportunity to build a greater awareness. The Ottawa process is to pursue the international community to ban the use, stockpiling, production and transfer of anti-personnel mines. We cannot forget that once this treaty is signed by co-operating states, Canada's work is not over. Once this convention is signed, Canada and the world must continue to work together with nations that have not yet endorsed the convention to do so.

We know that key countries such as the United States and China have not endorsed the convention. I am disappointed, as I am sure we all are. Their support could go a long way toward the eradication of land mines from the globe. This is why Canada must continue to vehemently work to put pressure on those nations that are not signatories to the Ottawa treaty. It is our obligation as a nation to make this world a safer place where children will be free from the damages caused by these deadly weapons.

I encourage young people in Canada today to look at this tremendous feat with pride and as an example of the strong political will that exists in this House. To all the victims of land mines in the world, you have voiced your opinions about land mines. You who know the hurt and the pain, you who know the tragedy, we have heard you. Canada has heard.

I close by saying that I am very proud that we have demonstrated leadership on this issue. Many thanks to our Minister of Foreign Affairs, our Prime Minister and our NGOs for bringing the treaty on anti-personnel land mines to fruition.

• (2010)

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: Pursuant to order made earlier this day, the question at the third reading stage of this bill is deemed to have been put and agreed to unanimously.

(Motion agreed to, bill read third time and passed)

The Deputy Speaker: I wish to pass on my congratulations to all hon. members who intervened in the debate for their excellent interventions.

[*Translation*]

It being 8.10 p.m., the House stands adjourned until 10 a.m. tomorrow, pursuant to Standing Order 24(1).

(The House adjourned at 8.10 p.m.)

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Published under the authority of the Speaker of the House of Commons

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