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OFFICIAL REPORT
(HANSARD)

Monday, November 25, 2002

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, November 25, 2002

The House met at 11:00 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

HAZARDOUS PRODUCTS ACT

Mr. John McKay (Scarborough East, Lib.) moved, seconded by the member for Madawaska—Restigouche, that Bill C-260, an act to amend the Hazardous Products Act (fire-safe cigarettes), be read the second time and referred to a committee.

He said: Mr. Speaker, I would like to offer a change to the seconder of my bill. The seconder is currently the Parliamentary Secretary to the Minister of Health. A possible better seconder would be the member for Nunavut.

The Acting Speaker (Mr. Bélair): Is there unanimous consent to change the seconder of the motion?

Some hon. members: Agreed.

Mr. John McKay: Mr. Speaker, I thank the House for the opportunity to speak to Bill C-260, important legislation that has to do with the fire safety of cigarettes, the flammability standards of cigarettes.

In February 1916 a fire destroyed our Parliament. The only building that survived was the Library and some charred wings of the north and west buildings. It was a disaster for the Canadian people and for those who worked in Parliament.

There was no official cause for the Parliament of Canada burning down but it was widely believed that the fire was caused by careless smoking. The fire was caused by a cigarette that set a piece of furniture on fire. The fire quickly spread throughout this institution.

Every year we hear about horrific fires throughout our country where there is a loss of life, injury and enormous property damage, and frequently they are attributed to careless smoking. Someone falls asleep and leaves a cigarette unattended and the house burns down with the children in it. It is virtually impossible to turn on the evening news without a reference to some fire that has visited some horrible tragedy on some relatively innocent family.

Is it really careless smoking? Cigarette companies have known for years how to eliminate death and injury by changing the density of

tobacco and making modifications to the paper. They do not do it simply because there is no requirement in Canada to force tobacco companies to make fire safe cigarettes.

This might seem like a contradiction in terms, a fire safe cigarette, but let me explain. Changing the density of the tobacco and the quality of the paper will not impair the enjoyment of the cigarette. The lighting and the smoking of the cigarette is not changed. What is changed is the burn if the cigarette is not puffed. In other words, the person would have to continue to puff the cigarette for it to stay alive, otherwise it will simply extinguish on its own. If a person abandons the cigarette for a period of time it will simply extinguish.

If a regular cigarette is abandoned on an ashtray, when a person comes back it is nothing but ashes. If a fire safe cigarette is abandoned on an ashtray, when a person comes back there will still be a butt left that can be relit and smoked.

As we can readily imagine, if a cigarette is abandoned on a piece of furniture there may well be a disastrous situation on our hands when we return. The situation may be even more disastrous situation if we were to fall asleep. We may end up waking to find the furniture on fire. Had the person been smoking a fire safe cigarette, the cigarette would have extinguished itself and no harm would have been done.

This all seems fairly simple; fire safe cigarettes versus ones that are hazards to people, their property and the environment. It looks like a good idea. It seems like a good idea. What is the problem?

• (1110)

Frankly, I am sort of bewildered myself. I do not know why this initiative was not taken earlier and why we should not amend the Hazardous Products Act so Canadians will not continue to lose their lives due to hazardous smoking.

I am sure big tobacco companies will dream up some reason that this is not such a good idea but, I respectfully suggest, the credibility of big tobacco on pretty well every issue is similar to that of an Enron accountant.

Interestingly big tobacco had no serious reservations about similar New York legislation that mandated fire safe cigarettes by mid-year 2003. Its only objection was that it was state legislation rather than federal legislation. Obviously that is not the problem here.

Private Members' Business

Our New York colleagues in the New York State legislature passed a similar bill sixty to nothing. I do not know how the New York State legislature works but I would imagine it is similar to here, and to get a unanimous vote on a bill is an extraordinary accomplishment.

The New York State legislation prohibits the sale of any cigarette that does not meet flammability standards. It is a very tough piece of legislation. Our New York colleagues deserve our congratulations for their stand in the face of big tobacco and its unseemly influence on legislators.

The *Globe and Mail*, in commenting on a class action lawsuit filed by a Toronto area lawyer representing a Brampton family devastated by a fire, summarized the judicial reasoning as follows:

However, the technology exists to make fire-safe cigarettes, the kind that go out quickly when not puffed. If most manufacturers prefer to make ones that burn down even when they're not being smoked, that's their choice, but choices have consequences.

Further on, the editorial quotes Judge Cumming, who was reviewing a class action application on the issue. He was quoted as saying:

that cigarettes have a design defect, and that "manufacturers have deliberately designed the product in such a way as to cause misuse

That is pretty clear and it kind of puts the axe to the concept of careless smoking.

MLA Therien from the Canada Safety Council wrote to me and said:

The Canada Safety Council has been a strong advocate for fire safe cigarettes for an extended period of time. By failing to regulate the ignition properties of all cigarettes, Canada is missing a prime opportunity to prevent fires and deaths. Without question, mandating fire safe cigarettes will prove to be a reasonable and effective safety countermeasure.

When I appeared before the subcommittee on private members' bills I showed a CBC clip from a documentary entitled *Smokes and Fire*. It is pretty graphic. In addition to the scenes of huge personal and family devastation, there is a demonstration of two cigarettes lying on two identical pieces of furniture. The camera is trained on the furniture, the cigarettes and a clock behind the furniture. The fire-safe cigarette peters out and does no harm to the furniture. The ordinary cigarette causes the furniture to inflame within about 45 minutes. It is a pity that our modernization will not allow members in the Chamber to view this video tape.

After seeing the tape, the member for Fraser Valley commented upon his experience as a logger. Apparently loggers roll their own cigarettes for this very reason. The tobacco is not packed as densely and the paper is not as flammable. Therefore loggers are not at risk of inadvertently lighting a forest fire. It can be done and, if there is a will, it will be done.

Bill C-260 will test the will of Parliament and the will of the minister. The bill calls for the minister to proclaim flammability for cigarettes by a certain date. If she does not then the minister must report back to Parliament with an explanation of why not, a list of fire safe legislation in North America and summaries of scientific studies that have been received by the minister to establish flammability standards.

•(1115)

There are several options open to the minister, pursuant to the bill. The minister can amend the Hazardous Products Act and we can all take a day off and feel that we have gone one tiny step further in securing the health and well-being of all Canadians. On the other hand the minister could say she is not interested and, in theory at least, decide to do that. However in my conversations with the minister she has shown a great deal of interest in the subject matter of this bill. She could make the suggestion that the tobacco act be amended as opposed to the Hazardous Products Act. Reasonable people can disagree as to which route should be chosen. I made a choice that it be the Hazardous Products Act rather than the tobacco act because I thought it to be an easier regulatory route to pursue this interest.

While this is not an emergency, and I would not describe this as an emergency, it is a matter of some urgency. Each year literally dozens of Canadians die, hundreds of Canadians are injured and there are millions of dollars in property damage. In the last year that I have statistics for, which is 1992, it showed 62 fatalities, 385 injuries and \$37 million in property damage caused by smoking related fires.

All of the above could be completely eliminated or substantially reduced by forcing tobacco companies to meet certain flammability standards. I cannot imagine what MP in the House or what minister would not be interested in saving lives or securing the safety of Canadians. I keep wondering what could possibly be the objection.

This is clearly a matter that is within federal jurisdiction. It does avoid the American trap of having state by state legislation. This is of national interest. It seems a little silly to have it state by state because in certain states there would be a fire safe cigarette and in other states there would not be, so people would have to be careful about where they fell asleep.

Every year that we let this go more Canadians die and are injured needlessly, and more property damage is incurred needlessly.

This is a relatively simple piece of legislation. I commend it to members and I ask them to give serious thought to the idea that this should go to the committee immediately. I am asking members publicly, and I hope to be able to speak to them over the course of this hour, to give serious thought to send it to committee by unanimous consent so that we can review the subject matter of the bill in a timely way so that the safety of Canadians is secured.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, I want to thank the hon. member for Scarborough East for his persistence in introducing Bill C-260. This is a bill to amend the Hazardous Products Act. It is the third time he has brought it forward and it is significant that he kept on the issue and kept bringing it forward because we are actually going to drive this to a vote in the House.

When we drive it to a vote in the House, and members have a free and open vote to vote the will of their constituents on an issue that is important to them, we will have to kick everyone's minds in gear in the House and discern whether this is good for the constituents they represent or not. For that I applaud the persistence of my hon. colleague.

Private Members' Business

Let us talk about the previous versions of the bill. They were banished to the political black hole which is private members' bills. We have seen this with private members' bills that have been introduced in the House. It is like private members' business is the last bastion of democracy left in the House. We are now starting to see more of them come forward and be votable. However the government has wrongfully embraced the idea that unless the legislation comes from the bureaucrats, it is a bad idea. Somehow it thinks that the members of the House cannot come up with good ideas on their own. We could all agree that no one has a monopoly on good ideas. Bill C-260 is about saving the lives of smokers and non-smokers alike. It is an issue of significant public interest.

The federal government has had the authority to issue fire safe tobacco regulations since 1997 with the passing of the tobacco act, but we have seen nothing come out of it. The then minister of health said that safe tobacco regulations would be a "priority activity" over the next few years, yet we have seen absolutely nothing come from that minister, or the present Minister of Health.

I would suggest that the former health minister got somehow sidelined in this whole idea of fire safe cigarettes because he drove another issue; not the issue of fire safe cigarettes but the issue of medical marijuana which has twice the toxicity of cigarettes. We have seen a government that has gone ahead on the issue of medical marijuana smoking and backed completely away from the other issue, totally sidelining the issue that is of paramount importance to my hon. colleague who has introduced this piece of legislation on the importance of the safety of cigarettes.

The Minister of Health's advisory council on tobacco has been studying this issue for years and over the last summer has done a tremendous amount of further study. We know that much has been done on this file. We know that fire safe cigarettes reduce the likelihood of starting a fire when they are dropped and left unattended. Unless a person is puffing on the cigarette it will be extinguished. What we are trying to get is that if one is smoking a cigarette, is attentive and knows what is happening that is fine, but if one stops smoking that cigarette, that it not just continue to burn until it is finished.

In terms of fire safe cigarettes, we cannot legislate the responsibility of the actions of a careless smoker. It is difficult to legislate responsibility. We are not trying to take the responsibility of smokers away from them, but we are saying that we are trying to make a product that Canadians are using much safer than it is at this time.

In Canada fires started by cigarettes cause one out of five fire fatalities. Cigarette related fires are a leading cause of death in Canada and account for 25% of the total. There are 100 deaths annually in Canada caused by cigarette fires, and another 300 are injured. In 1999 careless smoking caused 2,868 fires with the loss of \$36.5 million. We have made great strides in the reduction of fire related deaths in Canada.

Education has been widespread and smoke alarms, for example, are in all of our homes. We know how to use them and that we have to change the batteries and so on. All of that is education. Fire retardant furnitures and furnishings, and changes to the fire code have reduced fire related deaths in recent years.

●(1120)

Fire safe cigarettes would reduce the risk of accidental forest fires. The past year's drought has created unusually dry conditions in our forests, especially in western Canada where we have large forests. The careless disposal of cigarettes by someone working in the forest could set off enormous fires. They are not intentional; they are accidental, but still they cost millions of dollars and put lives and animals at risk.

The legislation would not eliminate the risk, but it would reduce it. A comparable example would be the regulation stipulating safety glass in our automobile windshield. It is not to say that if we replaced the windshield with safety glass that it would reduce all of the incidents or accidents and the harm to Canadians, but we do know that it would give them a better chance. A car is just as safe with or without it. However it is only when we are in an accident do we recognize the advantages of having a safety windshield in our automobile, much the same as it would be with fire safe cigarettes.

The personal responsibility and use of cigarettes is still a top priority. We cannot diminish that, but we can reduce the risk. Manufacturers have known how to make cost effective fire safe cigarettes for more than a decade.

In 2000 cigarette manufacturer Philip Morris successfully test marketed a fire safe cigarette design in the United States. In fact the first patent for fire safe cigarettes was filed over 100 years ago in 1889.

The action by the Canadian government is typically slow. The United States is much further along on the debate. The U.S. congress first raised the issue in 1929, but it was in 1974 when it saw the birth of the first modern discussion on fire safe cigarettes. In 1974 legislation passed the United States senate, but the bill failed in congress. In the 1984 cigarette safety act the U.S. congress called for a study to determine whether it was technically or economically feasible to make fire safe cigarettes. In 1987 the study determined that it was economically feasible to produce fire safe cigarettes. In 2000 New York passed its first law requiring fire safe cigarettes before 2003 unless there was federal legislation that superseded it. Currently Massachusetts is proposing the same thing so we know that in North America this is coming.

Characteristics that make cigarettes less fire prone include: lower paper porosity, smaller circumference, shorter filter, reducing or eliminating paper burn additives, and lower tobacco density.

Bill C-260 does not create any new bureaucracies and does not create any new taxes. It asks the Minister of Health to show Parliament why the Hazardous Products Act should not be amended to include cigarettes in flammability standards.

Private Members' Business

When my hon. colleagues are deciding how to vote on Bill C-260 I hope that the safety of Canadians is their first thought and not whether it is a private member's bill or whether it came from the backbench instead of the cabinet bench of the government. Bill C-260 makes a reasonable request to the Minister of Health to make a product used in many Canadian households safer.

Supporting Bill C-260 and the introduction of fire safe cigarettes would have an immediate impact on the safety of Canadians. Increasing fire safety through education and the strengthening of building codes has been successful, but has also taken many years to achieve.

The short shelf life of tobacco products of three to four months means that changes made to the safety of tobacco products would take effect almost immediately. This is not an attempt to shut down the tobacco industry in Canada. Cigarettes are legal in Canada. The tobacco industry should be treated like any other good corporate citizen.

I would hope that if the government were to implement these proposed changes it would also work with the manufacturers to achieve a reasonable timeline for the implementation so that no party would be unduly hurt.

• (1125)

The 100 tragic unnecessary deaths caused by the careless use of cigarettes can be reduced. Fire safe cigarettes regulations have the support of the doctors of the Canadian Medical Association who have been asked to care for victims burned by careless smoking. As well, they are supported by Canadian firefighters and the Canada Safety Council.

Nothing will replace good common sense and individual responsibility, but we have an obligation to provide Canadians with a safer product.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to take part, on behalf of the Bloc Québécois, in this debate today on Bill C-260, An Act to amend the Hazardous Products Act by adding fire-safe cigarettes to the list of protective measures provided for in the act.

Obviously, this seems quite simple. Understandably, the Bloc Québécois supports this bill for the simple reason that it better protects the population. Many fires are started by smokers who fall asleep, obviously putting their lives, and the lives of their family in danger, as well as causing damage to their property. Often neighbours are also at risk, because when a fire starts in an apartment block, or anywhere for that matter, the whole building has to be evacuated because of a fire started by a careless smoker who has fallen asleep while smoking in bed.

Therefore, the bill is simple. It is only two pages long, and adds cigarettes that are not fire-safe to the list of hazardous products. It calls for regulations. The technology has been proven. Other colleagues here have mentioned that the State of New York passed a regulation in 2000 requiring all cigarette manufacturers to produce or market fire-safe cigarettes by 2003, which would eliminate the risk of fire started by careless smokers.

This seems to be an obvious change. The federal government has invested all kinds of money in printing all kinds of messages on cigarette packaging and so on, to try to discourage people from smoking, and today, and for several years now, members of the House of Commons have introduced a bill to virtually eliminate the risk of fires caused by careless people who fall asleep while smoking. And yet this bill has not yet been passed. Why?

It is simple. The cigarette lobby is still behind the Liberal government. That is where the tragedy lies as far as all these good ideas from private members are concerned. Once again a member has introduced this bill under his name and, I repeat, it ought to be automatically adopted. We should all agree with it. Marketing fire-safe cigarettes, which could protect the lives of the citizens we represent, the people of Quebec, should have happened years ago. But once again, this bill has not been passed.

To give a few examples, in 1992 alone, 68 deaths, 385 injuries, \$37 million in damage and 3,199 fires were attributed to careless smokers who fell asleep for one reason or another. Those figures, which have been known since 1992, ought to have led to the adoption that very year of a bill that would have introduced fire-safe cigarettes, since the technology is available.

I fully agree, and the Bloc Québécois is going to agree, with this bill, which adds cigarettes that are not fire safe to the list of hazardous products. It is high time cigarettes were considered hazardous products. We are all affected by them. Let us not imagine that the 3,199 fires in 1992 were the last. I am sure there have been more every year since. Just try to imagine how much that costs in insurance, the impact of fires caused by cigarettes on the premiums paid by all Quebecers and all Canadians,

• (1130)

All Quebecers and Canadians pay for this. They pay for the fact that large companies market hazardous products, namely highly inflammable cigarettes, when we know that there are technologies that could allow them to produce fire-safe cigarettes.

All of us in this House have a duty to support this bill, to pass it as quickly as possible, so that it can be implemented at the earliest opportunity and we can see a difference on home insurance premiums, in Quebec and in Canada.

Private Members' Business

This is what being a parliamentarian is all about. Once we know that a new technology exists, and since we also know that cigarettes cause very serious harm to people—including death and injuries—and significant material damage, it is our duty to propose bills in this House and to vote so that these bills are directly implemented and all Quebecers and Canadians, whom we represent, benefit from them.

Bill C-260, which amends the Hazardous Products Act and which seeks to add to the list of prohibited products cigarettes that are not fire-safe, is an urgent measure. It is an urgent measure for the quality of life of those who are listening to us and whom we represent here. It is an urgent measure because these people are paying more through insurance premium increases and rent increases. Many people in Quebec and in Canada are renting. These people must realize that insurance premiums are included in the rent that they must pay.

Therefore, if, through our action, the cost of rent can go down, this will bode well for the future. If we succeed in making insurance premiums go down by amending the legislation, as proposed in Bill C-260, this will inevitably impact on the cost of renting, and it will benefit all Quebecers and Canadians.

I could read all the good that can be said about this bill, but I will read all the bad that could be said if it was not passed by this House instead. That is the catastrophe. For several years, the Liberal Party has been under pressure from the industry because, inevitably, when a new technology is introduced, there are additional costs, and that is only normal. This cost will be added to the cost of cigarettes, and the price of cigarettes will increase accordingly. That is all.

Those who smoke will be able to tell people that they are now using a product that is fire safe and not harmful to the health of those around them. Of course, as we know, cigarettes remain harmful to human health. This point has been made over and over. Not only are they harmful to smokers and those who exposed to second-hand smoke, but cigarettes endanger human life because there are too many careless smokers who fall asleep while smoking and cause fires. We must join forces and support a bill designed to put on the market fire-safe cigarettes. Again, the effect would be that fires started by careless smokers who, all too often, fall asleep while smoking would be practically eliminated.

• (1135)

Since I am being given the signal that my speaking time is almost up, I will conclude. As one could guess, the Bloc Québécois is in favour of Bill C-260 being passed. We hope that this can be as soon as possible, because the purpose of the bill is to include in the list of prohibited products any cigarettes that are not fire safe. We in the Bloc Québécois will therefore support Bill C-260.

[*English*]

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am pleased to participate in the debate on Bill C-260, an act to amend the Hazardous Products Act. I would like to join with colleagues in the House to congratulate the member for Scarborough East in introducing this constructive recommendation for the House of Commons.

The bill proposes to do what is in the best interests of the public and to ensure the safety of all in our society who choose to smoke or are subject to fatalities caused by fire from the smoking of cigarettes.

Obviously, in our view, the bill should be broadened to address some of the most serious shortcomings of the policies of the government when it comes to smoking cessation and tobacco policies. However we appreciate the fact that this is targeted toward one part of the problem and we want to indicate our support for the initiative. It clearly addresses a serious public concern, as others have pointed out, that some 100 people die every year because of careless smoking, and many more are injured. It is a costly problem in our society both from the point of view human health and loss of property.

In that context obviously all of us want to offer our appreciation to the firefighters of Canada for always responding so quickly in the event of a fire caused by careless smoking. We know that many more deaths would occur if it were not that our firefighters are so prepared and ready to respond on a moment's notice to such an incident.

I commend the member for his persistence in bringing this matter forward and look forward to moving the bill as expeditiously as possible through the process. I want to indicate to him and to the House that I will support it. I am sure my colleagues will join with me in indicating support for moving the bill to committee following our first hour of debate, if such a motion were presented to the House.

I appreciate when the member says that this vote is a test of the will of Parliament. I hope when the will of Parliament is tested that we will join together across party lines and support this initiative, which is one small step toward ensuring public safety and dealing with the terrible outcome of tobacco use in our society today. I hope once the will of Parliament is tested and a majority of support is indicated for this bill, which I assume will be the case, that the member then has the ability to hold his government to account for implementation of such a bill because the true test of this place in terms of democracy comes down to actions by the government to enforce the will of Parliament.

Unfortunately, as we well know, too many times Parliament has expressed its intentions and supported initiatives, sometimes almost unanimously, and the government chooses to ignore those initiatives. I speak from personal experience in the case of the motion that I introduced in the House requiring labels on all alcohol beverage containers indicating that drinking during pregnancy could cause harm.

Private Members' Business

That motion received almost unanimous support from the House. Unfortunately it is still sitting on the desk of the Minister of Health who has indicated publicly that she has no intentions of implementing that motion. That is the most offensive denial of the democratic principles we hold so near and dear. I hope the member for Scarborough East, in his determination to see this initiative on smoking passed and implemented, will have some sway with the Minister of Health over this issue and many other issues.

On the broader issue of tobacco, it is important to note that while it is true that fires caused from flammable cigarettes lead to numerous deaths and fatalities, they pale in comparison to the deaths caused by cigarette smoking to begin with. Thousands of people who smoke cigarettes die every year because of their addiction to tobacco. It is on that count that the true test of the government's will must be registered.

• (1140)

It is with respect to the government's stated objective to crack down on tobacco companies to ensure prevention of smoking in the first place that we pay most careful attention. It is absolutely clear that on this broad issue of public safety and human health the government has failed. There is no question that the issue of smoking cessation and prevention of tobacco use has languished under the present Minister of Health and that many initiatives that were begun under the former Minister of Health have been left to languish and gather dust in the Department of Health.

It is on this issue that we have tremendous concerns. I hope that through Bill C-260 we can focus on the broader issues and the imperative before the government of the day to prevent the misuse of tobacco products in general and to ensure that there is the will to take on tobacco companies once and for all and deal with a number of issues, not just the flammability of the product involved but the way in which that product is advertised, the way in which young people are lured to smoke, and the way in which false advertising is used with respect to light and mild cigarettes.

I think it is absolutely imperative to point out that despite statements made by this government, despite its promises, despite the studies done, the current Tobacco Act does nothing to block Internet advertising. That is a serious issue for young people getting addicted to cigarettes. Let me also point out that companies today can escape Canadian advertising bans by selling brands advertised in U.S. magazines. We have tried to crack down on the one hand, but we have failed to close this loophole and that is a serious problem.

Retail promotions remain a way for tobacco companies to market their brands. Only two provinces, Manitoba and Saskatchewan, have taken the initiative to ban the display of cigarettes in retail stores where children are allowed. The federal government continues to refuse to move this initiative forward and provide some national guidelines and regulations. It is also important to note that the absence of requirements for health warnings on advertisements encourages new forms of advertising. The government said it would address the many loopholes but has failed to do so.

Finally, let me say with respect to the previous statements made by the Minister of Health in regard to prohibiting tobacco companies from using the words "light" and "mild", that agenda sits unattended.

That very important initiative has been languishing on the desk of the Minister of Health.

I hope, given the seriousness of this issue today, not only in terms of fires caused by flammable cigarettes but also because of the deaths and illnesses caused by tobacco use and addiction to cigarettes, that we will see a broad based agenda emerge from these discussions and a clear message from Parliament to the government, to the health minister and to Health Canada to embark on a serious agenda to stop this most serious blight on our society today.

• (1145)

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, it is a pleasure to rise to speak to Bill C-260, a private member's bill entitled an act to amend the Hazardous Products Act. I thank the hon. member for Scarborough East for bringing this important matter to the House of Commons.

Let me state from the outset the bill deals with property damaged caused by careless smoking, but most important, it deals with saving lives. That is why I congratulate the member. This initiative could save lives if it creates an awareness within people who are careless with cigarettes.

I will use a statistic on careless smoking that is actually 10 years old so today it would be much more relevant and careless smoking would be much more costly. In 1992, careless smoking in Canada accounted for 68 fatalities, 385 injuries, \$37 million in damages and 3,199 fires.

How often have we heard that a fire was caused because somebody dropped a cigarette? How often have we heard that somebody went out, had a few drinks, came home, sat back to watch television, lit a cigarette and let it drop on the carpet or on the sofa and there was a fire? In fact, the biggest cause of fatalities in the home is careless smoking.

On average, Canadians consume approximately 56 billion cigarettes annually and the damage caused by them is substantial. There are 56 billion cigarettes in the hands of individuals and they are sometimes used carelessly. The bill certainly is not trying to say "do not smoke". The bill is simply trying to create a greater awareness about the dangers of using what is potentially a death causing agent.

Essentially the bill would compel the Minister of Health to report to Parliament and explain why the Hazardous Products Act should or should not be amended to include cigarettes under the category of flammability standards. Clearly this is an issue that affects the entire country, regardless of age or region.

Private Members' Business

Further, Mr. Speaker, you would no doubt agree that saving lives of smokers and non-smokers alike is of significant public interest and of interest to all of us here in this chamber this morning. Saving lives is one thing. Saving property is something else.

● (1150)

One of the major concerns we have in certain parts of the country today, particularly in our home province of Newfoundland, and particularly again in the city of St. John's, is that insurance companies are telling people that they will no longer insure their homes. The cost of replacement is so high that, first, many of them now will not take on new clients, and second, they are even telling certain people that they will no longer carry their coverage. Other companies are saying they will do a deal, that if people give them all their other insurance, for their cars or whatever, they probably will take a look at their homes. One of the reasons for that is the amount of high value claims, and of course one of the reasons we have such claims is the careless use of cigarettes.

This is an extremely important subject to be talking about. It is unfortunate that we have so little time to talk about it, because at the end of the hour we have to move on; however, move on to what? I guess that is the question we should ask. Anybody looking at the Order Paper for the next few days or weeks would realize that government has practically nothing to bring forth. That is why today it is rushing in the Kyoto resolution. In fact, I think the Minister of the Environment will introduce a resolution that the House call upon the government to ratify the Kyoto protocol on climate change.

Meanwhile, as we speak, I believe, the premiers from across the country are talking by teleconference to try to find common solutions to their dilemma. If they can be found, the House might be able to agree unanimously to ratify the Kyoto protocol, but we have no idea of what is happening.

Consequently, that is why I do not think the resolution should be introduced this morning. That is why I move:

That this House do now adjourn.

The Acting Speaker (Mr. Bélair): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bélair): All those in favour of the motion will please say yea.

Some hon. members: Yea.

● (1155)

The Acting Speaker (Mr. Bélair): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bélair): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Bélair): Call in the members.

● (1230)

(The House divided on the motion, which was negated on the following division:)

(Division No. 21)

YEAS

Members

Anderson (Cypress Hills—Grasslands)
Benoit
Burton
Clark
Duncan
Hanger
Heam
Hill (Prince George—Peace River)
Johnston
Kenney (Calgary Southeast)
MacKay (Pictou—Antigonish—Guysborough)
Merrifield
Penson
Reynolds
Schmidt
Spencer
Strahl
Yelich— 36

NAYS

Members

Adams
Assad
Augustine
Bagnell
Bellemare
Bertrand
Blondin-Andrew
Boudria
Brown
Bulte
Caplan
Castonguay
Coderre
Cullen
Dhaliwal
Drouin
Duplain
Efford
Fry
Godfrey
Goodale
Harb
Jordan
Keyes
Laframboise
Lastewka
LeBlanc
Macklin
Marceau
Marleau
Matthews
McCormick
McKay (Scarborough East)
Mitchell
Nault
O'Brien (Labrador)
Owen
Peric
Picard (Drummond)
Pratt
Proulx
Regan
Rock
Sauvageau
Scott
Simard
Szabo
Thibeault (Saint-Lambert)
Valeri

Anderson (Victoria)
Assadourian
Bachand (Saint-Jean)
Bélanger
Bennett
Bigras
Bonin
Bradshaw
Bryden
Cannis
Carroll
Catterall
Collenette
Cuzner
Dion
Duceppe
Easter
Frulla
Girard-Bujold
Godin
Guimond
Jennings
Karetak-Lindell
Knutson
Lanctôt
Lebel
Lincoln
Manley
Marcil
Masse
McCallum
McGuire
Minna
Myers
Neville
O'Brien (London—Fanshawe)
Pagtakhan
Phinney
Pillitteri
Price
Redman
Robillard
Saada
Scherrer
Serré
Stewart
Thibault (West Nova)
Torsney
Vancielief

Privilege

Wappel
Whelan
Wood— 103

Wasylycia-Leis
Wilfert

...Radwanski challenged a customs practice of opening mail on behalf of the immigration department... he said the mail opening—

PAIRED

Nil

The Acting Speaker (Mr. Bélair): I declare the motion lost.

* * *

●(1235)

PRIVILEGE

PRIVACY COMMISSIONER

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, earlier this morning I gave you the required notice that I would rise on a matter of privilege at the first available opportunity to direct your attention and the attention of the House to a grave contempt of Parliament. I call your attention to an article that appeared in yesterday's edition of the *Toronto Star* under the byline of Allan Thompson. The headline is: "Privacy under assault: Watchdog. Government has lost 'moral compass'. Curbs made in name of war on terror".

I am prepared to table a copy of the article but I should make it clear that at this time I am not complaining about the writer or about the newspaper, even though it is the *Toronto Star*. My complaint is about the conduct of the privacy commissioner and his failure to do his duty as an officer of Parliament.

In the report in the *Toronto Star*, the privacy commissioner makes serious allegations against several members of the House, including the Prime Minister, the Minister of Citizenship and Immigration, the Minister of National Revenue and other ministers of the Crown.

Let me quote selectively from the article. He says:

Privacy Commissioner George Radwanski says historians will look back on current violations of privacy in the name of fighting terrorism as a more egregious error than the detention of Japanese Canadians during World War II.

He goes on to say:

...Radwanski noted that despite repeated requests for a meeting, he has not been able to talk to [the Prime Minister] about his concerns.

"The fact is that this government has lost its moral compass with regard to the fundamental human right of privacy" Radwanski said...

"We're not to where it can't be stopped. But six months or a year from now, we might be. Some of the biggest assaults ever are in the works right now"

He then goes on to enumerate some of his concerns. He says:

The Canada Customs and Revenue Agency plans to build a database that will retain, for six years at a time, the so-called Advance Passenger Information and Passenger Name Record information on every air traveller entering Canada. Canadians travelling outside the country would have such personal information as their destination, form of payment and seat selection, placed in what Radwanski has labelled a "Big Brother" database.

He goes on again:

The proposed Public Safety Act contains a provision that would grant the RCMP and Canadian Security Intelligence Service access to personal passenger information held by airlines...

I skip several paragraphs. He then says:

...he fears the RCMP will use the information to seek out persons wanted on warrants for Criminal Code offences that have nothing to do with terrorism.

He goes on:

The Speaker: Order please. The right hon. member is an experienced member and he knows that on a question of privilege he has to come to the point with some succinctness. I have not heard anything yet that suggests that there is a breach of a question of privilege here. I thought he said that the privacy commissioner somehow failed in his duty but I have not heard this yet.

Could the right hon. member come to the point with some alacrity so we have some idea, rather than a general discussion of the article in question, what the question of privilege is in this case?

●(1240)

Right Hon. Joe Clark: I certainly shall, Mr. Speaker. It is so unusual for me to quote at length from the *Toronto Star* that I have perhaps succumbed to that temptation. Let me draw to the attention of the House the three important allegations in this article. It states:

Armed with legal opinions that some of the government's proposals would violate the Charter of Rights and Freedoms, Radwanski hinted he may ultimately have to launch a court action to try to halt further erosion of privacy rights.

"I will use every legitimate avenue at my disposal to carry out my duties," he insisted.

Radwanski also charges that bureaucrats across government are manipulating public concern about security to ram through new measures.

The Privacy Commissioner is an officer of Parliament. His duties and powers are spelled out in the Privacy Act. He has a duty under section 38 of the Privacy Act to report to Parliament. Section 38 reads:

The Privacy Commissioner shall, within three months after the termination of each financial year, submit an annual report to Parliament on the activities of the office during that financial year.

If he is unusually concerned about some issue as this article suggests he is, he has the power to submit special reports under section 39 which states:

The Privacy Commissioner may, at any time, make a special report to Parliament referring to and commenting on any matter within the scope of the powers, duties and functions of the commissioner where, in the opinion of the commissioner, the matter is of such urgency or importance that a report thereon should not be deferred until the time provided for transmission of the next annual report under section 38.

Once that is done, either an annual report or a special report, the House then and only then has a statutory right to deliberate on the contents of the special report by virtue of section 40 of the Privacy Act which reads:

(1) Every report to Parliament made by the Privacy Commissioner under section 38 or 39 shall be made by being transmitted to the Speaker of the Senate and to the Speaker of the House of Commons for tabling in those Houses. (2) Every report referred to in subsection (1) shall, after it is transmitted for tabling pursuant to that subsection, be referred to the committee designated or established by Parliament for the purpose of subsection 75(1).

The reports of the Privacy Commissioner are, in accordance with Standing Order 108(3)(g), referred to the Standing Committee on Government Operations and Estimates:

The mandate of the Standing Committee on Government Operations and Estimates shall include, among other matters: the review of and report on reports of the Privacy Commissioner, the Information Commissioner, the Public Service Commission, and the Ethics Counsellor with respect to his or her responsibilities under the Lobbyists Registration Act, which shall be severally deemed permanently referred to the committee immediately after they are laid upon the Table.

Privilege

The standing committees of the House are given duties and powers by this House. Lest the Privacy Commissioner think that we do not take matters seriously, let me point out the powers for all standing committees in Standing Order No. 108.

The Speaker: Order. Once again the right hon. member is providing great elucidation about the statute and the powers of the commissioner, but I have not heard yet what alleged breach of our privileges he has committed. I would like to hear that quite succinctly or I am going to move on because we have rules relating to questions of privilege in this place and I feel that the hon. member is not coming to the point. I do not know whether there is one. We are looking for something in all these readings, which are very interesting, but I am afraid we have to hear the point.

Right Hon. Joe Clark: I will come directly to the point, Mr. Speaker, but it is important to have the background as to the allegations and as to the rules.

The Journals of the House of Commons do not record the transmission of a special report of the Privacy Commissioner to the House. He is making allegations outside the House. He has not followed the rules of Parliament to make them to the House.

Sir, I have enough trust in you to know that such a report is not sitting on your desk and I have enough confidence in the support services to believe that a special report is not stuck somewhere in the mail. I am therefore left to conclude that the Privacy Commissioner has not prepared a special report to Parliament on the following matters.

First, he has serious concerns about the content of proposed changes to the laws and rights of Canadians that are presently before Parliament for consideration and possible passage into law. We should know about his concerns in the ways set out by law.

Second, he has not indicated in any formal way, although he has informally, that he, as an officer of Parliament, has not been able to gain access to the Prime Minister of Canada on matters that he thinks should be of immediate concern to the Prime Minister affecting the rights of Canadian citizens.

Third, the Privacy Commissioner believes that Parliament is about to pass legislation that infringes the Charter of Rights and Freedoms. He is an officer of Parliament. He is not just the subject of an interview for the *Toronto Star*. If he has those concerns, I have no objection to him speaking to the *Toronto Star*, but he has a duty to speak in the prescribed manner to the House and he has not carried out that duty.

These are matters which should be front and centre before the House of Commons of Canada and before the other place. The Privacy Commissioner has so far refused to bring these matters to our attention under section 39 of the Privacy Act as he is obliged to do.

At the same time, he is engaging in a publicity campaign that gives Canadians the impression that members of the House of Commons are derelict in their duty. A special report opens the door to the committee.

If the Standing Committee on Government Operations and Estimates is sufficiently concerned, it can hold hearings. It can call

witnesses. It can expose the issue while there is yet time to amend the proposed legislation. It can meet with other committees to seek solutions to the problem. It can call ministers, including the Prime Minister, to testify. But how can any of us take newspaper accounts seriously when the officer of Parliament in question has failed to officially draw these concerns to the attention of Parliament as he is duty bound to do?

Why has the commissioner not reported? Has someone put pressure on him not to present a special report? There must be some reason why an intelligent individual, armed with a staff of lawyers and advisers, would not utilize the most obvious arrow in his quiver. There is something very wrong with this picture.

We know the Privacy Commissioner's past connections with Liberal prime ministers have been a matter of discussion. Did anyone in the Prime Minister's Office, those people who are more concerned with spinning than with weaving good law, exert pressure to avoid the commissioner presenting members of the House with credible reasons for rejecting the power grabs that have concerned members of the House, such as the hon. member for Mount Royal and others who have stood up for civil liberties, or were concerns expressed that this sort of report might make things worse between Canada and the United States?

What is the reason the commissioner has been silent to Parliament, the one body that can do something about his concerns? There must be a reason and we must get to the bottom of this as quickly as possible.

It is my submission that the Privacy Commissioner's failure to report to Parliament while publicly attacking members of the House and while publicly stating that he is doing everything in his power to correct the bad situation, amounts to contempt of the House.

The ultimate decision is one for the House of Commons. Your duty as you well know, Mr. Speaker, is to determine if there is prima facie evidence that would merit your receipt of a motion to refer this matter to committee. I ask you to consider the facts.

The law permits the commissioner to present special reports. The commissioner states in an interview with a journalist from a paper that previously employed the commissioner that he has been obstructed by the Prime Minister's Office and that he has grave concerns about pending legislation and other issues of public policy. He said, "I will use every legitimate avenue at my disposal to carry out my duties". Yet no special report has been presented to Parliament.

● (1245)

One can only conclude that the commissioner has no confidence in Parliament and that he has resorted to extraparliamentary measures, taking his case to his former employer rather than to his present employer. That is a constructive act of contempt that brings Parliament into disrepute. There may be another explanation. As I stated earlier, I want to know if outside influence was used to discourage the commissioner from presenting a special report.

I am prepared to move a motion to refer this matter to committee so that these clouds can be cleared away and this matter can be resolved. I ask the Chair to make a prima facie finding so that the committee can examine the question of contempt.

Privilege

The Speaker: I am quite prepared to make a ruling on the matter without hearing further.

The right hon. member in his very able argument, perhaps lengthy but very able, put forward and read out to the House the section of the act directing the Privacy Commissioner in his reports to Parliament. It is quite clear that the section of the act which the right hon. member cited was in fact permissive. The Privacy Commissioner "may" report to Parliament. He is not required to do so. He may report to Parliament.

Clearly some of the matters that are raised in the article to which the right hon. member has referred us are matters that are currently before the House. In fact the public safety act, as I understand it, is currently before a legislative committee of the House. This committee can call witnesses and hear evidence from experts. I am sure that the Privacy Commissioner, as an officer of Parliament, could be called by the committee to appear before the committee and give evidence about his concerns, if any, about the public safety act and offer his opinions.

The opportunity to clear away these clouds to which the right hon. member referred at the conclusion of his remarks is readily at hand in the place of the legislative committee on Bill C-17. I am sure the right hon. member has members from his party who will be serving on that committee and he will want to ensure that the matter is raised and aired there. That deals with at least one of the matters under concern.

The others are proposals that have not come before Parliament, from what I read of the article and understand of it. At the moment they have not come here. When they do we can deal with those matters and his views on them. In the meantime it is up to the Privacy Commissioner to make up his own mind whether to file a report with the House.

I do not know how failing to do a report on any matter that he regards as important puts him in contempt of the House. I think it would be a distortion of the legislation to say that he was required to report on everything that caused him concern. I am sure that officers of Parliament who are supposed to look at a host of subjects and report to Parliament on those subjects must have many sleepless nights thinking of various things that cause them concern that do not get into a report.

We can work with these honourable men and women who are officers of the House and of Parliament and continue to encourage them to do their jobs. I am sure that all of them will note the comments of the right hon. member in that regard. However, I think it would be imprudent for the Chair to conclude that, because there had not been a report in this case that somehow the Privacy Commissioner is in contempt of the House. I accordingly decline to do so.

• (1250)

KYOTO PROTOCOL ADVERTISING

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, earlier I gave you notice of a question of privilege relating to attempts by the government to improperly influence the deliberations of Parliament with television advertising paid for with crown funds on a matter that is before Parliament for a decision.

I was watching, as so many Canadians were, the Grey Cup game yesterday. I watched its conclusion with a somewhat heavier heart than other members of the House. However I was absolutely astonished to see during the broadcast of the Grey Cup game, which I think anyone in the House would recognize is rather prime advertising space, an advertisement from the Government of Canada promoting in effect the Kyoto protocol and the reduction of greenhouse gases.

Some hon. members: Hear, hear.

Right Hon. Joe Clark: Members of the Liberal Party are applauding so I will quote some observations on this matter in a very precisely similar case from their former leader, the Right Hon. John Turner, on this question.

Let us put this in context. Last Thursday the government placed on the notice paper, in the name of the Minister of the Environment, notice for a resolution asking the House to approve ratification of the Kyoto protocol. On Sunday the Government of Canada, the same government, ran television advertisements during an important sports event knowing that the ad would be viewed by millions of Canadians.

The television ad spoke of the challenges of climate change. It showed a young Canadian, naturally, holding, naturally, a maple leaf. By the sheerest of coincidence, that ad began running last week before the Grey Cup game, just as the government was deciding on the date for the debate respecting ratification of the Kyoto accord. It rolled out a scroll of organizations that have pronounced themselves on climate change or on the Kyoto protocol. These are prestigious organizations, such as the Royal Society of Canada and several others, but one organization was not on that scroll. The Parliament of Canada was not on that scroll because the Parliament of Canada has not pronounced itself on that issue.

By our law and practice, policy positions of the Parliament of Canada cannot be advertised before they have been adopted by the House of Commons and by the other place.

I do not know whether the advertising contract was tendered or was simply given out to a friend who happened to be hovering by from the Liberal Party. We can only guess at the cost. It would be thousand and thousands of dollars, maybe more than that given the extent of the coverage and the prime time in question. What we do know is that it constitutes a contempt of Parliament.

The sole message to be taken from the ad is that the Kyoto protocol should be ratified. That is the very question that the government is to put to the House and to the other place for a positive or negative decision.

I contend that the practice of using public money to sway public opinion on an issue that is actively before Parliament for a decision is a constructive contempt of the House. It is a deliberate effort on the part of the crown to buy votes in the House of Commons in support of the Kyoto protocol.

The use of taxpayer money to influence a decision by Parliament has been the subject of numerous questions of privilege. I will spare the House of going through the detail and argument of each one of them but one quotation from September 25, 1989, might be to the point. It draws upon comments made by the then leader of the opposition, a former Liberal prime minister of the country, the right hon. John N. Turner. He talked about similar ads and described them this way:

These ads are a flagrant circumvention of a fundamental parliamentary principle that it is the House of Commons, the representatives of the people from every province and territory in this country; that it is we as mandated by the people of Canada; that it is we the fiduciary of the people and only we on behalf of the people of Canada, who will have full control over—

—the policy that this Parliament adopts.

• (1255)

Mr. Turner went on to say:

The right rests with parliament. It does not rest with a few slogan writers in a Tory advertising agency.

Well neither does it rest with writers in a Liberal advertising agency, as was the case here. It was wrong then and it is wrong now. It was a contempt then and it is a contempt now of the House of Commons.

Speaker Fraser delivered a very important ruling directly on this issue on October 10, 1989, found at pages 4457 to 4461 of *Hansard*. Let me take members through the context. At that time the Speaker was not prepared to make a finding of a prima facie case for a breach of privilege as such that would merit acceptance of motion by the Chair. However he was much less emphatic on the question of contempt. It is my contention that the ruling of the Speaker set the stage for acceptance in the future of a motion dealing with contempt. The Speaker put the cabinet and the public service on notice that future speakers would be entitled to be much less lenient. Let me set the context. I am reading here from the selective decisions of Mr. Speaker Fraser. The context reads:

In August 1989, during the summer recess, the Government placed an advertisement in newspapers across the country stating that the proposed new Goods and Services Tax (GST) would come into effect on January 1, 1991. When the session resumed on September 25, 1989, the Rt. Hon. John Turner (Leader of the Opposition) raised a question of privilege relating to the said advertisement. He was of the opinion that by placing newspaper advertisements announcing an effective date for the GST, the Government denied the role of Parliament in the imposition of taxes and thereby prejudiced proceedings in the House and its committees. Other members also participated in the discussion. On October 10, 1989, the Speaker delivered a ruling—

I will now quote from parts of that ruling. First, Mr. Speaker Fraser at that time distinguished the issue of privilege from the issue of contempt. I quote here from *Hansard*. Mr. Speaker Fraser said:

...when members claim that a certain action constitutes a breach of privilege, they must specify which privilege is affected.

Contempts, on the other hand, cannot be enumerated or categorized. As Speaker Sauvé explained in a ruling on October 29, 1980, at page 4214 of *Hansard*:

...“while our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred”.

Broadly speaking, contempts are offences against the authority or the dignity of the House of Commons. They include situations which cannot specifically be claimed as breaches of the privileges of the House. As noted at pages 71 and 143 of *Erskine May*, twentieth edition:

“Each House also claims the right to punish actions, which, while not breaches of any specific privilege, are offences against its authority or dignity, such as

Privilege

disobedience to its legitimate commands or libels upon itself, its officers or its Members. Such actions, though often called 'breaches of privilege', are more properly distinguished as 'contempts'.

It would be vain to attempt an enumeration of every act which might be construed into a contempt, the power to punish for contempt being in its nature discretionary.... It may be stated generally that any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence”.

Mr. Speaker, that was the distinction by Mr. Speaker Fraser, your distinguished predecessor, between a contempt and a privilege.

Later in his judgment Mr. Speaker Fraser reviewed specific facts in the case then at issue with regard to the GST and, based upon a strict reading of the practices of Parliament with regard to the cases in the GST case, he concluded:

It is difficult to find *prima facie* contempt.

• (1300)

He then went on, and it is to these words that I want draw the House's attention:

However, I want the House to understand very clearly that if your Speaker ever has to consider a situation like this again, the Chair will not be as generous. This is a case which, in my opinion, should never recur.

That was Mr. Speaker Fraser then. The situation has recurred specifically in this case.

Speaker Fraser went on to say:

I expect the Department of Finance and other departments to study this ruling carefully and to remind everyone within the Public Service that we are a parliamentary democracy, not a so-called executive democracy, not a so-called administrative democracy.

I believe it is in the interest of our parliamentary system of government to have a clear statement from the Speaker which cannot be misinterpreted either in debate or by a vote. ...which I hope will be well considered in the future by governments, departmental officials and advertising agencies retained by them. This [GST] advertisement may not be a contempt of the House in the narrow confines of a procedural definition, but it is, in my opinion, ill-conceived and it does a great disservice to the great traditions of this place.

If we do not preserve these great traditions, our freedoms are at peril and our conventions become a mockery. I insist, and I believe I am supported by the majority of moderate and responsible Members on both sides of the House, that this ad is objectionable and should never be repeated.

Mr. Speaker Fraser went on to conclude:

I have deliberately made this ruling with great care in order that if ever this issue has to be debated and considered by this House again these comments will serve to guide the House in its deliberations.

Mr. Speaker Fraser could not have been more clear. The situation that he dealt with regarding the GST was precisely the same as the situation that we are dealing with here with regard to an advertisement paid for by public funds without the authorization of Parliament, designed to try to influence the vote of members of the House of Commons and of the other place. It is wrong. It was declared to be wrong by Mr. Speaker Fraser and it is still wrong today.

Privilege

There is a long history of the abuse of advertising by the government, including Groupaction, Groupe Everest, the long, dismal list of patronage and of corruption. What that meant was that in awarding advertising contracts the government regularly ignored the rules. Here, in exercising advertising contracts, it is ignoring the rights of Parliament and spitting in the face of a ruling by the distinguished former speaker of the House of Commons, Mr. Speaker Fraser.

The important point is not just that Parliament has been warned, but that the public service, the government, all of us have been on notice since 1989 that this sort of advertising was and is an affront to Parliament. Yet that affront has been repeated again by the government with a deliberate attempt to try to get ahead of Parliament and influence its views improperly.

Having been warned clearly, the government should not have stepped over the line. The fact that it has done so should be sufficient for the Speaker to now resolve the issue in favour of a prima facie finding on the issue of a possible contempt and to allow the House of Commons to determine the issue as the House may see fit.

• (1305)

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it seems to me that the important point here is that the right hon. member and his party are desperate. They are doing whatever they can to in fact avoid debating the question of Kyoto.

Mr. Speaker, let us go back to Mr. Turner's point in 1989, which of course concerned advertising done by the government of which the right hon. member was a minister. That point concerned advertising the claim that something was law that had not yet been passed but was still before Parliament.

The climate change advertising does not claim that the Kyoto protocol has been approved by Parliament. That is a very important distinction. Moreover, considering the outrage expressed by the right hon. member today, I wonder why he did not express the same outrage in 1989 with the same kind of measure if that is what he claims it is. In fact clearly it was a different case entirely, but it is odd that he did not object to it then.

The Prime Minister has said that the decision would be made. The Prime Minister has not suggested that the decision has been taken. He said it would be made. He has said a number of times that the House would make the decision, and it will.

It would seem to me that a member who has been minister of foreign affairs ought to know that ratification of a treaty in fact does not require a resolution of this House to be passed. He ought to know that. How can he not know that?

The motion that is going to be considered by the House, if we ever get to it, and I hope we will, it is in fact an advisory motion. It is not a motion to ratify. It is a motion advising the government on the question of ratifying.

It suggests to me that this series of filibuster issues is not helping us to get to the issue we really want to get to, which is to discuss the question of climate change, of Kyoto. Let us get to it. I hope this

apparent malady of Kyoto avoidance syndrome which I see across the way will be overcome and that members will recover from it.

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Very briefly, Mr. Speaker, I rise to participate in this question of privilege today.

As has been pointed out, the Speaker's ruling from 1989 did not rule a prima facie question of privilege, but the Speaker did say that if he ever had to consider a situation like that again he would not be as generous. Speaker Fraser was in a quandary and was not sure which side he should rule on, so he gave a warning. He warned that the next time he would rule on the side of granting a prima facie question of privilege.

This sort of thing has happened many times since Speaker Fraser spoke those words, yet no action has been taken. I believe that the government has been given enough chances.

On March 30, 1998, the Minister of Industry sent out a press release titled "Marchi meets with Chinese Leader in Beijing and announces Canada-China Interparliamentary Group". At that time there was no Canada-China interparliamentary group. The minister gave the impression that the association existed when Parliament had not approved it, much like the ad during the Grey Cup game yesterday.

The head of the Canadian millennium scholarship foundation was announced by the government before legislation was in place to set up the foundation. A similar situation regarding appointments to the Canadian Wheat Board was raised on February 3, 1998. A similar situation arose again on October 28, 1997, regarding the Department of Finance. On Thursday, October 25, 2001, while the House was in session, the minister held a press conference to announce a \$75 million bailout for Canada 3000.

These complaints resulted in many warnings from the Chair. One warning from the Speaker came on November 6, 1997. It was as strong as Speaker Fraser's warning, and it went like this:

...the Chair acknowledges that this is a matter of potential importance since it touches the role of members as legislators, a role which should not be trivialized. It is from this perspective that the actions of the Department of Finance are of some concern...This dismissive view of the legislative process, repeated often enough, makes a mockery of our parliamentary conventions and practices...I trust that today's decision at this early stage of the 36th Parliament will not be forgotten by the minister and his officials and that the departments and agencies will be guided by it.

If this House is to function with authority and dignity, then it must be respected, especially by its own members.

Mr. Speaker, I ask that you rule that this matter be a prima facie question of privilege.

• (1310)

The Speaker: Once again, I am prepared to deal with this matter, having heard the submissions from the right hon. member for Calgary Centre, the hon. parliamentary secretary to the government House leader and the hon. member for West Vancouver—Sunshine Coast.

Points of Order

When the right hon. member for Calgary Centre started his remarks I immediately recalled the ruling of Mr. Speaker Fraser to which he alluded so extensively in his comments. It was one of the early rulings in the House after I was first a member of this place and I certainly remember the day it happened. I remember the ruling with some considerable clarity and I certainly remember the words at the end of the ruling that the right hon. member quoted.

I certainly agreed with them, but in this case I think the matter is quite clear. I might go back to the earlier part of the ruling where he quoted the then leader of the opposition. He read part of the notice, the advertisement, that was complained of. It read as follows:

On January 1, 1991, Canada's Federal Sales Tax System will change. Please save this notice. It explains the changes and the reasons for them.

Then Mr. Speaker Fraser said:

I point out that this ad was a full-page ad and the letters were very large indeed.

Then he repeated those particular words in French. The suggestion was that these changes were in fact already passed, and the tenor of the advertisement was extremely important in this regard and very important in regard to Mr. Speaker Fraser's ruling, as he said, first of all, that the date was fixed as to when these changes would come in when in fact the act had not been passed by Parliament, and second, that it said to save the notice because there would be no changes, that this was the way the tax would be, that "you can save this notice now knowing that this is the way it is going to be on January 1, 1991".

It was those two points that were made by Mr. Turner as objections to this particular advertising campaign and with which Mr. Speaker Fraser expressed his grave reservations at the end because of those two particular points.

I can go back to another decision of Madam Speaker Sauvé.

[*Translation*]

On October 17, 1980 a point of privilege like the one raised today by the right hon. member for Calgary Centre was raised.

•(1315)

[*English*]

She dealt with an objection to a government advertising campaign at that time, where there was the suggestion that advertising on behalf of a partisan policy or opinion before such policy or opinion had been approved by the House was a contempt of the House. She found it was not.

Generally advertising has been permitted, but what has been criticized and was criticized by Mr. Speaker Fraser, and where he had his reservations concerning the advertising campaign, was where the advertisement itself stated that there would be an implementation date and that the material in the ad was the final product. That was the objection. That, in my understanding, was the basis of the objection taken by the then leader of the opposition. It was found not to be a sound objection, but Mr. Speaker Fraser did indicate that if it happened again he might rule quite differently.

Nothing in the words that the right hon. member quoted to the Chair concerning the advertisements this weekend indicated that this was a fait accompli or that the matter was decided in a particular way. As I understand it, they indicated that the matter was before

Parliament. Advertising for or against is something that has been allowed in the past, as long as the suggestion in the ad, as in this case of the goods and services tax advertisements, did not indicate that the decision had in fact been made and that no change would be made by Parliament.

That was the point of the alleged contempt which Mr. Speaker Fraser found so objectionable, and I cannot find anything in the evidence I have heard today respecting these advertisements that would indicate that this is in fact the case in these ads. While I am sure there will be differences of opinion in the House as to whether or not public funds should be spent advertising some matter that is before the House, my predecessors in this chair have consistently ruled that it is not for the Chair to interfere in that unless those advertisements themselves somehow suggest that Parliament has no say in the matter or that the whole issue is one that has been decided in advance and Parliament will decide this way on or before a certain date.

I cannot find that in the circumstances before us, and accordingly I do not find that there is valid question of privilege at this time, but obviously the content of ads sometimes changes and I am sure that the right hon. member will continue to be vigilant and if there are advertisements that he feels are objectionable he will raise them with the Chair at a later date and of course receive a hearing.

* * *

POINTS OF ORDER

KYOTO PROTOCOL RATIFICATION MOTION

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, my point of order is in regard to the motion on the Order Paper calling for the ratification of the Kyoto protocol by this House.

I submit that the motion is out of order and cannot be received by the Chair.

On October 29 of this year, the House adopted a motion sponsored by me, as Leader of the Opposition, on October 24. It read:

That, before the Kyoto Protocol is ratified by the House, there should be an implementation plan that Canadians understand, that sets out the benefits, how the targets are to be reached and its costs.

I am aware that motions calling on the government to act or not act are not binding on the government. However, the motion adopted on October 29 was not such a motion. It was an order of the House applying restrictions on itself in regard to a motion to ratify the Kyoto protocol.

The motion begins with "That, before the Kyoto Protocol is ratified by the House". It does not say "Before the government ratifies the Kyoto protocol". It states before "the House" ratifies the Kyoto protocol, and the only way for the House to ratify the Kyoto protocol is through a motion.

This is not uncommon. In the last Parliament a motion was moved restricting the use of time allocation and closure. It stated that for the remainder of the session the Chair could not receive such motions.

Points of Order

Perhaps you will remember that one, Mr. Speaker. I think you were in the Chair when the motion was moved and adopted. You are also aware that the government was anxious to rescind the motion, but since it did not have the use of closure it was in a bit of a pickle. In a pickle or not, the House order was in play and the government could not move time allocation or closure until the motion was rescinded.

Let us consider another example. The House frequently adopts what has become known as the autopilot motion. With autopilot motions we have a situation whereby the House puts restrictions on the moving of dilatory motions and unanimous consent motions. These autopilot motions actually go so far as to restrict themselves from complying with a constitutional requirement regarding quorum.

The quorum in this House is a requirement of the Constitution Act, section 48. While I recognize that the quorum necessity of 20 is not altered directly, the inability to bring to the attention of the Chair the lack of quorum in the House indirectly waives the constitutional procedural requirement of quorum. Since a quorum call is the only means by which quorum is enforced during a sitting, the inability call quorum is in essence the same as waiving the quorum requirement.

Our motion of October 24 does not even come close to the restrictions placed upon the House by the autopilot motions.

At the beginning of this Parliament, the government House leader introduced a particularly nasty motion that placed unreasonable restrictions on members' ability to introduce report stage amendments.

The motion read:

For greater clarity, the Speaker will not select for debate a motion or series of motions of a repetitive, frivolous or vexatious nature or of a nature that would serve merely to prolong unnecessarily proceedings at the report stage and, in exercising this power of selection, the Speaker shall be guided by the practice followed in the House of Commons of the United Kingdom.

The member for Elk Island moved an amendment that read:

That the motion be amended by adding:

and for even greater clarity, the Speaker may select for debate all motions, regardless of their nature, if in his or her opinion the rights of the minority have been infringed upon in any way.

Unfortunately the amendment was defeated and the main motion passed. As a result, the opposition's ability to delay legislation was impeded. The government's motion placed certain conditions on members' ability to introduce report stage motions. My point is that the House can place restrictions upon itself and, in the case of the motion adopted on October 29, those restrictions are clear.

Even if a motion is adopted that only calls on the government to take some sort of action, there is an expectation and obligation on the part of the government to comply. If the government fails to comply, I think our reaction to its inaction depends on the circumstances. If the government discovers after examination that it is unable to comply because of budgetary restraints, for example, then that may be legitimate and may explain why a government is not bound to a motion. On the other hand, a government that knowingly votes for a motion with the full knowledge that it has no inclination to give effect to the motion is clearly in contempt of the House, and I think the House should take action.

The Deputy Prime Minister was musing that Canada may not have to comply with the ratification of the Kyoto protocol, so Canadians should not worry about Canada signing on. With that statement, a case could be made that the government voted for the Alliance motion thinking that it did not have to comply either. This constitutes, in my opinion, an insult to the House and demeans members and the role they play.

• (1320)

Do members recall when the Liberals were in opposition and the government was advertising the GST as if it were law before the legislation was passed? It raised this in the House and the Speaker ruled on it on October 10, 1989. The Speaker quoted the former member for Windsor West, Herb Gray, who said:

When this advertisement—says in effect there will be a new tax on January 1, 1991,—the advertisement is intended to convey the idea that Parliament has acted on it because that is, I am sure, the ordinary understanding of Canadians about how a tax like this is finally adopted and comes into effect. That being the case, it is clearly a contempt of Parliament because it amounts to a misrepresentation of the role of this House.

If the House adopts the motion that sets out conditions before the Kyoto protocol can be ratified and those conditions are not met, then, as Herb Gray argued, the ordinary understanding would be that the Kyoto protocol ought not to be ratified.

We have had numerous other examples that resulted in Speaker's rulings. On November 6, 1997, Speaker Parent said:

Nonetheless, the Chair acknowledges that this is a matter of potential importance since it touches the role of members as legislators, a role which should not be trivialized...This dismissive view of the legislative process, repeated often enough, makes a mockery of our parliamentary conventions and practices.

If the Deputy Prime Minister wants to make a mockery of international treaties, then Canada will pay a price. If he is making a mockery of the role of the House and its members, then he and his government should pay a price.

Even if the motion did call on the government to take action, a good case could be argued that this would allow the House to take action against the government. However, as I said earlier, the motion does not call on the government, but is a motion restricting the House from considering any motion that ratifies the Kyoto protocol before there is an implementation plan that Canadians understand, that sets out the benefits, how the targets are to be reached, and its costs. Since there is no such plan the motion is out of order or, at a minimum, cannot be moved until the conditions in the motion from October 24 have been complied with.

The House may have noted that in the Order Paper of Wednesday, November 20 a number of questions and motions have been put on notice that address the matter of my point of order.

Question No. 52 reads:

As part of the Implementation plan for the Kyoto Protocol as called for in the motion adopted by the House on October 24, 2002, is the government guaranteeing that energy taxes will not be increased in a bid to reach its Kyoto targets?

Question No. 53 reads:

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As part of the implementation plan for the Kyoto Protocol as called for in the motion adopted by the House on October 24, 2002, is the government warranting its price increase projection and is it planning on covering anything over and above those projections?

The preambles to Questions Nos. 55, 56 and 57 are identical, but they ask different questions regarding provincial jurisdiction, and grants and contributions to pro-Kyoto groups.

You will also note, Mr. Speaker, the appearance of a number of motions for the production of papers on Wednesday, November 20. The theme of these motions is the same as the questions I just referred to: Motion No. P-18 inquires into documents from the Department of Fisheries and Oceans regarding the benefits, targets and costs of Kyoto; P-19 is concerned with the Department of Industry; P-20 is concerned with the Department of Transport; P-21 is concerned with the Department of the Environment; P-22 targets documents in the Department of Agriculture; P-23, Department of Natural Resources; P-24, the National Energy Board; and P-25 seeks documents from the Department of Foreign Affairs and International Trade.

On Thursday, November 21 another motion for the production of papers appeared on notice, and it too seeks documents relating to the plan and the conditions set out in the motion adopted by the House on October 29.

All these questions and motions are desperately seeking any evidence that the government has complied with the motion passed on October 29. To date not a shred of evidence has come forward from the government through these legitimate tools of inquiry that are available to members of Parliament. Therefore, it is conclusive that the conditions contained in the motion passed on October 29 have not been met and therefore the motion to ratify the Kyoto protocol cannot be moved in the House.

If we look at what is available publicly to members there is no evidence at this moment that the conditions have been met either. On November 21 the government released its latest Kyoto implementation thoughts or ideas.

• (1325)

There was little new in that document. The government admitted again that it had no idea how much its made in Japan deal would cost. The entire document contained only a single dollar figure, the \$1.6 billion we have already spent before even getting off the starting block.

The government admitted that it had no idea how the accord would be implemented, that no legislation had been prepared and the government had no idea which level of government would have to pass legislation. The new paper still does not contain enough ideas to meet the government's 240 megatonne made in Japan commitment. Canada would still be between 30 megatonnes and 60 megatonnes short and that is under some very optimistic thinking.

The proposed new partnership fund lays the groundwork for a massive invasion of provincial jurisdiction and a massive new bureaucracy and spending. At a minimum the costs of the plan should include the costs to the government to administer the plan. Those costs cannot be known until the next budget is presented. The

vote on the ratification of Kyoto must at least wait until presentation of the budget.

Referring back to the motion introduced by the government House leader regarding report stage amendments, the Speaker decides if conditions to place report stage amendments before the House are met.

With respect to the conditions to allow a motion to ratify the Kyoto protocol, the decision also rests with the Speaker to determine if the conditions of the motion adopted on October 29 have been met. I have made a strong argument that those conditions have not been met.

Therefore, the government motion dealing with the ratification of the Kyoto protocol cannot be received by the Chair. The House order adopted on October 29, 2002, clearly restricts any such motion from being considered.

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I spoke earlier in relation to the Progressive Conservative Party seeming to have the Kyoto avoidance syndrome. I do not know if it is a virus or a bacteria, but it seems to be spreading.

This is a novel argument because what the leader of the Alliance is arguing is that an error regarding the Constitution, that he has made, should override the Constitution and should bind the House in some way. Clearly it does not change the Constitution. The Constitution provides that the executive, not Parliament, shall ratify international treaties.

Mr. Stephen Harper: The cabinet voted for it.

Mr. Geoff Regan: He is saying we voted for it. Is he suggesting that the House can change the Constitution by itself? I do not believe for one second that he is suggesting that, on a motion without legislation even, the House can change the Constitution.

Moreover, the examples to which he referred all had legislation attached to them. This does not. It is an advisory motion as I mentioned earlier because it is the executive that ratifies the treaty under our Constitution.

A plan, given to meeting the requirements of Kyoto, has been tabled in the House. The member suggests there is no plan or he is not happy with the plan. How can he know whether he would be happy with the plan or not when he has not heard the debate on the matter. Why is it that these opposition parties refuse to have the debate? Why are they so reluctant to get to the heart of the matter that is of so great concern to Canadians who vastly support this initiative? Why not get on with this and stop the shenanigans?

• (1330)

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I would like to contribute to the debate. Perhaps I can best do so by answering the question of the parliamentary secretary. We have before the House a motion. It reads:

That this House call upon the government to ratify the Kyoto Protocol on climate change.

Speaker's Ruling

A short while ago this motion was dealt with and finalized in the House. I stress these words because of what Erskine May states, that before the Kyoto protocol is ratified by the House, which is what the government motion today asks us to do, there should be an implementation plan that Canadians understand, that sets out the benefits how the targets are to be reached and with what costs.

The motion is clear and succinct, and was passed by this very House. The motion was dealt with. Here we have part of the same motion, regardless of whether Parliament has to deal with Kyoto or not, that does not make any difference. What makes the difference is there is a resolution on the floor that is similar to one that has already been dealt with by the House.

The Speaker recently argued that the motion that was put forth by the Alliance was in order because a similar one put forth by the government had not been dealt with by the House. Time ran out before the vote.

Erskine May states that a motion or an amendment may not be brought forward which is the same in substance as a question which has been decided in the affirmative or negative during the current session. We have dealt with a motion that is similar in substance. Consequently, the motion cannot be brought forward today.

SPEAKER'S RULING

The Speaker: Once again the hon. Leader of the Opposition has raised an interesting point concerning the supply motion adopted on October 29 earlier this year. The motion has been quoted by both hon. members of the opposition who have spoken on this matter and I thank them for their submissions.

However I point out that the motion reads that before the Kyoto protocol is ratified by the House there should be an implementation plan. It does not say there shall be, or there must be, or there has to be. This motion is permissive. It suggests that there ought to be, that somehow we should have this. That is the first point that must be made to the House.

The second point is that we do have an implementation plan that was tabled last Thursday in the House by the minister. I know there are disagreements about whether it is good or sufficient in accordance with the terms of the motion that was adopted on October 29, but it is hardly for the Speaker to express a view on the quality of the material that the minister submitted to the House. However something was indeed submitted.

If the Speaker is wrong in his interpretation of the use of the word should in the motion, there is still the argument, in my view a valid one, that some kind of document, being an implementation plan of some sort, has been tabled in the House. Whether it is going to be good enough for everybody is of course a matter of considerable argument, I have no doubt, and one that no doubt we are going to hear about during the course of the argument on the motion that is coming before the House, which has been put to the House today by the Minister of the Environment.

In the circumstances, I do not think it is for the Chair to rule that the government cannot proceed because of an alleged violation of this motion adopted on October 29, which in my view expresses an ought. Even if I am wrong that interpretation has been complied with in my view by the tabling that was made by the minister last

Thursday. Accordingly, I do not find the point of order well raised and I intend to proceed to put the motion to the House.

• (1335)

Mr. Stephen Harper (Calgary Southwest, Canadian Alliance): Mr. Speaker, I accept your ruling, although I note your lack of confidence in the substance of this so-called implementation plan put forward by the government.

I do have a second point of order. It is also in regard to the motion on the Order Paper in which the House has been asked to call upon by the government to ratify the Kyoto protocol. I would submit that this motion is also out of order and cannot be received by the Chair for quite separate reasons than those I submitted in my first point of order.

We need to start with the basics. The first stage of treaty making is signature. In the case of the Kyoto protocol that occurred on April 29, 1998. However mere signature does not bind a state to the terms of a treaty until the second stage, which is ratification. However the Vienna convention on the law of treaties 1969 specifically provides in articles 2(1), 14(1) and 16 that, "The institution of ratification grants states the necessary timeframe to seek the required approval for the treaty on the domestic level and to enact the necessary legislation to give domestic effect to that treaty". The clear implication here is that all necessary legislation to implement the terms of a treaty should be in place prior to ratification.

In Canada there has developed a very firm practice in regard to the necessary steps that must be taken before ratification can occur. Maurice Copithorne, who is one of the leading treaty experts in Canada, has stated that all legislation must be in place prior to ratification. In an article published in 1996, in volume 54 of *The Advocate*, a journal for lawyers in British Columbia, he categorically states, at page 37 that:

A treaty that is deemed to create obligations upon Canada that can be implemented only by a change in the laws requires legislative action. Normally the Canadian government withholds ratification of such a treaty until such legislation is passed.

This has been reinforced in his most recent but as yet unpublished material on the subject entitled, "National Treaty Law and Practice: Canada", a copy of which we will provide to the Chair. He states at page 6 that:

—governments have come to take the position that they will normally only ratify a treaty after a necessary and enabling legislation has been passed.

What gives his opinion even more authority is that it has been applied in cases coming before the courts. In 1999 the Hon. Justice Owen-Flood of the British Columbia Supreme Court in the case of *Re Stuckey*, cited as BCSC BL0078, gave full legal sanction to this opinion.

On page 7 of his reasons for judgment, his lordship relied on the statement by Mr. Copithorne in the published article to which I referred. He quoted that statement directly and stated that it was "the best statement of the law and practice for the purpose of the case at bar".

As a further authority, I cite Mr. Daniel Dupras of the law and government division of our own parliamentary library in a publication entitled, "International Treaties: Canadian Practice" dated April 3, 2000. On page 7 he states that for a treaty to be ratified is in the form of a

—document establishing that the formalities for the coming into force and implementation of the treaty have been completed.

Mr. Dupras goes on to say, and quite definitively, at page 6 that:

In cases requiring amendments to Canadian legislation, the treaty is not ratified until such amendments or new legislation have been passed.

The ultimate statement for our purposes is at page 8 where our parliamentary librarian states:

Where a bill must be passed in order to implement a treaty is not passed, Canada cannot ratify the treaty.

Therefore it is both a requirement of international law and established practice which has been applied in our courts of law for the government not to ratify a treaty that requires legislation for its implementation until the legislation itself has been passed by this House.

It is conceded by everyone, including the government, that for the Kyoto protocol to be implemented, it will require the passage of legislation by this House. The leader of the government in the Senate has announced publicly that there will be such necessary legislation tabled in this House but that the government cannot do so until some time next spring. Yet the Prime Minister in the House has stated that the government intends to ratify Kyoto before the end of this year.

● (1340)

It goes without saying that it will be impossible for the government to prepare, table and pass such enabling legislation before the deadline for ratification that the Prime Minister has announced.

These announcements by the government, coupled with the tabling of this motion by the government in the House and asking the House to pass such a resolution, constitutes a complete breach of all these established and recognized practices and rules for ratification of treaties in Canada, I would emphasize practices and rules which have been applied by our courts of law. In the absence of necessary legislation to implement the terms of the treaty not as yet passed by the House, the motion asks the House to approve the government's breach of the rules.

As the authorities I have referred to clearly show, governments do not proceed to ratification until the necessary enabling legislation is first passed by the House. It is important that we follow the customary procedures and past practice of the House in this regard.

As an example, the North American Free Trade Agreement was ratified by this government in 1994, but only after the passage by the House of the necessary legislation, namely the North American Free Trade Agreement Implementation Act in 1993.

I could cite other examples such as the World Trade Organization agreement and the Canada-Chile Free Trade Agreement, both of which were ratified by the current government after following the correct practice and having any necessary implementing legislation introduced, debated and passed by the House before ratification.

Speaker's Ruling

The other important precedent is of course the process followed for the ratification of the original free trade agreement. As we all know, this very important treaty was not ratified until the House and this Parliament passed the necessary implementing legislation and it took a fresh general election to make that happen.

Therefore, the House is being asked by this motion to condone and place its seal of approval on the ratification of a treaty by the government at a time when the government has not taken the necessary steps as required by international law and authoritative practice. This is a clear breach of the customary practices of the House in which the House would never be asked to give its approval to ratification of a treaty to occur virtually immediately thereafter at a time when the necessary implementing legislation has not already been passed by the House. This is the case of the government getting the proverbial procedural horse before the cart.

However, in addition to constituting a breach of the customary procedures of the House, this attempt by the government to obtain such approval for ratification from the House at this time is also both contemptuous of the House and a breach of our privileges. Therefore, the action of the government in placing a motion on the Order Paper and moving it forward for debate is fundamentally repugnant to decided international law, Canadian law and practice and the customary practices of the House.

In conclusion I would submit that the government's motion that the House at this time call upon the government to ratify the Kyoto protocol, as it appears on the Order Paper, cannot be received by the Chair and should be struck from the Order Paper. It is simply contrary to the customary practices of the House and is out of order.

I am going to submit for your review, Mr. Speaker, a number of documents that I have referred to in raising this point of order, and they also contain documents related to another matter which I may wish to raise.

Mr. Paul Szabo (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, we have had a number of points of order. This point of order is substantively on the same matter.

It is clear that the subject matter, being the ratification of the Kyoto protocol, is an important matter to this place. That opposition members have raised substantive argument for the Chair to consider is evidence of that fact.

We have been advised on many occasions that delay and disruption of this place is a legitimate part of the democratic process and we will respect the points of view of members and certainly respect the position of the Chair.

● (1345)

The motion says that the House call upon Parliament to ratify the Kyoto protocol on climate change. It is an interesting motion by its very simplicity considering the significant importance and complexity of the matter at hand.

Speaker's Ruling

The hon. leader of the official opposition has suggested that the motion is out of order. It would be my argument that when a motion comes before this place and calls upon Parliament to advise the government or to do something, on a prima facie basis that is not binding. That is a very significant point in this matter. Should Parliament call upon government to do anything, that on the face of that motion it is not binding on the government and therefore the motion now before the House is of the same nature as a take note debate.

It is probably one of the most significant decisions to be made with regard to climate change issues and to the health of Canadians that Parliament will ever take. It is a very important issue and it is important to members on all sides throughout this place. It is important because we have a range of concerns and issues that Canadians have expressed. Parliamentarians have expressed concerns on behalf of their constituents. They have been asked to come forward to share with the rest of their colleagues in Parliament, those concerns, issues and their relative importance. There is no simple solution to this, but the important thing is that this is not a binding resolution of Parliament.

Second, in all the resolutions we have had so far, the examples used clearly have had to do with legislation. This does not have to do with legislation. This is an executive decision. It may subsequently require legislation in terms of implementing principles. That may be possible. We do not know at this point. However I know that the Prime Minister of Canada announced to Canadians several months ago that the Government of Canada would ratify the Kyoto protocol before the end of the year.

That is a very definitive statement and that is a reflection of the executive decision power of the Government of Canada. That is not a motion for consideration by Parliament. It is a not a bill or any kind of qualified statement. It is an assertion and a commitment of the Government of Canada to ratify the Kyoto protocol. The fact that the Prime Minister was prepared to announce that intention of the Government of Canada is prima facie evidence that this is an executive decision. We have to ask why did the opposition members not raise these points of order back then when the House resumed after our summer break.

Why was there not a challenge? If the decision of the Chair ratifies the fact that this is an executive decision and not a matter for parliament to decide, not a decision where Parliament in fact would be overriding the Constitution of Canada and would also reaffirm that this motion in fact is not binding on the Government of Canada, on that basis alone I understand fully that the opposition members would like to obstruct and delay the discussion of Kyoto. I respect their right to do that, but I want them also to know that there are others in this place that want to talk about the Kyoto protocol.

• (1350)

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, I must say that this is the most bizarre argument I have ever heard on any issue. The parliamentary secretary is saying that we should not worry about the rules that apply to this debate because the debate does not matter anyway, that no one is going to pay any attention to it, so do not worry about the rules. We on this side of the House believe that the views and the debates in the House of Commons

matter. It is a question of absolute contempt for the parliamentary secretary to have said what he has just said.

To come to the point that was raised by the leader of Her Majesty's loyal opposition, either this motion means something or it does not. The parliamentary secretary says it does not, which means it is an affront to the House to bring it here. However if it means something, then surely the government is bound to follow the practice that has been established for years, the practice that has been outlined by the leader of Her Majesty's loyal opposition, and deal with implementation before it deals with ratification.

The government cannot have it both ways. It cannot ignore history as it is trying to do and it cannot say that this matter is terribly important but it does not matter at all. That is an affront to common sense.

I want to come to common sense for just a moment. The Leader of the Opposition very ably has raised the practices that have been followed here with respect to votes on ratification, many of which I have some familiarity with. I had the privilege of introducing some of the measures that led to those international treaties. He very correctly and irrefutably set forth the law and the practice. Had his argument been refutable, the parliamentary secretary would have refuted it, but he did not do that. He simply said that the debate does not matter so do not talk about rules. The precedent is very clear.

Let us speak for a moment about common sense because precedent and practice is based upon common sense. How can we ratify something when we do not know what it is? It is precisely that question, precisely compelling logic that a Parliament must know what it is voting on before it votes that has created the precedent cited earlier by the Leader of the Opposition. That is why we have implementation before we have ratification. That is why the government comes forth with what it is that it proposes to do before it asks us to approve that kind of action.

It is not as though the government has not had time to spell out what it is asking Parliament to do. It has had more than five years. It was in November 1997, five years ago now, that there first was a meeting of the federal, provincial and territorial governments to try to deal with this issue. It is another question that the government, in all its arrogance, walked away from the agreement that was reached in that federal-provincial conference and said it did not need the provinces. In effect, it is saying the same thing now, that it does not need Parliament because the votes that Parliament casts on issues of this kind do not matter.

It is not as though it has not had time. It has had plenty of time. It has been five full years, five wasted years and we still do not know and it still does not know what it is it is asking the House of Commons to vote upon in the motion that it has brought forward today. There is no certainty. The government has this the wrong way around. It is asking us to vote for something when it itself does not know what it is asking to have approved. That is an affront to the House.

More to the point, the very reasoned argument brought forward by the leader of Her Majesty's opposition is clear. The precedents are clear. This practice breaks those precedents. That breach of precedent means that the motion being presented here today should not be allowed to come before the House.

•(1355)

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am sure that at some point the Chair will feel that it has heard a sufficient amount of contributions in this matter so mine will be very brief.

I read very attentively the motion that was adopted by the House some weeks ago. It says that before the Kyoto protocol is ratified by the House there should be an implementation plan. This is not a House order and everyone knows that. That is my first point.

My second point is that this debate is consultative with the House. The hon. Parliamentary Secretary to the Minister of Public Works and Government Services was very eloquent in expressing that this is a consultative debate. It is hard for anyone to construct a scenario by which a consultative debate would be out of order. The government has put the motion on the Order Paper. It has offered to consult Parliament prior to the ratification of the accord which will take place before the end of the year.

Earlier today the opposition moved closure on the debate even before it started. It moved to shut it down before it started. Being the person that I am, I am very much against the use of these coercive devices except when I absolutely have to. Pursuant to objections from across the way, Mr. Speaker will understand that I do not want to indulge in that part very long.

Mr. Speaker knows there is absolutely no reason why this motion would be considered anything else but fully in order because of its consultative nature. The Prime Minister wants to consult Parliament prior to ratification. The House should congratulate itself for the initiative that the right hon. Prime Minister has seen fit to put before the House.

Members have asked questions on this accord and now the Prime Minister is consulting them. Maybe they do not want to be consulted. Maybe they want to go home early for Christmas. Maybe they want to adjourn Parliament, but the Prime Minister wants to consult Parliament and it is fully in order for us to consult Parliament and through it, Canadians.

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, I ask you please to consider the words of the parliamentary secretary. He said that if we pass the motion that may be before the House today calling upon the government to act, which is what the motion says, it does not bind the government to anything, that it is just a take note debate.

Consider what that means to the average parliamentarian. We are not in cabinet and we are not sure what cabinet is going to do, but when we call upon the government to act, damn it, we expect it to act. When we do not have that assurance, then how can we possibly vote on this? It is out of order.

The Deputy Speaker: The Chair is prepared to rule insofar as the following. The Leader of the Opposition has raised a very serious

matter. Obviously a great deal of time and effort has gone into preparing the arguments that he has presented to the House.

I would submit to the House that the Chair would also want to have the benefit of some time for reflection and deliberation to arrive at and to deliver its final ruling on the point of order raised by the Leader of the Opposition. I also want to thank the other members who intervened, the Parliamentary Secretary to the Leader of the Government in the House of Commons, the right hon. member for Calgary Centre and the hon. member for Fraser Valley.

Procedurally as regards the debate going ahead on government business No. 9, I have not heard anything at this point that would lead me to not allow that debate to go on. The Chair obviously gives its undertaking to come back to the House as soon as possible, certainly well before this debate ends, as to the ruling on the point of order raised by the Leader of the Opposition.

At this time, it being 2 p.m., we will proceed to statements by members.

STATEMENTS BY MEMBERS

•(1400)

[English]

PRINCE ALEXANDRE DE MERODE

Mr. Dominic LeBlanc (Beauséjour—Petitcodiac, Lib.): Mr. Speaker, it is with sadness that I rise today to note the passing of a great world leader in the fight against doping in sport. I am referring to the late Prince Alexandre de Merode of Belgium who passed away on November 19.

Prince Alexandre had been an International Olympic Committee member since 1964. In 1967 he created the IOC's medical commission, a panel on which he served as chairman since its creation.

Prince Alexandre was the world's leading advocate in the fight against doping in sport. Alexandre de Merode was a prominent international figure in promoting the Olympic values of integrity, fair play and drug-free sport. His passing is a loss to the world of sport and to the Olympic movement.

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THE GREY CUP

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Congratulations, Montreal.

Mr. Speaker, the Montreal Alouettes were winners of the Grey Cup game played yesterday in Edmonton.

Both teams showed the kind of drive, determination and spontaneous action that is required to play our wonderful, unique Canadian Football League rules. The field of frozen grass had the traction of a skating rink and all players had to react to the true north Canadian challenge. Shania Twain's halftime appearance was in keeping with Edmonton in November, complete with parkas and gloves for the band.

S. O. 31

The Canadian Football League is to be commended for a showcase this Grey Cup and the job it has done in filling seats and having people view the game on television this year. The CFL showed yesterday what a fine professional organization it is. The game yesterday was a complete sellout and a rousing celebration of our game and the culture that surrounds it, despite the sponsorship dollars that were shovelled in by the Liberals.

Our most profound congratulations go out to the Montreal Alouettes, the Edmonton Eskimos, and the people of Edmonton who once again showed through their hospitality and goodwill that Edmonton truly is the city of champions.

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SAINT MARY'S HUSKIES

Mr. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I rise today to pay tribute to this year's Vanier Cup champions, the Saint Mary's Huskies from Halifax, Nova Scotia. To make the victory even sweeter, this is the Huskies' second Vanier Cup in a row, a feat managed only three times in Canadian history and not once in the past 25 years. The players, the coaches and the Saint Mary's community all deserve our thanks and congratulations.

I do have to confess, however, that the team's road to victory was bittersweet for me. It finished with playoff victories over McMaster in the Churchill Bowl, and I am said to say, my alma mater of Saint FX in the AUFC title.

Once again, on behalf of the people of Nova Scotia, I ask all hon. members to join me in congratulating the two time Vanier Cup victors, the Saint Mary's Huskies.

* * *

VIOLENCE AGAINST WOMEN

Mr. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, the United Nations General Assembly has declared this day as the International Day for the Elimination of Violence Against Women, dramatized most recently by the violence in Nigeria. This day also marks the beginning in Canada of a 16 day period of activism against gender violence.

In the words of the General Assembly resolution, "violence against women is an obstacle to the achievement of equality, development and peace".

Women around the world continue to be victimized by gender violence, particularly sexual violence against women in armed conflict and violence against refugee and vulnerable women.

In Canada 50% of women by age 16 have been the victim of at least one incident of physical or sexual violence, yet gender violence remains among the most unseen and unpunished of all the violations of universal human rights.

We should strengthen our call to eradicate gender violence and protect its victims; reaffirm our commitment to the empowerment of women throughout the world; re-examine the power relations in our communities so that we may eliminate all forms of gender subordination and discrimination; and make it clear that women's rights are human rights, and human rights mean nothing if they do not also include the rights of women.

UNIVERSITY OF NEW BRUNSWICK

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, I rise today to pay tribute to the new president of the University of New Brunswick, Dr. John McLaughlin, for his current campaign to increase access to post-secondary education in New Brunswick, to advance UNB's profile as a research and teaching institution, and to improve the economic and cultural development of our province generally.

The future economy of Atlantic Canada will be determined by investment in post-secondary education and research and development. It is essential that parliamentarians, educators, students and community leaders work together to ensure that our region benefits from this kind of investment on par with the rest of Canada.

The last federal budget included a \$200 million one time indirect costs and research investment. It is imperative that this investment is made permanent and that the emphasis on capacity building in small and medium sized universities be maintained.

These kinds of investments are absolutely critical, not only to our universities but to our entire region. I salute Dr. McLaughlin for the energy that he is bringing to this vital issue.

* * *

● (1405)

VIOLENCE AGAINST WOMEN

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, today is the international day to end violence against women. With origins dating back to the 1960s, this day is a call for national governments to take action to eliminate gender based violence.

Women around the world continue to face abuses on a daily basis. Every 15 seconds in America a woman is battered. Every 23 seconds in South Africa a woman is raped. In Iran and Nigeria, women are routinely stoned to death for things as innocent as attendance at a birthday party. In Bangladesh, 47% of women have been physically abused in their lifetimes. Between 114 million and 130 million women worldwide, some as young as two years old, have had their genitals mutilated for cultural reasons.

Lofty statements and ideals are not enough. The apathy shown by the government to such violations of human rights is nothing short of criminal. Canada needs to show some leadership and stop hiding behind political correctness.

* * *

ROYAL CANADIAN LEGION

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, I am pleased to rise today to offer my congratulations to The Royal Canadian Legion which was founded on this day in 1925.

Canada's veterans share a bond unlike any other, a bond of comradeship which was forged through their time of the battlefields of two world wars, the Korean war, the Gulf war and numerous peacekeeping operations.

This bond has been strengthened over the years by the work of the Royal Canadian Legion. One cannot help but be impressed and inspired by the countless acts of charity and community work that the legion performs in communities right across the country every day.

The members of The Royal Canadian Legion are supporting their country today just as they did during the darkest days of war. We salute the Royal Canadian Legion and its long record of national service.

* * *

[Translation]

THE GREY CUP

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, I would like to take a moment to add the warmest of congratulations from the Bloc Québécois to the thousands of Montreal Alouette fans. They may have had to wait 25 years to do it, but the Alouettes are finally taking Lord Earl Grey's cup back to Montreal.

This great victory leaves a bad taste in the mouths of French-speaking fans, however. How could we not comment on the fact that thousands of Quebecers and French Canadians could not follow the exploits of the Alouettes in French unless they had cable? What excuse can there be for such a major sporting event, one of the major sponsors of which was the Government of Canada, not being able to attract the attention of those in charge of Radio-Canada? After the threatened demise of *La Soirée du hockey*, Radio-Canada has done it again and, in league with the CFL, has once again penalized francophone sports fans. This is one time too many.

* * *

VIOLENCE AGAINST WOMEN

Ms. Yolande Thibeault (Saint-Lambert, Lib.): Mr. Speaker, violence against women is unacceptable. Today, November 25, has been declared the International Day for the Elimination of Violence against Women. The great need for such a day must be acknowledged. Throughout the world, women's rights are still being trampled upon.

This is a good opportunity to draw attention to the great efforts expended every day by those concerned with fostering an equitable society, who have set up shelters and transition homes for battered women. Because of these efforts, thousands of women can finally live without fear.

Let us never lose sight of the fact that women everywhere in the world are victims of violence, day in and day out. I can only hope that one day we will be able to celebrate a victory over this deplorable situation.

S. O. 31

[English]

BONNIE AND BOB DAGENAIS

Mr. Scott Reid (Lanark—Carleton, Canadian Alliance): Mr. Speaker, I rise today to draw attention to the tragic death of two teachers killed this weekend in a horrific and callous act of violence.

As they sought to protect their property from unlawful invasion in the early hours of Saturday morning, Bonnie and Bob Dagenais were brutally shot and killed by a convicted criminal and his 15 year old accomplice.

Unarmed and defenceless, the couple were innocent victims of a terrible crime which sought to rob them of their property and ended by robbing them of their lives.

Bob Dagenais, a retired school principal, and his wife Bonnie, a former grade three teacher, both retired last spring. In their many years as educators in the Ottawa-Carleton district the couple touched and inspired many individuals and unfailingly won the respect and admiration both of pupils and of colleagues.

The community in which they lived and worked today mourns their loss unable to comprehend the magnitude and the senselessness of their deaths.

I believe my hon. colleagues will join me in offering my sincere condolences to their family and friends following this tragic loss.

* * *

•(1410)

[Translation]

THE GREY CUP

Mr. Serge Marcell (Beauharnois—Salaberry, Lib.): Mr. Speaker, I am very happy and proud to rise today to pay tribute in the House to the exciting show we were given last night, during the Grey Cup match in Edmonton.

In a dramatic ending in the final quarter, the Montreal Alouettes defeated the Edmonton Eskimos 25 to 16, to win the Canadian football championship. The Grey Cup returns to Montreal for the first time in 25 years.

I would like to congratulate all of the Alouette players for their hard work and determination and we would also like to thank the Eskimos for the thrilling final game that they provided. Kudos to Pat Woodcock in particular, of the Alouettes—born in Kanata, Ontario—for having caught a 99-yard pass, thereby breaking the record for the longest pass in the history of the cup and leading his team to victory.

The Alouettes will be landing at Dorval this afternoon, and a parade in the streets of Montreal has been planned for Wednesday. Let us give them the welcome they truly deserve.

S. O. 31

[English]

CHILD POVERTY

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, child poverty continues to be a national disgrace in Canada. Numbers released today by Campaign 2000 confirm that 10 years after the House of Commons unanimously passed the NDP resolution to eliminate child poverty by the year 2000, Canada still has over a million children living in poverty, and for many the situation is worse. The depth of poverty for two parent families now averages \$10,000 below the poverty line.

The rate of child poverty may be decreasing slowly but after the many years of prosperity we still have a situation in Canada where one in six children is more likely to see the inside of a food bank than share in that prosperity.

Canada cannot solve this problem by limiting its own revenue through further tax cuts, nor can it continue to pretend that cutting programs like EI and affordable housing will help to solve the problem of poor children in our communities.

What Canada and Canada's kids need is a real commitment to expand the child tax benefit, bring in a national affordable housing strategy and implement a national strategy of early childhood education and care.

* * *

[Translation]

VIOLENCE AGAINST WOMEN

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, on this International Day for the Elimination of Violence Against Women, I would like to highlight the efforts of advocacy and feminist groups whose mission is to fight the effects of violence against women and children.

The threats, abuse, human rights violations, violence, intimidation, harassment and discrimination suffered by millions of women around the world is unacceptable, and we must not tolerate it.

As a member of Parliament, and on behalf of all the members of the Bloc Québécois, I thank all those who have contributed on whatever scale to fighting the devastating effects of violence.

I would also like to make my colleagues in the House aware of the importance of doing all we can to fight this phenomenon. Therefore, I would invite the federal government to provide funding for the struggle to eliminate violence against women.

* * *

[English]

MAYORS CAUCUS

Ms. Judy Sgro (York West, Lib.): Mr. Speaker, I rise today to acknowledge and welcome the 22 mayors from Canada's largest cities who are in Ottawa today for two days of discussions.

The Federation of Canadian Municipalities' big city mayors caucus are meeting with cabinet ministers and finance officials for prebudget discussions.

These 22 mayors represent all regions of Canada with different priorities and differing issues. What they have in common is important to our urban regions: infrastructure, transit, transportation and housing needs.

We must continue to invest in our urban regions so that they can be sustainable, prosperous and competitive for the 21st century. Let us all work together to ensure their success.

* * *

NORTH AMERICAN FREE TRADE AGREEMENT

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, the government has been burying its head in the sand for far too long. It has been very slow to react to almost every trade issue.

There is another dark cloud hanging over the Canada-U.S. trade issues. The decision by the U.S. International Trade Commission to continue its investigations into alleged dumping by the Canadian Wheat Board is the most recent in a long line of Canadian products to come under attack by American producers, who are more interested in playing politics than adhering to the North American Free Trade Agreement.

The impact of this decision could have immediate consequences for Canada's grain farmers. If interim tariffs are imposed on U.S. imports of Canadian wheat and durum by next March, they could be as high as 34%.

The government was aware that the devastating tariffs would be placed on Canadian lumber and it waited until it was way too late. It sat idly by and watched as P.E.I. potatoes were unfairly banned by the U.S.

The government should pull its head out of the sand and start dealing with these trade issues of Canadian wheat now before it becomes a very serious problem. The government must toss out its wait and see approach to serious trade issues. The government needs to deal with the problem now before its too late.

* * *

● (1415)

VIOLENCE AGAINST WOMEN

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, today is the international day for the elimination of violence against women and the first of the sixteen days of activism against gender violence.

I ask all Canadians and all members of the House to join me during these days in the fight to raise awareness about violence against women.

[Translation]

In the next few days, we will commemorate with sadness the anniversary of the tragedy at École polytechnique de Montréal. There will also be World AIDS Day and International Human Rights Day.

Today, let us start by remembering the three Mirabel sisters from the Dominican Republic, who were political dissenters and were brutally assassinated by dictator Trujillo on this day in 1961. Let us forget.

ORAL QUESTION PERIOD

[English]

KYOTO PROTOCOL

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, on March 26 the Prime Minister wrote to the hon. Perrin Beatty, of the Canadian Manufacturers and Exporters, assuring him, as he did many others, that Kyoto would proceed only under the following conditions: a workable plan; progress internationally on clean energy exports; progress domestically on consultation with the provinces, stakeholders and other Canadians; and no artificial deadline.

My question is simple. Since none of the Prime Minister's conditions for ratification have been met, other than his sad hunt for a legacy, why are we now pursuing Kyoto ratification on an end of the year deadline?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, the Prime Minister, in June of last year, made it clear that 2002 was the year he expected to have a decision on ratification.

More recently, at a meeting in Johannesburg some two months ago, he indicated he would put a resolution before the House so that the opinion of members of the House of Commons and the Senate could be canvassed prior to ratification.

As far as I know these two indications of time which he gave back in June and September are still entirely valid and I do not see this as any undue rush at all.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the Prime Minister only dropped his conditions once he knew he would not have to face the Canadian people again. His actions are irresponsible.

Without a definitive plan there are no guarantees that our industries and businesses will be protected or remain competitive. The government is trying to deal with this is by putting out reports reassuring Canadian businesses that they will not have to meet Kyoto's punitive targets due to the lack of any implementation plan.

I ask the minister, is it true that the reason the government has failed to provide implementing legislation is because it is not serious about actually implementing the accord and meeting the targets?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, no, it is quite untrue.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I look forward to seeing the minister quoted every time the government floats one of those lines.

Provinces and industry are asked to have blind faith that the accord will not bankrupt them. Yet the latest version of the government's PowerPoint presentation is devoid of any cost estimates at all or any guarantees to the provinces.

Oral Questions

Once again, given these rumours that the government keeps floating, should Canadians assume from the government's failure to produce cost estimates that it is not serious about actually paying for and implementing the accord?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, the hon. member could not be more wrong. We fully intend to ratify the accord and meet the targets that are in the plan. We have a plan which was tabled in the House last week.

I believe that if the hon. member would read it, he would see what every other country that has looked at our work says; and that is, that we have put more detailed information before our people than any other country in the world has done.

* * *

[Translation]

CANADA-U.S. RELATIONS

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, the whole world found unacceptable the remark made by the Prime Minister's confidante, especially in a context where Canada is launching into a round of very important negotiations with the United States. I said the whole world, but that excludes Iraq, which held up the remark made by Ms. Ducros as evidence that Canada is opposing its closest ally.

If Ms. Ducros was able to recognize her error, why did the Prime Minister not accept her resignation?

• (1420)

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, the hon. member may quote Saddam Hussein; personally, I prefer to quote Colin Powell, who said the following:

[English]

Canadians should understand that Americans, all Americans, understand that we have no better friend, no better neighbour, no better partner in the world, than Canada.

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, those words were uttered before this humiliating incident and it is Saddam Hussein's official media outlet which is now using the words of the spokesperson of the Prime Minister and of the government to insult this country.

By allowing her words to stand, by not accepting her resignation and by not apologizing for these offensive remarks, the government and the Prime Minister have indicated that this constitutes tolerable conduct on the part of their spokesperson.

Will the government not now indicate that her words are not the view of the Government of Canada and that she ought to be held accountable for this insult against the head of our major ally?

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, it has already been said that those are not the views of the government. Secretary of State Colin Powell stated:

There will always be some who try to find negative parts of this relationship. I have been in professional, political and military life at a senior level for the last 20 years, going on 25 years, and I can attest to the fact that we have no better friend.

Oral Questions

[Translation]

KYOTO PROTOCOL

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister pledged in this House that Canada would ratify the Kyoto protocol by the end of the year. Oddly, the government's motion, on which the House will vote, does not make any mention of the end of 2002 as the cut-off date to ratify Kyoto.

Could the minister tell us why the government chose to present a motion that frees it from its own commitment?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, when a motion such as the one referred to by the hon. member is drafted, it can be short or it can be longer. We opted for a short one. Having said that, I can assure the hon. member that ratification will take place by the end of the year.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I was a negotiator for a long time. When people would tell me "This is implicit, we will do it, do not worry", but refused to put it in writing, I knew that something was wrong and that the other side was about to renege on its commitments, that it was trying to find a way out. Adding the mention "in 2002" would not make the motion much longer. It is not about having a short or a long motion.

Again, if it is not for the purpose of backing away from its promises, why does the government refuse to specify "in 2002"?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, unfortunately, the mention "in 2002" is not included in the motion. However, again, I can assure the hon. member that we will ratify the Kyoto protocol by the end of the year.

I would also like to take this opportunity to congratulate him on the fine interview that he did with Shelagh Rogers on his father. It was very moving.

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, regardless of what the Minister of the Environment says, his implementation plan presented last week rejects 1990 as the reference year in favour of 2010, which comes down to giving polluters permission to continue to pollute for the next eight years.

Is the minister willing to admit that dropping 1990 as the reference year, despite his claims to the contrary, is tantamount to not acknowledging the past efforts of certain industrial sectors?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I answered this last week. I indicated clearly that, if an industry or a company has taken steps to reduce greenhouse gas emissions prior to 2010, this will be taken into consideration. The position of such a company would be protected against any economic difficulties caused by its having taken steps before the deadline.

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, we know that most government assistance has gone to the petroleum sector. The choice of 2010 as the reference year confirms that the minister is prepared to give polluters another eight years in which to continue to pollute.

Is the minister prepared to do the same for the development of renewable energies and give them an equal share of the subsidy pie?

● (1425)

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, in his budget, the hon. Minister of Finance has included measures to assist the renewable energy sector. If this is insufficient, I trust that the hon. member will raise the point during the debate on the ratification of the Kyoto protocol, and indicate the policy he wants. This is a good opportunity for a good debate on renewable energy, as well as on our credits for other forms of energy.

[English]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, earlier today the parliamentary secretary to the government House Leader pointed out that parliament cannot ratify the Kyoto accord and that only the government can do so.

It appears even he recognized that the Prime Minister's commitments in Johannesburg to have the Canadian parliament vote on ratification and statements in the Speech from the Throne to bring a resolution before the House this year are meaningless. Perhaps he could explain that to the Prime Minister.

Now that his government understands that, will the Deputy Prime Minister tell us today in the House on what specific date his government will ratify the Kyoto accord?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, let me repeat for the third time in the last 10 minutes, before the end of this year. Is that understandable to the hon. member, or should I go slower?

There are many things that we bring to the House for advice and consultation which are not within the purview of parliament to make a final decision. They are within the purview of the executive.

We frequently however, at the request of the opposition and of other members of the House on the government side, bring items to the House so a full debate can take place. That I think is desirable.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is not a question of understanding; it is a question of believing in the government.

The auto industry continues to lose jobs and the future critical investment in this country is at risk. Labour, industry and 20-plus Ontario cities have repeatedly asked the industry minister to do something.

Will the minister come out of his slumber and finally work on a strategy to make Canada a leader in the development of environmentally sustainable technology for the auto industry? This will ensure we meet our Kyoto targets and defend our vital auto industry.

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, for the first time in our history the government has brought together all the interests to the same table: auto manufacturers, parts suppliers, labour unions, different levels of government, and auto dealers.

Oral Questions

We are working together to develop a strategy to ensure that investment in the auto sector in Canada continues to grow. We are looking 10 years out to ensure that we continue to get our share of global investment. We continue to produce quality automobiles for the world.

* * *

CANADA-U.S. RELATIONS

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, my question is for the acting Prime Minister. The comments of the Prime Minister's official spokesperson about the President of the United States threw Canada off our agenda at the Prague Summit and Paris. Now they are being used by the Iraq dictator in his war of words with Washington.

The Prime Minister's director of communications has done the honourable thing and submitted her resignation. When will the Prime Minister do the honourable thing and accept it?

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, it is time that we turned our attention to some of the accomplishments that took place in Prague, including ones with which Canada is directly identified, especially the addition of seven new members to the NATO alliance and the expression of united support by members of NATO for UN Security Council resolution 1441.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, let us be serious about this. The problem is precisely that we cannot turn attention to the international priorities that are important to Canada because the only thing that gets reported is President Chirac protecting the Prime Minister against his own bad judgment and the dictator in Iraq using the Ducros controversy as a means to further deepen tensions between Iraq and the United States.

Why does the government not put Canada first and accept the resignation of a director of communications who has become—

The Speaker: The hon. Deputy Prime Minister.

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, I do believe that it is time for the hon. member to move on and to begin to discuss some of the issues that were important as a result of the Prague Summit, including the expansion of NATO and the strong resolution on the issues in Iraq.

The individual in question indicated that indeed if the statement were made, it was one for which she apologized. I think that should be the end of the matter for now.

* * *

● (1430)

HEALTH

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, Justice Horace Krever studied the whole issue of tainted blood and on compensation he said:

Compensating some needy sufferers and not others cannot, in my opinion, be justified

Top federal bureaucrats have now been charged with criminal negligence for the 1980-90 events. Why did HIV sufferers of tainted blood receive compensation when 6,000 sufferers of hepatitis C from exactly the same federal bureaucratic mistake receive nothing?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as I have said before in the House the government did respond to the recommendations of Mr. Justice Krever. That is why the government put \$1.4 billion toward compensating and assisting those infected with hepatitis C.

As I have already indicated in the House there was a settlement reached among those victims who suffer from hepatitis C for the period 1986-90. That settlement, which was court managed, constitutes some \$885 million and we have an additional \$525 million to assist—

The Speaker: The hon. member for MacLeod.

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, the tainted blood tragedy is Canada's worst public health disaster and the minister can be very precise with her words if she will.

I will ask her to be precise as I ask a precise question. The federal government compensated every single victim of HIV from tainted blood. Some 6,000 victims of hepatitis C received no compensation. Why is that?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as I have indicated in the House before, for those pre-1986 and post-1990, the government has provided \$525 million to assist in the care of those people.

I find it incredible that the opposition would suggest that the government has not dealt in a compassionate fashion with those who tragically suffer from hepatitis C, pre-1986 and post-1990.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, the figures on health care funding in Quebec are very clear. The federal government has cut its share of health care funding from 22% in 1994-95 to 14% in 2000-01. This is a drastic cut in an area where it will be felt the most.

How does the federal government plan on explaining to the people of the Saguenay—Lac-Saint-Jean that government cuts have cost them more than \$28 million for health care alone? Can the government explain this to the people of Saguenay, Roberval, Dolbeau and Alma?

[*English*]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as I am sure the hon. member is aware, we are all committed to working in partnership and together to renew our health care system. In fact, this collaboration has been a continuum, an ongoing partnership. That is why in September 2000 our Prime Minister and first ministers entered into an accord in which we agreed to put in an additional \$21.1 billion of cash so that provinces could in fact renew and continue the process of revitalizing their health care systems.

I am sure that with Mr. Romanow's report this week we will see ongoing cooperation—

Oral Questions

The Speaker: The hon. member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans.

[Translation]

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, I remind the Minister of Health that we are still far from the funding levels that were in place before the Liberals took office. A quick calculation reveals that the region of Lanaudière was short close to \$32 million for health care in 2000-01 because of the cuts the federal government has made since it came to power.

Does the federal government not understand that the only way to repair the mess it has made of health care is to at least restore funding to its 1994-95 levels?

• (1435)

[English]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, it is interesting to look at what the September 2000 accord provided in additional dollars, new dollars, for the province of Quebec: \$5 billion in CHST transfers, \$5 billion of new cash over the next five years; \$239.5 million for medical equipment in the province; and \$133 million under the primary health care transition fund.

In fact, we are all committed to renewing health care in this country and in fact the accord of September 2000 speaks to the commitment of the government.

* * *

CITIZENSHIP AND IMMIGRATION

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, if the killers of more than a dozen innocent people in the recent U.S. sniper tragedy had made it to the Canadian border, they may never have faced justice.

These Liberals have decided that convicted and accused murderers will be welcomed in at our border even as other claimants are turned back due to the new safe third country agreement.

Why does the Liberal government pretend it will help fight terrorism at the same time that it is writing regulations to give safe haven to terrorists and murderers?

[Translation]

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I find the way my hon. colleague has phrased her question rather unacceptable.

When we established the safe third country agreement, the main purpose was always to make the system consistent. However, given that the hon. member is herself a lawyer, she will understand that the rule of law must be respected. And we fully respect the Supreme Court ruling in this regard. However, there is no question of welcoming murderers. We are fully committed to protecting Canadian citizens in this country.

[English]

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, it seems that the government does not want the U.S. rule of law to be respected. The U.S. snipers would be guaranteed Canada's protection under the new Liberal safe third

country agreement regulations. Canada would fight to make sure they did not have to face U.S. justice for their murderous acts.

The new regulations set up a Liberal open door policy for migrant murderers and capital criminal fugitives and escapees. How does the government square this with its professed support for the war against terrorism?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, first, the safe third country agreement is one of the major tools that we are using to regulate, and we all know that security is a priority of this government. Not only are we respecting the rule of law of the Supreme Court, but there are also some cases like the Suresh case, where in some issues and some matters, we can, for the sake of the protection of our own security, use those proper tools.

I think that not only are Canadians willing for us to regulate the system, we have that balanced approach between openness and vigilance and we are doing our job.

* * *

[Translation]

NATIONAL DEFENCE

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, at the NATO Summit, the Prime Minister announced an increase in military spending in the next budget. Such an announcement is at the very least surprising, given that the defence policy review is not yet complete, the government has yet to set its priorities and there has been no real public debate on the issue.

Does the Prime Minister not think that before he goes announcing that the defence budget will be increased to please his American neighbours, he should at least have the decency to wait until the ongoing review is complete and to launch a public debate on the mandate and role of the Canadian armed forces?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, it would seem that two people took a stand on the defence budget recently. The Prime Minister took a stand in favour, and the hon. member against. Given that choice, I can only be pleased.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, it is true that there are opposing voices, and the Bloc Québécois is one. Some question the financial requirements of the armed forces, and others want their mandate defined before any changes are made in favour of the military in the budget.

Is the Prime Minister not adding to the confusion by announcing in advance that the budget of the Canadian armed forces needs to be increased?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, there is no confusion on this side of the House. As we have said on several occasions, there is a lot of tension in the Canadian Forces because of the need to do on an ongoing basis what they are already doing.

Oral Questions

This is the objective I have been talking about for months, and that is what the Prime Minister referred to.

• (1440)

[English]

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, the defence minister says that he is making the case to cabinet for an increase in funding for the Canadian Forces. However, the finance minister says that in order to increase funding he needs to know exactly where the money is needed, where it is going to go and what its strategic purpose is. Now the opposition has learned from sources inside the Department of National Defence that the minister has halted work on the defence review.

How does the defence minister expect to make the case for more funding to the finance minister when he has halted the process which would provide the information that the finance minister needs?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, I must confess to being a little bit perplexed. The government in the throne speech announced that at some point in the future there might be a review of foreign and defence policy. That has not yet been announced, so it is very difficult to halt work on a defence review when that review has not yet been officially announced.

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, the minister knows that in fact that process has been announced and now it has been stopped by the minister.

By not providing investment where it is needed, the government has reduced the benefit of the money that has been allocated to defence. For example, because the government does not invest in new ships or in helicopters, the effectiveness of each billion dollar frigate is a fraction of what it should be.

Could the minister explain to Canadian taxpayers why the government simply refuses to make investments that would multiply the effectiveness of the funding that it spends now on national defence?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, I have answered the helicopter question several times and it remains the top priority, but let me inform the House about one of the other benefits of the NATO meeting with respect to a second strategic need that we have, which is strategic airlift, getting our forces from point A to point B, whether within Canada or overseas. While in Prague I signed an agreement with our allies so that together the smaller countries of the alliance, including Canada, can work together to achieve strategic airlift in a highly cost effective manner.

* * *

GASOLINE PRICES

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, the people of Peterborough are bewildered by the rises in gas prices. When crude oil prices rise, the price of gas in Peterborough goes up. Then, when crude oil prices drop, the price of gas in Peterborough goes up again.

I would like to ask the Minister of Industry if can explain this mystery to us. Is there anything he can do about it?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the member has been very effective in bringing forward and expressing the frustration of consumers, frustration which I share about the disequilibrium sometimes between the price of crude oil and the price at the pumps.

The Government of Canada does not have the constitutional power to regulate the prices at the pumps. What we can do if there is ever evidence of collusion among the companies to fix prices then of course the Competition Bureau can become engaged. The Competition Bureau is always alert to what is going on in the marketplace to make sure the laws are respected.

* * *

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, scientific studies reveal that irradiating meat creates new chemicals that are linked to genetic and cellular damage. Despite this concerns Health Canada today signalled that it is bowing to pressure from the meat processing industry and plowing ahead with food irradiation.

Once again the government is putting the interests of business, food processors and slaughterhouse owners ahead of the health interests of Canadians.

My question is for the health minister. Will she withdraw her approval of irradiation until such time as the do no harm principle has been fully satisfied?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, the short answer to that is no, yet again. The hon. member has a very unfortunate habit of scaremongering on a wide range of issues of interest to Canadians around their health and security.

While I do not doubt her sincerity in terms of raising these issues, I think it is most unfortunate that she raises these important issues to Canadians in the form she does.

In fact, we have made a proposal to amend the food and drug regulations. The proposal has been prepublished in the *Canada Gazette*, Part I, for the very purpose of ensuring widespread—

• (1445)

The Speaker: The hon. member for Acadie—Bathurst.

* * *

[Translation]

AIRLINE INDUSTRY

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, last week, we learned that, as of January 5, Air Canada Jazz will reduce the number of its flights to the Bathurst airport. The reasons for this are Nav Canada, the harmonized tax, the security tax and the price of oil. There are more taxes in the airline industry than on alcohol and tobacco products. Bathurst is the only airport left in northern New Brunswick.

What does the Minister of Transport intend to do to save airports in rural communities?

Oral Questions

[English]

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, there is no doubt that the air industry has paid for all of the improvements in the various services over the last number of years, and of course air travellers are being expected to pay for the security charges. That is under review by the Minister of Finance.

There are some justifications to the arguments made by the airline industry. Such things as the charge and the rents at airports and other issues are under review, but the fact of the matter is that when one carrier leaves a particular market, such as in New Brunswick, usually another carrier comes in with a similar service.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, the Minister of Human Resources Development has spent five years and thousands of dollars trying to recover an overpayment of \$1,368 from Mrs. Beryl Tucker, a St. John's widow with an annual income of \$11,000.

The minister is appealing a Federal Court ruling and a review tribunal ruling that said the overpayment should be forgiven because Mrs. Tucker had received bad advice from the minister's officials and "relied on the erroneous advice to her detriment".

Will the minister stop harassing this woman for the paltry sum of \$1,368, a widow whose only crime was to follow the advice of the minister's officials?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member and the House will understand that I cannot comment on the details of a particular case that is before the courts, but there are two points that I would make. First and foremost, there is a full appeal process associated with government programs such as the old age security system. Second, Canadians expect the Government of Canada to ensure the integrity of those programs. As such, we take actions to ensure that is the case.

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PRIVACY COMMISSIONER

Mr. Rex Barnes (Gander—Grand Falls, PC): Mr. Speaker, the privacy commissioner is once again sounding the alarm, stating this government has lost its moral compass with regard to the fundamental human right of privacy".

Personal information regarding the travelling public will be made available to departments whenever the government deems it appropriate. There are no limitations, no safeguards and no protection for a fundamental charter right.

Could the Minister of Transport advise us as to exactly what measures will be taken to ensure that the information gathered is used only for security and anti-terrorism purposes, or is he telling Canadians to trust him on this matter?

Hon. Elinor Caplan (Minister of National Revenue, Lib.): Mr. Speaker, the premise of the member's question is quite wrong. Section 107 of the Customs Act states very clearly the authority for

advanced passenger information and passenger name recognition systems, as for commercial and tax information as well.

The CCRA has a long history of integrity in the protection of personal information. We have worked very hard to achieve the balance between civil liberties and protection of the public interest to include both terrorist activities, criminality, health and safety, and we believe this program is consistent with the charter.

* * *

FISHERIES

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, for the last nine years the government has been in charge of what was supposed to be a cod rebuilding program on the east coast. Now we find the cod are not coming back. The bureaucrats say that they do not know why or they give some self-serving environmental excuse.

Given the complete failure of the Liberal government's rebuilding of cod stocks over the last nine years, why should Atlantic fishermen have any hope that this minister will do any better now?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the Department of Fisheries and Oceans works in close cooperation with the industry through our science branch and through the Fisheries Resource Conservation Council to estimate the cod stocks, follow their progress and take such measures as to make sure we protect them.

We will do that in this case, the two Gulf stocks and the northern cod, and we will report to the House later.

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, let us talk about another failure, on the other coast. The number of pink salmon spawners in the Broughton Archipelago collapsed this year, declining by almost 100% in some inlets. This morning the Pacific Fisheries Resource Conservation Council advised that the decline was unlikely to have been caused by chance alone. In fact sea lice were the problem, sea lice associated with salmon farming.

Will the minister regulate the salmon farming industry or will he just sit around and wait until the Pacific salmon goes the way of the east coast cod?

● (1450)

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I can advise that I am quite concerned about the variations in stock size of the pink salmon. I met with the Premier of British Columbia this morning. We talked about joint cooperation in ensuring we had an efficient, economically and environmentally sustainable fishery.

I have yet to see the report from Mr. Fraser. I will have the report soon and I will have it reviewed by departmental staff. We will see the recommendations he has made and take appropriate action.

*Oral Questions**[Translation]***GOVERNMENT CONTRACTS**

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, after eliminating go-betweens earlier this year, the Minister of Public Works recently said that a decision would be made by the end of the year about maintaining or abandoning the sponsorship program.

Can the Minister of Public Works guarantee that the organizations that benefited from the sponsorship program in the past will not be the first victims of the corruption problems that plague this government?

[English]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, we have always made it very clear that the community organizations, the local people who put together the events on the cultural sporting or recreational fields, are not the problem in this file and we work very hard to ensure that their interests are protected. That has been the case in the past, and I assure the hon. member that we will have their interests very much in mind in the future.

[Translation]

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, I am taking good note of what the minister just said.

Rather than using the mismanagement of the sponsorship program as a pretext to kill it, why does the minister not take this opportunity to turn the sponsorship program into a true support program for sport and cultural organizations?

[English]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I think the hon. gentleman is confusing two different purposes. The Government of Canada, through the Department of Canadian Heritage and through a variety of other departments, including regional agencies, provides a broad range of programs to support local groups and organizations across the country in their various specific purposes.

The sponsorship program had a broader purpose. In addition to supporting community events, it also sought to improve the presence of the Government of Canada in every corner of the country and thereupon to build upon Canadian cohesion and a sense of belonging for all Canadians.

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AGE OF CONSENT

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, the government refuses to raise the age of sexual consent from 14 to 16 years. The Minister of Justice says that he cannot reach an agreement with the provinces but we know that Ontario, Alberta and British Columbia support the change.

Last week the minister refused to say which groups in the community would not support this change. Will he at least tell us which provinces do not support it?

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as the minister has said in the House, we have looked at many options for sexual exploitation issues with respect to children and other vulnerable groups. In that process we have tried to consult with the provinces and come up with ways which would be effective. We believe we have found an effective way and will be introducing it very shortly in the House.

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, in Canada 14-year-olds cannot legally drive, they cannot vote, they cannot legally buy cigarettes or alcohol and they cannot attend restricted movies. Yet in Canada 14-year-olds are routinely sexually exploited and it is all legal as long as they consent. Will the minister please explain why this is?

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we are taking a very broad view of this matter. In that process, when we look at the entire area, we start to find out that there are matters that need to be given special attention. We believe it is the predators that need to be given the special attention and we will deal with those predators.

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FOREIGN AFFAIRS

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, my question is for the Secretary of State for Central and Eastern Europe and Middle East, and the Caucasus. Recently the secretary of state visited Azerbaijan, Georgia and Armenia to meet with government officials and business dealers to broaden Canada's contacts in the rapidly developing Caucasus region.

Will the secretary of state share with us his views on this very important visit and the outcome he achieved?

● (1455)

Hon. Gar Knutson (Secretary of State (Central and Eastern Europe and Middle East), Lib.): Mr. Speaker, I would like to thank my colleague for his question and commend him for his interest in this region.

My visit to Azerbaijan, Armenia and Georgia was clearly a success. I was well received and met with all three presidents. This is a critical time for the region as all three countries face challenges ranging from systematic corruption, conflicts and poverty.

Notwithstanding these challenges, there are many positive signs in these countries as they move through transition from being former soviet republics to democratic countries enjoying the benefits of a free market economy.

I believe that Canada and our business community have a large role to play in providing assistance to these countries.

*Oral Questions***SOFTWOOD LUMBER**

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, Canadian stakeholders require federal support to continue to pursue the expensive and time consuming legal challenges for softwood lumber trade with the U.S. at NAFTA and WTO. Some stakeholders are losing confidence and calling for a self-imposed border tax to replace tariffs. Some unemployed forest workers and lumber producers require federal backing to remain committed to the lengthy legal process.

Why is the government failing to provide this support?

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, I want to thank the hon. member for his interest in this area and his good work on the forest problem we have with the U.S.

First, we have taken a number of steps. We have invested in research and development, as well as looked for new markets. The total package is more than \$340 million. We have also said that this is the window of opportunity to get an agreement with the Americans. If we do not do it in the next four or five months, we have an opportunity to do more and we will if it is necessary.

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, the Minister of Natural Resources is not only unable to retain his constituency executive, he also failed to deliver an effective softwood lumber package. The trade minister spends more time jet-setting around the world than he spends on critical Canada-U.S. trade relations.

Liberal ministers are so busy fighting each other that they are not fighting for the Canadian softwood industry. As a result, Canada is in jeopardy of folding a winning hand at NAFTA and WTO. When will the minister—

The Speaker: The hon. Minister of Natural Resources.

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, I am glad the hon. member raised my trip to India. I would add that we were able to support and promote our forest products. I was able to visit a major sport centre that used Canadian wood. A company that was with us signed a one-half million dollar contract to sell wood from Canada. We are working for Canadians to sell forest products around the world.

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[*Translation*]

PHONE SERVICE

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, in 2002, while the federal government is proposing initiatives to connect certain regions to the Internet, hundreds of people still do not have basic phone service. This is the case with the residents of Saint-Michel-des-Saints in Berthier—Montcalm. Yet back in 1999 the CRTC announced its intention to provide better service to areas where costs were high.

What explanation can the Minister of Industry give for the fact that, three years later, the CRTC is still busy negotiating “service improvement plans”, and what does he plan to do—

The Speaker: The hon. Minister of Industry.

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the hon. member has referred to a commission that is independent of the

government. The government's responsibility is to create the economic conditions to attract investment, in order to make services available to consumers throughout Canada. We have done precisely that.

* * *

[*English*]

NATIONAL SECURITY

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, the U.S. Congress has passed the new homeland security bill to improve domestic security. The U.S. is moving ahead but in Canada the government keeps our navy and coast guard in port to save fuel. Our air force can only fly minimal hours for the same reason.

The government provides no funds to increase port security. Its biggest security initiative has been a new tax to discourage Canadians from flying. When will the government come up with a real security plan instead of one that just increases our taxes?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, this is a multi-faceted question. It is a good question and we have a good answer for it.

I might draw the member's attention to the fact that the Deputy Prime Minister is chair of the security committee of cabinet, which has been putting in place all our border security, airline security and all those responses to the attacks on the World Trade Center, long before the U.S. Congress passed its legislation to create the homeland security department.

This government has a good record in defending its borders, a good record in defending its airports and a good record in defending its ports.

* * *

● (1500)

[*Translation*]

AIRLINE INDUSTRY

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, today the Air Transport Association of Canada denounced special charges and taxes. These extra costs are reducing travel demand and undermining Canadian competitiveness. In 2001-02 alone, Ottawa took \$308 million out of the airline industry and only reinvested \$77 million in the industry, the rest having disappeared into the government's general revenues.

Will the Minister of Finance listen to the demands of the Air Transport Association of Canada and take immediate measures, including lowering the \$24 security charge, imposing a moratorium on the fuel excise tax and eliminating the GST on—

The Speaker: The hon. Deputy Prime Minister.

Privilege

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, I have already announced that we are reviewing the security charge. It must be noted that when the government took over the responsibility for airport security, it reduced airline costs by some \$70 million per year. We believe that users should be the ones to pay for airline services.

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[English]

CANADIAN WHEAT BOARD

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, the unfortunate comments by the Prime Minister's director of communications regarding the U.S. president will clearly not help trade relations between our two countries, but more on that later.

The Canadian Wheat Board is now enduring its 10th challenge in 12 years and like a punch-drunk boxer, we just absorb the pounding. Even if we win, the latest challenge will cost \$10 million in legal costs and Canadian farmers will have to pony that up.

Would the minister responsible for the board tell us when this country will start pounding back?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, this hon. gentleman would certainly know everything about eavesdropping, given his record and reputation.

However let me say this about the Canadian Wheat Board. The government has stood by the Canadian Wheat Board in all the previous challenges. The United States, through a whole variety of U.S. official organizations, has raised these allegations not once, not twice, not three times, but nine previous times. The Canadian side has successfully defended every one of those challenges. The score now is nine to nothing in favour of Canada, and we will fight the fight again.

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PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of a number of distinguished scholars.

The recipient of the Gerhard Herzberg Canada Gold Medal for Science and Engineering, Dr. Tito Scaiano, is also one of the three winners of the Natural Sciences and Engineering Research Council Award of Excellence.

We also have with us the other two recipients of the NSERC Award of Excellence: Dr. Barrie J. Frost and Dr. Brian K. Hall.

These eminent recipients are accompanied by the 2002 winners of the NSERC Steacie Fellowships, the Howard Alper Postdoctoral Prize and the Doctoral Prizes.

I invite hon. members to join them at a reception in Room 216-N at about 3:30 p.m. later this day.

Some hon. members: Hear, hear.

●(1505)

The Speaker: Order, please. The other day the Chair heard a question of privilege raised by the hon. member for Acadie—Bathurst. The hon. member for Nickel Belt will make submissions now, I understand, on the same point. The hon. member for Nickel Belt.

* * *

PRIVILEGE

STANDING COMMITTEE ON ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND NATURAL RESOURCES

Mr. Raymond Bonin (Nickel Belt, Lib.): Mr. Speaker, I stand in response to a point of privilege that was raised in the House on November 21 by the members of the New Democratic Party, the Bloc Québécois and the Progressive Conservative Party. I will scan through my notes because I will be providing you with documents supporting what I am about to present to the House.

The first document is a notice of the original notice of the meeting which was provided to the members at 11:45 on November 15. It clearly indicates that the meeting would be 11:00 to 12:30, a public hearing; 12:30 to 1:00 a clause by clause. This was decided by the members of the committee at a previous meeting by a vote.

The next document, the Speaker will notice that the notice of motion, in addition to being short of 48 hours notice, does not make reference to it being disposed of before doing clause by clause.

Further, the decision to do clause by clause at 1 p.m. that day was a decision of the committee. It was decided by a vote of members of the committee.

Mr. Speaker, you will then see an amendment to the notice of meeting to accommodate the notice of motion of the member for Windsor—St. Clair. You will that the notice of motion was received by the clerk at 4:21 p.m. on November 19. Forty-eight hours would have brought us up to 4:21 p.m. on November 21, 2 hours after the planned meeting to do clause by clause.

As a courtesy, we dealt with the notice of motion at 11 a.m., 5 hours short of the 48 hours, to accommodate the mover.

The Speaker will see the amendment to the agenda where it has been indicated that Greenpeace declined to appear and it was the choice again of the member for Windsor—St. Clair. The member asked that Greenpeace be replaced by the Sierra Club of Canada and again as a courtesy to that member I agreed.

In dealing with the notice of motion from the member for Windsor—St. Clair, the Speaker will note that the hour of 11:30 was quickly approaching and that the blues will reveal that the chair did bring this to the attention of the members, who chose not to allow others to speak on it.

There was a motion by a member of the committee to call the question. The chair did put the question to the committee, and I quote the blues:

I am asking the floor to vote. If you want me to call the question at this time or not.

Routine Proceedings

The record reveals that seven members voted yes to call the question and one member voted no.

Mr. Speaker, you will further note that the members who brought this point of privilege to your attention were: the member for Acadie—Bathurst, who was nowhere near Room 237-C at the time of the meeting; the member for Saint-Hyacinthe—Bagot, who attends the aboriginal affairs and northern development issues; and his colleague, the member for Sherbrooke, who deals with natural resources issues, and who voted to call the question. The member for South Shore, who is one of 87 associate members, as is the member for Windsor—St.Clair, voted in favour of calling the question.

I feel that this filibuster has more to do with the leadership race of the fourth party than with the good work of the committee.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I would like to go on record concerning what my colleague said in the House of Commons about me not being at the committee.

The member is right, I was not on the committee, which is what I said when I raised my point of privilege. It was that he was debating a motion when the question was put. Normally, when we are in committee and we put a motion we have a fair amount of time to argue our motion. I do not feel it is very democratic to put a motion and not be able to debate it.

As my colleague said a few minutes ago, the motion was moved that the question be put. As the whip of the party I do not believe that was the right way to do it. What he said about this being raised because of the leadership race, I feel is a cheap shot. Does that mean that anyone entering into a leadership race cannot bring to the committee a point that he feels needs to be mentioned for the good running of Parliament?

For those reasons I do not agree with the way he has addressed this issue. However, Mr. Speaker, I will wait for your decision.

• (1510)

The Speaker: The Chair wants again to thank hon. members for their interventions on this point of order.

I have indicated that I have the matter under advisement. It will remain under advisement until I come back to the House when I hope I can humour the hon. member for Acadie—Bathurst, as well as the hon. member for Nickel Belt, with a ruling.

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Geoff Regan (Parliamentary Secretary to the 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 responses to 18 petitions.

CRIMINAL CODE

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance) moved for leave to introduce Bill C-318, an act to amend the Criminal Code and the Young Offenders Act (capital punishment).

He said: Mr. Speaker, over the weekend we learned of yet another home invasion in the Ottawa area where two prominent members of this community were brutally murdered. It followed similar home invasion murders in Maple Ridge, B.C. and another in Toronto, all over a period of a little more than a week.

Since first being elected nine years ago, I have introduced a bill repeatedly that would amend the Criminal Code to impose capital punishment on those found guilty of this type of violent, cold-blooded, first degree murder.

As well, my bill would prohibit convicts of second degree murder from applying for sentence reductions.

The Young Offenders Act would also be amended to lengthen the sentences for people under the age of 18 who have committed first or second degree murder.

In light of these senseless murders, the Liberal government must realize that the time for providing strong deterrents and appropriate punishment is now.

(Motions deemed adopted, bill read the first time and printed)

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PETITIONS

GUN REGISTRY

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, I am happy to rise in order to present a petition on behalf of several hundred members of my constituency and residents of Calgary calling on the government to withdraw the long-arm firearm registry, commonly known as Bill C-68, and to replace it with more severe penalties for the criminal use of firearms.

[*Translation*]

HUMAN RIGHTS

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ): Mr. Speaker, it is my pleasure to lay upon the table a petition from Amnesty International supporters who held a convention in my riding on November 9.

The petition states, and I will read a short paragraph:

We urge the House of Commons of Canada to give paramount importance to the protection of human rights and to the humanitarian concerns about for the life and safety of the Iraqi population. We do not want Canada to engage in a military operation unilaterally decided, contrary to United Nations resolutions, by a superpower, as is currently the case with the United States.

Routine Proceedings

[English]

STEM CELL RESEARCH

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, I have a petition from a number of my constituents in the St. John's area making the point that non-embryonic stem cells, which are also known as adult stem cells, have shown significant research progress without the immune rejection or ethical problems associated with embryonic stem cells.

The petitioners call upon Parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat the illnesses and diseases of suffering Canadians.

●(1515)

CHILD PORNOGRAPHY

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present one in a series of petitions from people of Peterborough concerned about the exploitation of children for pornographic purposes.

The petitioners point out that the creation and use of child pornography is condemned by the vast majority of Canadians but that the courts have not applied the current child pornography law in a way which makes it clear that such exploitation of children will always be met with swift punishment.

They call upon Parliament to protect our children by taking all necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children be outlawed.

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, I have the pleasure of presenting petitions I have received from constituents.

I have 10 separate petitions totalling approximately 1,026 signatures which call on Parliament to outlaw all material that promotes pedophilia and child pornography.

STEM CELL RESEARCH

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, I have two separate petitions, totalling approximately 280 signatures, calling on Parliament to prohibit human cloning and that embryonic humans beings not be destroyed to harvest stem cells.

I also have four separate petitions, totalling approximately 189 signatures, calling on Parliament to use adult stem cell research to find cures for illness and disease.

GOVERNMENT CONTRACTS

Mr. Dale Johnston (Wetaskiwin, Canadian Alliance): Mr. Speaker, I have three petitions to present today.

In the first one the petitioners call upon the government to have a public inquiry to look into the relationship between the Liberal Party of Canada and some advertising agency with which it has had millions of dollars worth of dealings.

STEM CELL RESEARCH

Mr. Dale Johnston (Wetaskiwin, Canadian Alliance): Mr. Speaker, in the second petition the petitioners call upon the House to

look into stem cell research for the treatment of Parkinson's, Alzheimer's, diabetes, cancer, muscular dystrophy and spinal cord injury. The petitioners urge Parliament to support adult stem cell research to find cures and therapies necessary to treat those illnesses.

CHILD PORNOGRAPHY

Mr. Dale Johnston (Wetaskiwin, Canadian Alliance): Mr. Speaker, there are several hundred names on this child pornography petition. It calls upon the government to protect our children by taking all necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

COAST GUARD

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, I have three petitions to present today.

The first one deals with the Coast Guard. The petitioners note that the government is no longer providing adequate funding for the Coast Guard. They suggest that the public is at risk, both at the Vancouver airport through the lack of a hovercraft, and in ongoing search and rescue operations.

The petitioners request that Parliament advise the government to separate the Coast Guard from the Department of Fisheries and Oceans and to provide adequate funding.

CHILD PORNOGRAPHY

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, the second petition deals with child pornography. The constituents who signed this petition are appalled at the interpretations being given to current child pornography law. They call on Parliament to take all necessary steps to ensure that pedophilia and sado-masochistic activities involving children are outlawed.

FISHERIES AND OCEANS

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, the third petition has to do with the Department of Fisheries and Oceans. The petitioners note that the fisheries minister has a constitutional obligation to protect wild fish in their habitat. They call on Parliament to direct the minister to fulfill his obligation to protect all wild fish in their habitat from the effects of salmon farming.

CHILD PORNOGRAPHY

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, I too have a petition from my constituents that deals with child pornography.

It seems that the last time the government responded, it was to 119 similar petitions. Many petitions of this type have been presented to the House. It is a well-organized legitimate movement. We can see that from coast to coast our constituents, the citizens of this country, have a serious concern when it comes to child pornography.

Routine Proceedings

The petition obviously speaks to a changing of the laws in a way which makes it clear that such exploitation of children will always be met with swift punishment. I am happy to present this petition on behalf of my constituents.

• (1520)

MARRIAGE

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have two petitions to present.

The first petition concerns the definition of marriage. The petitioners, including constituents from my riding of Mississauga South, believe that fundamental matters of social policy should be decided by Parliament and not by the judiciary. They point out that the majority of Canadians support the current legal definition of marriage being the union of one man and one woman to the exclusion of all others.

Therefore the petitioners call upon Parliament to invoke section 33, the notwithstanding clause, if necessary, to preserve and protect the current definition of marriage.

STEM CELL RESEARCH

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the next petition is on stem cell research. The petitioners, including people from my own riding of Mississauga South, believe as I do that life begins at conception. They want to advise Parliament that they support ethical stem cell research. They also want to point out that non-embryonic stem cells, also known as adult stem cells, have shown significant research progress without the immune rejection or ethical problems of embryonic stem cells.

The petitioners therefore call upon Parliament to pursue legislative support for adult stem cell research to find the cures and therapies necessary for Canadians.

CHILD PORNOGRAPHY

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, pursuant to Standing Order 36 I would like to table a petition containing a further 92 signatures from constituents in my riding of Prince George—Peace River.

The petitioners feel that since a clear majority of Canadians are opposed to child pornography, they call upon the government to introduce legislation that outlaws all forms of pornography involving children in Canada. Artistic merit should not be an excuse for child exploitation and abuse.

I would add further that it is high time the government started listening and paying attention to these petitions that have been tabled by almost all members, if not all members in this place.

STEM CELL RESEARCH

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, this petition has a couple of hundred names in total. The petitioners draw attention to the fact that adult stem cell research holds enormous potential and does not pose the serious ethical questions that stem cell research using embryos and aborted fetal tissue does. The petitioners request that the Parliament of Canada ban embryonic research and direct the Canadian Institutes of

Health Research to support and fund only promising ethical research that does not involve the destruction of human life.

GOVERNMENT CONTRACTS

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): I have a second petition, Mr. Speaker. The petitioners are calling upon the Government of Canada to order an independent public inquiry which in their view is the only way of shedding light on the close links between the Liberal Party and some advertising agencies which have received hundreds of millions of dollars worth of contracts from the government in the past nine years.

CHILD PORNOGRAPHY

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, I have the honour to present a petition on behalf of some 150 residents of Calgary Centre and adjacent neighbourhoods. They call upon the government to take all necessary steps to outlaw material that promotes pedophilia or sado-masochistic activities involving children.

ABORTION

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, today I am presenting a petition from constituents in Jansen, Guernsey, Lanigan and Drake, Saskatchewan calling on Parliament to use common sense and not allocate tax dollars for abortions.

CHILD PORNOGRAPHY

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, pursuant to Standing Order 36, I have the pleasure to present a petition signed by residents of Surrey North who are concerned with child pornography.

The petitioners call upon Parliament to protect our children by taking all the necessary steps to ensure that all materials that promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

STEM CELL RESEARCH

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I have a petition from approximately 170 people from the St. John's, Mount Pearl and Conception Bay South areas calling upon Parliament to focus its legislative support for adult stem cell research to find the cures and therapies necessary to treat the illness and disease of suffering Canadians.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I suggest that all questions be allowed to stand.

[*English*]

The Speaker: Is that agreed?

Some hon. members: Agreed.

• (1525)

The Speaker: The hon. Leader of the Opposition on a point of order.

*Points of Order***POINTS OF ORDER**

KYOTO PROTOCOL RATIFICATION MOTION

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, this is, as I am sure members opposite will point out, my third point of order in regard to the government's motion on the Order Paper in which the House is being asked to call upon the government to ratify the Kyoto protocol.

However, unlike my two earlier points of order, one on which the Chair has reserved, my argument here is not that the motion is not properly on the Order Paper and should not be received by the Chair, but rather that even if it is properly on the Order Paper, it cannot be brought on for debate at this time.

Mr. Speaker, I know you have reserved on a previous matter, but this matter comes down to whether we can proceed at all today.

The issue on this point of order is that the government has failed to follow critical customary practices of the House. In particular, it has failed to ensure that accompanying any motion asking that the House call upon the government to ratify a treaty, that the treaty be properly laid before the House.

Professor Peter Hogg, one of the leading constitutional scholars in Canada, when speaking about the practice of government seeking parliamentary approval for ratification of a treaty, states at pages 11-4 and 11-5 in the latest edition of his *Constitutional Law of Canada*:

The government will lay the treaty before Parliament and move a resolution in each House approving the treaty.

The motion before us is the government's attempt to move the necessary resolution, but the government has not actually laid the treaty before the House.

As you know, Mr. Speaker, whenever Canadian rules of parliamentary procedure are silent on a matter in terms of either our standing orders or Beauchesne's and others, it is open to you to look to the authority and practices of the British House of Commons. In that regard, I would refer to page 251 of Erskine May, 18th edition, which states:

When a treaty requires ratification, the government do not usually proceed with ratification until a period of 21 days has elapsed from the date on which the text of such a treaty was laid before Parliament.

In this case, the government has not laid the text of the Kyoto protocol before the House. Therefore, I would submit that even if the government has properly placed this motion on the Order Paper, it is not open to the House to proceed to consider it until the text of the treaty is laid before us and 21 days have expired after the government has done so.

Erskine May also talks about this 21 day rule not applying in a situation where there is a national emergency concerning the ratification of a treaty, but this obviously is not the case here, notwithstanding the Prime Minister's sudden post-August rush to get ratification.

Therefore, the motion cannot be taken up for debate at this time because the government has not followed the necessary steps in order for the House to consider it.

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, I would like to contribute to my leader's point of order with regard to the tabling of the Kyoto accord.

I would like to caution the government about observing procedural matters. It is our responsibility to ensure that procedural requirements are observed since the courts have the legal power to enquire into the procedural history of any matter that has been dealt with by Parliament. On page 186 of Joseph Maingot's second edition of *Parliamentary Privilege in Canada* it states:

It is said that "the courts might be effective in ensuring the observance of procedural requirements..."

When we knowingly cast doubt upon the legitimacy of our proceedings we place the entire institution under a cloud. As the House is aware, international co-operation was established under the 1992 United Nations framework convention on climate change and the Kyoto protocol of 1997, named after the city in Japan where the agreement was negotiated.

This all began in 1988 when the intergovernmental panel on climate change established internationally agreed upon assessments of the science of climate change, including causes, impacts and possible responses.

On September 2, 2002, the Prime Minister announced at the world summit on sustainable development that the Parliament of Canada would be asked to vote on the ratification of the Kyoto protocol before the end of the year. The Speech from the Throne on September 30, 2002, also referred to the introduction of a parliamentary resolution before the end of the year.

While the federal executive has the authority to sign or ratify any international treaty the authority to implement it must be found within domestic Canadian constitutional law.

All legislative power in Canada is divided between the federal and provincial governments. If the two levels of government agree to implement Kyoto or any other treaty, they can do so. However previous environmental treaties and agreements have generally been implemented through legitimate federal-provincial co-operation.

The government is faced with many obstacles with the Kyoto protocol: constitutional obstacles, procedural obstacles and political obstacles. We need to see the treaty before we can properly address the procedural and political obstacles. Political arguments and constitutional arguments will continue to be made in the weeks and months ahead. We need to settle the procedural requirements before proceeding with the motion to ratify the Kyoto protocol.

The procedural arguments made by the Leader of the Opposition are well taken. We must ensure that the House observe the procedural necessities involved with such a treaty.

In order to consider a treaty that must be ratified the federal government must have the domestic constitutional jurisdiction to either undertake the required actions or to pass the required legislation. The government must respect the convention that the treaty be tabled in the House so that members, as legislators, can completely consider the ratification, implementation and financial aspects of the treaty. The House is not prepared to sign a blank cheque.

Points of Order

It has been demonstrated that the motion to ratify the Kyoto protocol is out of order for at least two reasons: it violates a previous order of the House; and it violates the convention that requires the treaty to be tabled in the House. Our whip will rise later on a separate point of order.

• (1530)

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, I want to join the discussion briefly to support the position put forward by the Leader of the Opposition and the member for Red Deer.

There is no question that the practice is well established that treaties that are to be approved by this Parliament are presented to Parliament before approval is sought. There is a reason for that and it is well worth our considering the consequences of departing from that practice.

Will the real treaty come back to this House? We know that what is being discussed now is a concept; a notion ill-defined. No one knows its impact, but presumably if a protocol were to be signed with agreement of provinces and appropriate cost estimates, there would then be a requirement for the government to bring that back to the House.

Will it be the same treaty as we are dealing with now? If it is different, then we are being asked to agree today to what becomes a nullity. We are being asked to vote in favour of something that we know will change and disappear. That shows a profound disregard for the House of Commons. It is a waste of time of the Parliament of Canada and it creates false expectations among the people of the country.

The Leader of the Opposition has raised a point that is solid on two grounds. It is solid in procedural terms, a fact which is clear. The treaty has been made available before we have been asked to vote for it and it is solid on the grounds of simple common sense. We do not want to be dealing with a nullity, with something that will change and disappear. There is every reason to believe that whatever is on the mind of the Minister of the Environment, and no one knows, will change. The minister suggests that his simple speaking will inform us. We all know better than that. We have heard the minister speak before, but whatever is on his mind will undoubtedly be different from the ultimate protocol that is approved and signed by Canada.

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am sure my hon. friends will agree with the advice I received earlier today that I should rest my voice today. I am unable to do so, unfortunately, because we have so many procedural motions being brought forward. Members would not be that surprised, Mr. Speaker, if, as these went on and on, and we had more of these, that your patience for the length of the interventions might diminish.

However, in this particular instance the hon. leader of the Alliance has brought forward another attempt to derail the Kyoto debate. What he has talked about, referring to *Erskine May*, is in fact what in the British House is called the Ponsonby procedure. This procedure has been followed in the United Kingdom since the 1920s, but it has never been adopted in Canada. That is the point. He is trying to suggest that the procedure here is quite different from what it is. It is not the practice in the House to follow the Ponsonby procedure that

was adopted in Britain. If he had done his homework, he would have known this.

He has tried to ignore a few facts. In today's issue of the *Hill Times* there is an article on page 2 by Paco Francoli about this matter. He suggests that the Leader of the Opposition had left out some key facts in his argument. The article says:

To build his case, he invoked Maurice Copithorne, a law professor at the University of British Columbia...stating that governments "would normally only ratify a treaty after any enabling legislation has been passed." But in a telephone interview last Thursday, Mr. Copithorne, although admitting that the current practice is "to submit legislation where it's required before ratification", said the trend doesn't apply when it comes to environmental treaties which are phased in over a number of years, as is the case with Kyoto whose targets won't be met until 2012.

Does he mean to tell me that he has not read this article or that he is simply ignoring the facts that are readily available to him and ignoring the statements of the very authorities that he is quoting in these spurious points of order.

• (1535)

The Speaker: Once again the Leader of the Opposition has raised a point. I note on both sides the dearth of citations of Canadian practice in this regard. There is nothing in the authorities or in the Standing Orders of the House, and any of the Canadian authorities that I have been able to find in the few minutes that I have been looking at this, that indicates that there was any requirement, that before debating a motion of this kind, that the document be tabled.

Certainly, were the House adopting legislation to implement a treaty, there might be an argument that the treaty itself would have to be before the House or at least on the Table of the House. Normally legislation refers to the treaty and the committee considering that legislation would naturally have a look at the treaty. But in this case the motion before the House is not to implement anything. It calls upon the government to ratify the Kyoto protocol on climate change.

In other words, it does not itself ratify the protocol. It calls upon the government to do it, which of course is why we are having this argument. I am sure we will hear later in the debate as to how the government will get authority to do this, but the position of the government has been that it has the right to do it. It is seeking parliamentary approval and this is a motion, by the House, to call upon the government to ratify.

Accordingly, I do not know why the British practice would apply since we are not by this motion implementing this accord. The government could, even after the House called upon it to ratify, refuse to do so and I am not sure what the House could do about it having made the call. The call would be made and the government could do what it likes in any event under the Constitution and under the circumstances.

While I have some sympathy with the argument advanced by the hon. Leader of the Opposition, in the circumstances I do not think that Canadian practice supports his argument that such treaties must be deposited in the House for 21 days before the House can debate a motion calling on the government to ratify the treaty. Accordingly, I do not find the point of order well taken and propose to put the motion to the House.

*Points of Order***GOVERNMENT ORDERS***[English]***KYOTO PROTOCOL**

Hon. David Anderson (Minister of the Environment, Lib.) moved:

That this House call upon the government to ratify the Kyoto Protocol on climate change.

The Speaker: Before we proceed with debate, we have a point of order from the hon. member for Wetaskiwin.

* * *

POINTS OF ORDER

KYOTO PROTOCOL RATIFICATION

Mr. Dale Johnston (Wetaskiwin, Canadian Alliance): Mr. Speaker, my point of order is in regard to the rule of anticipation with respect to the government motion on the ratification of the Kyoto protocol.

I would like to make the point of an argument made by the government House leader three weeks ago regarding a supply day motion dealing with secret ballot elections of a committee. He was arguing the rule of anticipation. It is an argument that I believe applies to the government motion asking the House to ratify Kyoto. The difference is that my points relate to the rule of anticipation and the government House leader's point dealing with the supply motion on secret ballot election at committees did not.

The government leader argued that the secret ballot motion could not be considered by the House because of the rule of anticipation. In that case we were faced with two motions dealing with secret ballot elections. In that case none of the motions had been decided yet by the House.

In the case I present to today we have a clear decision from October 24, 2002.

The government House leader quoted Marleau and Montpetit from page 476 dealing with the rule of anticipation and he said, "a motion could not anticipate a matter which was standing on the Order Paper for further discussion". He failed to mention that at the top of page 476 it states that the rule of anticipation is no longer strictly observed with respect to two motions sitting on the order paper.

However the last paragraph on page 476 of Marleau and Montpetit states:

The rule of anticipation becomes operative only when one of two similar motions on the Order Paper is actually proceeded with. For example, two bills similar in substance will be allowed to stand on the Order Paper but only one may be moved and disposed of.

That is the difference between the government House leader's flawed argument of October 31 when he tried to derail a Canadian Alliance supply motion and the two motions dealing with Kyoto. I am referring to the supply motion from October 24 and the government motion currently on the order paper today.

The supply motion from October 24 dealing with Kyoto was moved and disposed of. The House decided that it would not ratify the Kyoto protocol until there was a plan Canadians understood and that set out the costs and the benefits. The House cannot be seized with a second motion until those two conditions have been met.

The government House leader presented a Speaker's ruling on October 31 by Speaker James Jerome from November 14, 1975. I thank him for that ruling because it substantiates the point of my argument today.

The ruling involved an opposition day motion that was similar in subject matter, only the subject matter not the same text, to a bill that had received second reading and had been referred to a committee.

As I said, the government House leader has helped demonstrate the difference between the circumstances of October 31 and today. On October 31 no decision was taken. Today's circumstances are in line with the ruling he cited from November 14, 1975. The Speaker ruled that since a bill had received second reading the supply motion was out of order.

Here we have an identical scenario but in reverse. Since the opposition motion dealing with Kyoto from October 24 was adopted, the government motion dealing with Kyoto cannot be moved. I would like to add that the motion adopted on October 24 was adopted unanimously.

The question of confidence is not an issue. The government's motion however has been designated a motion of confidence by the Prime Minister. This poses a problem for the House because the October 24 resolution reflects the true will of the House.

● (1540)

Members freely determined that until certain conditions were met the House would not ratify the Kyoto protocol. Notwithstanding the fact that the conditions from the October 24 resolution were not met, the government has given notice of a motion to ratify the Kyoto protocol and the Prime Minister has declared the motion a motion of confidence.

As you are no doubt aware, Mr. Speaker, the McGrath committee of 1985 studied the confidence convention and it was concluded that only explicit motions of confidence, or matters central to the government's platform, should be treated as confidence. All references to confidence were expunged from the standing orders to regulate the functioning of Parliament.

The government motion calling for the ratification of the Kyoto protocol is not worded as a motion of confidence. It is only considered confidence because of the designation the Prime Minister gave it. This designation is an admission by the Prime Minister that the conditions contained in the resolution of October 24 have not been met. If they were, he would let the House determine on its own whether the conditions have been met. The Prime Minister is using coercive tactics to try to usurp a previous decision of the House, a decision that was brought about freely.

Points of Order

He is threatening the Liberal Party with political suicide if he does not get his way. Going into an election under his leadership and the Kyoto protocol as an election issue would reduce the Liberal Party to a rump in the House of Commons. I am having a hard time deciding whether that is a good thing or a bad thing.

The government motion deals with the Kyoto protocol. Dealing with that protocol is out of order.

With respect to the point of order of the Leader of the Opposition and the word, "should", the *Oxford Dictionary*, ninth edition, defines the word as, "to express a duty". In other words, an obligation.

Mr. Speaker, I refer you to page 63 of the 22nd edition of Erskine May. It talks about the principles that govern the conduct of ministers of the crown in relationship to Parliament. It states, "ministers have a duty to Parliament".

I think it is very clear that the government has a duty to Parliament. The motion of October 24 provided a duty and it failed to comply by introducing a motion to ratify the Kyoto protocol before there was a plan that Canadians understood. I do not think one Canadian in a thousand understands the Kyoto protocol. It also has not set targets, benefits and costs.

The other consideration is the fact that the motion is concerned with the House and not the government. I would think that the House would have more respect for itself than the government would care to have. The enforcer of the rights of the House is the Speaker, therefore the Speaker will have to decide if he has a duty or obligation not to allow the motion to ratify the Kyoto agreement to be put to the House.

We are talking about a resolution adopted by the House, not a shady deal written on a napkin. Mr. Speaker, I leave it with you.

• (1545)

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I must say first that the patience you are showing with these ongoing points of order, put spuriously maybe, is truly admirable.

To begin with, I would suggest that this is really the same point of order that you dealt with earlier on the question of "should" and "ought", and the fact that the motion of October 24 has already been dealt with.

I want to quote from Marleau and Montpetit at page 476. It says:

While the rule of anticipation is part of the Standing Orders in the British House of Commons, it has never been seen so in the Canadian House of Commons. Furthermore, references to attempts made to apply this British rule to Canadian practice are not very conclusive.

My hon. friend has quoted from some other parts of the same section.

I think there is a key thing to this question, but I want to first say that the motion of October 24 has been disposed of by the House. Second, the substance of that motion was very different. The key substance of the motion really had to do with whether there ought to be an implementation plan. The motion in fact used the word, "should", that there should be an implementation plan.

My hon. friend has quoted very selectively from the *Oxford Dictionary*. Let me provide a little more illumination on the definition of the word, "should". It does not just say it is to express a duty. In defining the second definition of "should", it says, "to express a duty, obligation, or likelihood", and then it says equals "ought". In other words, it means ought. It does not mean that we have to do this or that we are compelled to do this. It means that we likely or ought to do this. As you said, Mr. Speaker, it is the *Oxford Dictionary*.

It seems to me that they are trying to find all kinds of reasons to delay and avoid this debate.

• (1550)

Mr. Bob Mills: It's just a matter of honesty.

Mr. Geoff Regan: They are saying that it is just a matter of honesty. If they were really being honest about this they would stop this nonsense, stop these shenanigans and let the debate go forward.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I want to quickly comment. I think we should get on with the debate. I think parliamentarians can add to at least the understanding and both sides can contribute to something about the whole public debate that is happening. The series of procedural tactics that have been happening here with people actually having to resort to dictionaries in terms of interpretations of specific words is what makes the public skeptical about the work that we are doing in the House.

I think of Mike Harris, for example, who read off all of the names of the lakes in Ontario to filibuster at one time. That just limits debate. I for one think we could probably add more to this public issue by participating with everyone else in the community. Going through the dictionary to interpret words is not helpful to Canadians.

The Speaker: Once again the hon. chief opposition whip has raised a point of order dealing with the admissibility of the government motion that is before the House respecting the ratification by the government of the Kyoto protocol. I appreciate the contribution made by the hon. government House leader, the hon. member for Windsor West, to the discussion.

I will ignore the arguments about the word "should", which I dealt with earlier today. I think that matter, as far as the Chair is concerned, is *res judicata* and I will not get back into that argument.

However I will deal with the argument concerning the rule of anticipation, which the hon. chief opposition whip raised, of course bearing in mind a recent ruling on this very subject by the Chair in respect of an argument brought by the government House leader in respect to the admissibility of an opposition day motion on October 31.

I think it is important to note that what the Chair said that day was of some significance.

Some hon. members: It always is.

The Speaker: I appreciate the hon. members' comments. However what I said on that occasion was:

The Chair is very reluctant to do this—

That was to rule this motion inadmissible. I went on to say:

—because in the Chair's view the opposition has the right to move whatever motion it chooses to on an opposition day. As has been pointed out in argument, to allow the government to argue this would mean that any time there was an awkward opposition motion that the government chose not to want to debate, it could bring in a committee report, then move concurrence and thereby preclude the debate from taking place.

It seems to me that what is sauce for the goose is sauce for the gander, as they say. Were the Chair to find that the opposition could move motions on an opposition day that precluded the government from moving bills in the House, for example, by moving something about the age of consent and then arguing that the government could not bring in a bill to change the age of consent because the matter had been decided by the adoption of some motion in the House or by debate on such a motion, it seems to me it would be quite contrary to the way this place has worked ever since opposition days were instituted as part of the supply process many years ago, before the time of any of us in the House, with the possible exception of the hon. member for Davenport who may have been here before that change was made.

What the hon. member for Wetaskiwin is really inviting the Chair to do is say that because the opposition has moved this motion and we have had a debate on this motion, the government cannot do anything else on this subject matter.

While there may be differing views on whether it is a good idea or not, the Chair is in the position of having to apply the rules fairly. It seems to me, as I say, that if the government cannot block the opposition from moving certain motions, the opposition, by moving those motions, cannot block the government from moving others or dealing with legislation in the House.

While the rule of anticipation is always an argument that members like to raise, I stress the citation that I quoted on October 31 indicating this rule had not been determined as a major part of Canadian parliamentary practice at any time.

Accordingly, I am not disposed to allow the argument to be advanced today to prevent the motion before us from being debated at this time.

• (1555)

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, my point of order arises from your ruling. We are all aware that there are limitations upon the motions that can be introduced by the opposition parties on allotted days. We cannot, for example, introduce matters relating to expenditure. There are also rules that apply to the initiatives that can be taken by a government. Some of them have been cited today in terms of precedents that have been respected in the past and are not being respected in this case.

I am sure that is a point that you intended to go on to make, Mr. Speaker. I simply wanted to ensure that it appeared on the record.

The Speaker: I appreciate the assistance of the right hon. member. Certainly there are limitations on what can be done in any case. I am sure that we could all dream up motions that neither the government nor the opposition could move in the House, but we will not go there today.

We are going to deal with the concrete motion that has been proposed by the hon. Minister of the Environment and which I know

Government Orders

he is ready to speak to. Accordingly, I recognize the hon. Minister of the Environment on debate.

* * *

KYOTO PROTOCOL

The House resumed consideration of the motion.

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I was wondering whether this moment would ever come. It is a pleasure for me to be the first speaker on this motion that is before the House and I am proud to have the honour of leading off on what I believe to be an historic debate.

In fact, it is rare that the House is asked to turn its attention to a subject of the importance of climate change. We are discussing an issue that extends well beyond the normal vision of our elected officials in their parliamentary debates. It extends beyond the range of Canada and, certainly in the issue of time, it extends for decades, indeed, for the century ahead.

We will debate how best to respond to an issue upon which scientific consensus is strong and a consensus that is supported by more and more evidence and more precise evidence all the time. So this is not an ordinary debate about an ordinary issue. It is very much an issue about a healthier and more secure planet.

[*Translation*]

Our government has devoted considerable time, financial resources and effort to leading the way. We have worked closely with our partners, at home and abroad, in a determined effort to develop a Canadian consensus on our plan and the detailed procedure.

Members are here to represent their ridings and constituents. They know that Canadians across the country appreciate the gravity of the situation and want us to take action.

So that the purpose of the debate is clear, I would like to discuss the importance of taking steps to combat climate change. I want to discuss Canada's leadership both nationally and internationally. I want to discuss our commitment to developing a consensus on the results we are looking to achieve and the means to achieve these results.

[*English*]

First, let me discuss the science. Science is the basis of our climate change policies, so I would like, for a few minutes, to discuss the science of climate change. The reality of climate change has been confirmed by the worldwide network of hundreds of scientists who contribute to the work of the intergovernmental panel on climate change. These are the most knowledgeable people in the world on climate science. They have arrived at a very clear consensus view on the facts of the situation and what we must do.

Government Orders

Indeed, the roots of this debate lie in the industrial revolution of some 200 years ago. It was in the 19th century that scientific speculation first began on this issue. It was 200 years ago with the industrial revolution that the earth began to experience a steady growth in the atmospheric concentrations of greenhouse gases above and beyond the background levels of the natural carbon cycle. With the steady rise in the concentrations of greenhouse gases in the atmosphere, we have witnessed average temperatures in Canada alone that went up by approximately one degree Celsius during the 20th century.

The 1980s were the hottest decade that we had ever recorded until the 1990s came along. The last two decades were the hottest that we have in fact ever recorded. The unusual weather patterns of the past 20 years are entirely consistent with the predictions of the meteorological models that have been developed by the world's best established climate research centres, such as the Hadley Centre in the United Kingdom, the United States meteorological service facilities in Boulder, Colorado, or here in our own meteorological research centre, or in fact in the Japanese centre at Yokohama.

In the United Nations and at international events, we have heard from representatives of many island and low-lying countries who fear that unchecked climate change will see the disappearance of entire islands and coastal regions and more severe threats to the citizens who live on the lands that remain.

We have heard also from sub-Saharan African states that they are expected to lose some 40% of their staple food supplies before the end of the century. The same is true for South Asia.

Water is the critical issue for many parts of the world. The impact of climate change on water and in addition the impact of climate change internationally and in Canada, particularly in the province of Alberta, will be severe.

All this evidence tells us that climate change is real and it is an issue that we must face up to. It tells us that we must have a timely response. It tells us that the time is here for leadership internationally and here at home, and leadership from the federal government is expected.

An hon. member: After five years.

Hon. David Anderson: The hon. leader of the Conservative Party is heckling, but I hope he will think well of this quote, which is as follows:

We will play...our full part as the nations of the world come to grips, or try to, with the infinite complexity of climatic change. We will continue to provide leadership within the international community in the world-wide effort to develop international laws and legal principles to protect that atmosphere, the common heritage of all mankind.

That is a quote from the former prime minister of Canada. The hon. member who is heckling now actually served in his cabinet as the minister of foreign affairs year after year, yet he now apparently is disowning the position of his previous leader.

Let me comment about the science again. Of course there are dissenters in the science. That is expected. That is the way science works. And yes, one of those minority positions, because these minority positions in science differ one from the other as much as they differ with the consensus position, one of those might be right,

but probability analysis tells us that the chances of the majority being wrong are about one in ten. That is a pretty conservative estimate.

● (1600)

That means the chances of one of the dissenting views being right, whichever one it might be, are also one in ten, so those who would have us depart from basing policy on the views of the great majority of experts in the field are essentially asking us to play Russian roulette with our children's future at nine to one odds. Those odds do not suggest to me that we should follow the advice of the Alliance Party or the leader of the Conservative Party, whatever might be said in certain areas of the business sector.

Then, of course, we have the science of another plan that is being put forward in Canada, the made in Alberta or the made in Houston and Alberta plan.

Here is a quote from the *Calgary Herald* of October 17:

Alberta's energy minister says climate science took a back seat during the creation of the province's global-warming action plan.

Murray Smith said the government didn't conduct any scientific studies of the potential environmental benefits—if any—of the "made-in-Alberta" plan during its formulation.

"We cannot tell you what the effect would be to the climate, either in Alberta or globally."

"No, we never studied the effects on climate," Smith said of the "made-in-Alberta" plan.

There is a science of the alternative plan being put forward as a substitute for the Canadian plan, the made in Canada plan, which has of course been worked on over five full years, in fact more than that, but at least five full years since Kyoto, by the provinces, the territories and the federal government, including of course the industry sectors that took part in the tables, and I would remind those who are once again—

● (1605)

Right Hon. Joe Clark: Mr. Speaker, I rise on a point of order. There is a well-known practice in the House that when reference is made to a document there is a requirement to table it. The minister has just referred to the Kyoto implementation plan. I wonder if he would lay it on the table.

Hon. David Anderson: Mr. Speaker, I can do better than that. It is in the *House of Commons Debates* of April 6, 1989. The hon. member, with his experience, should be able to find it in *Hansard*. Surely that is adequate. That was of course at the time—

Right Hon. Joe Clark: No, Mr. Speaker, it is not adequate.

Hon. David Anderson: Mr. Speaker, it is not adequate, of course, as he now so differs with his previous boss, but the animosity between these two gentlemen is well known. I think it should not impact upon what we should do in terms of policy here in 2002 in the Government of Canada.

In any event, let me return: The probability analysis suggests that there is some one in ten—

Right Hon. Joe Clark: Mr. Speaker, I rise on a point of order. I may have misunderstood the minister. That is easy to do.

I had asked him to lay upon the table the implementation plan to which he had made reference. We are all very much interested in seeing the detail of that plan.

There is a clear rule in this Parliament that when reference is made to a document, then it should be presented. References to—

The Acting Speaker (Mr. Bélair): The message has been given.

Hon. David Anderson: Mr. Speaker, I do not as yet recollect having mentioned a plan, but we tabled a plan in the House on Thursday, November 21 and I believe copies were sent to every member of Parliament. If by any chance the hon. member lost his, we can get him another one. This is not part of my presentation so far. I will get into that. The hon. member is anticipating what I have here.

The international scientific community has been working to understand climate change for decades, largely through the United Nations' institutions and processes. Canada has shown leadership in that effort from the very start. In fact, the first major international conference on climate change took place in Toronto. Canada welcomed 300 policy-makers, scientists and leaders from business and environmental groups from 46 countries at that Toronto meeting in 1988. That started the process which led to the United Nations framework convention on climate change.

Under the personal leadership and interest of Prime Minister Mulroney, Canada was deeply involved in those negotiations. We signed the Rio convention in 1992 and, yes, we ratified that convention in December of the same year. I trust the hon. member and leader of the Conservative Party remembers these events.

It is worth quoting what the Mulroney government ratified 10 years ago and what we are still bound to today. That document which is the Rio convention reads:

The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.

• (1610)

Mr. Maurice Vellacott: Mr. Speaker, I rise on a point of order. I believe you would find that there is no quorum in the House at this time.

And the count having been taken:

The Acting Speaker (Mr. Bélair): We now have quorum. Resuming debate, the hon. Minister of the Environment.

Hon. David Anderson: Mr. Speaker, I was quoting the provisions of the convention that was signed on by Prime Minister Mulroney and ratified by the Government of Canada in 1992.

When we consider the words of that convention, it is clear that we are currently bound, and I quote again, “to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system” by reason of a decision of the Government of Canada 10 years ago.

There was some belief at that time that the approach should be voluntary but that was quickly discovered to be an approach that did not work. Therefore there were some who said at the time that there should be a more assertive and decisive approach and that Canada should lead the way.

Government Orders

The spokesperson for those who back in 1992 wanted a more vigorous approach, and is still a member of the House, was the member for LaSalle—Émard. Back then he was the party's environment critic. He said at that time:

We can begin by pressing for an international convention to reduce CO₂ emissions by at least 20%...We should set an example by exceeding that target at home.

Events have shown that our colleague was prescient in seeing the need for clear targets and seeing the need for determined action.

Just as he has said in the House, as we have heard him often say over the last nine years, that we should have rolling and realistic targets that keep people's feet to the fire in the fight against deficits, so he perceived 10 years ago, before many others did, that a voluntary approach on climate change with distant targets simply would not work. He understood the need to focus the mind.

[*Translation*]

In the mid-1990s, realizing the need for a more concerted effort, the UN decided to again bring the world community together in its negotiating rooms. The negotiations culminated in the Kyoto protocol in 1997.

[*English*]

At Kyoto our Prime Minister decided that Canada would aim for a 6% reduction in greenhouse gas emissions below 1990 levels by the 2008 to 2012, the first Kyoto period, that is to have emissions at 94% of the 1990 level of those years.

Over the next four years, governments worked out a detailed implementation regime which was finalized during the meetings in Bonn and Marrakesh in 2001. During those negotiations, Canada was at the forefront of the group of countries that wanted a results oriented approach to meet the new international targets.

We succeeded in getting recognition for the role of well managed forests and agricultural lands, the role that they play in absorbing greenhouse gases from the atmosphere, which had the effect of bringing our target to the 1990 level, exactly where the premiers, including Premier Ralph Klein of Alberta, had agreed it should be back in 1997. He in fact—

Right Hon. Joe Clark: What happened to the agreement? Why did the federal government walk away from that agreement?

Hon. David Anderson: There seems to be an awful lot of excitement from the leader of the Conservative Party. I realize that he is taking a major departure in his party's position from past practice when he was a cabinet minister making those decisions. That said, his flip-flop should not lead him to get too excited in the House.

I quote Premier Klein of Alberta speaking in Toronto at the Empire Club. He said:

For many Canadians events of the summer and fall have made the threat of global warming seem very real.

From the drought in the west to heat waves in Ontario, Canadians have had concerns about climate change. They want their government to do something to be part of the solution.

Again, if I may quote Premier Klein, he stated:

—Canadians have the know-how and the resolve to tackle this problem.

Government Orders

I agree with both statements by Premier Klein. I think he has stated it well. That tells me that we are in fact closer to common ground on climate change than some of the breathless headlines about the end of our economy and the end of our country would have us believe. It tells me, just as my conversations with provincial ministers, non-governmental organizations and leaders in the private sector do, that we can and have built a plan that will work in Canada. We can get results that matter from Canadians.

We succeeded in clarifying good rules to support an effective international market in carbon permits so that countries could achieve their goals with costs as low as possible. The efforts of the United Nations to achieve flexibility and results have earned in fact global support.

As of last Friday, some 97 countries around the world have ratified or otherwise formally approved of the Kyoto protocol; and, yes, as the Prime Minister has promised, Canada will join them before the end of this year.

When I use the word we to describe what Canadian representatives did at the United Nations in Kyoto, Bonn or Marrakesh and other places, I do not mean just the Government of Canada. From the beginning of the process, we have sought to develop a collaborative relationship with many Canadian partners, both to define our strategies and to achieve results. For example: meetings with the provinces on climate change as early as 1989; regular meetings, often more than once a year, of the ministers responsible for energy and the environment in 1993; and the first ministers met to discuss climate change in 1997, both before and after the Kyoto protocol.

It was then that our government and the governments of all provinces and all territories agreed to the basic principles, which have governed our approach to developing the climate change plan for Canada ever since. One of those principles is that no region of the country should bear an unreasonable burden as a result of climate change action.

• (1615)

[*Translation*]

As well, substantial collaborative efforts took place at the level of ministers and official representatives. There have been six meetings of the ministers of energy and the environment over the past two and a half years.

I proposed to meet with them monthly if they were interested, and senior officials have met nearly every month for the past five years. The analysis and monitoring group has played an important role in this collaborative effort.

This team of economists from both levels of government has drawn up economic models to analyze the impacts of policies and to examine the numerous versions of policy options in order to define potential economic repercussions.

[*English*]

The cooperation has gone much further. Ministers and officials from the provinces and territories have been part of the Canadian delegations to the international climate change meetings, including the groundbreaking ones of Kyoto, Bonn and Marrakesh. We have

regularly sought their advice and input on Canada's negotiating positions.

Have we agreed on everything? No, we have not. Is that so surprising? No, it is not. I am hard pressed to remember many occasions when there has been unanimity of all 14 jurisdictions in the country on major issues which involved costs: constitutional reform, no; health care, no; and on this most complex of issues it is no different.

While there will always be ongoing discussions about how much different levels of government should pay for shared responsibilities, our government will do its part to address climate change and we will do what we can to build a workable solution with the provinces and territories. That same commitment to collaboration is true with many other partners in Canada.

We have consulted widely with industries to determine how to move forward on our international commitments in ways that would have the least negative impact on our job growth and our overall economic performance.

We have offered specific proposals and then refined and adjusted them to take new information into account. We have accepted and respected the contribution that experts who know an industry well can provide. We have done the same with all sectors of the Canadian economy.

We are working with representatives of the Canadian Labour Congress, particularly the communications, energy and paperworkers' union to address the concerns of the labour movement and on behalf of their members, the presidents of both organizations, Ken Georgetti and Brian Payne have shown great leadership on the climate change issue.

We have worked with Canada's municipal governments, 100 of which have passed resolutions in support of the Kyoto protocol. Many of them are using the green municipal funds that we set aside in the last two budgets. For example, many cities are testing greenhouse gas emission reduction ideas such as tapping methane from landfill sites and using that gas to generate electricity.

• (1620)

I could go on about this collaboration but the point is clear. Just as all Canadians have to be part of the solution to climate change, all sectors of society need to be engaged in mapping out and delivering on the solutions, and they are.

Perhaps some of the best evidence of this commitment to moving forward together, this desire to build consensus, is the process that led to the tabling of the climate change plan for Canada in the House last week. The plan is comprehensive, it is supported by extensive analysis and yes, it is detailed.

It builds on more than 30 specific measures from action plan 2000 by adding many more that will reduce greenhouse gas emissions. Many of the measures and the emission reductions associated with them have been developed on the basis of the work of the 16 issues tables. Those issues tables, the technical name for them, were in fact committees of some 450 experts that included business, academic, government and non-government representatives. They worked for almost three years analyzing and developing their proposals.

[*Translation*]

The plan contains measures that will reduce emissions from transportation, housing, commercial and institutional buildings, large industrial emitters, small and medium businesses, agriculture, forestry and landfills. This will be accomplished through international investments coupled with the efforts of all Canadians.

The plan contains modeling impact data for the nine key sectors of our economy, as well as a more detailed impact analysis of the 12 sectors of the economy involved in energy production or heavy energy consumption.

[*English*]

The plan contains gross domestic product impact and job growth analysis for Canada and for the provinces and territories. The basic conclusions are as follows.

We have designed a plan that will have modest impacts on the overall economic growth. The economy will grow by 17.5% over the next eight years under the plan compared to an expected 18% if we do nothing to address climate change.

There will be little impact on growth. There may be 60,000 fewer jobs created over the next eight years, but given the rate at which we are creating jobs now, this is equivalent to a delay in job creation of five weeks spread over that 10 years.

There will be no appreciable impact on the average personal disposable income of Canadians. Any changes in energy prices resulting from the plan will be quite small.

The plan will have a balanced impact across the country and will meet the commitment of the first ministers that no region should bear an unreasonable burden.

Beyond that, I will leave it for others to comment on the specifics of the plan and on the actions that we are taking. I will leave the health benefits and the benefits to our cities of the actions we will take. I will leave it for others to comment on our efforts to develop a balanced and fair plan that will keep the door open for jobs at all regions and across our economy.

I do want to make clear, and take a moment or two to note that we have been working with partners and we have listened to our partners.

● (1625)

[*Translation*]

From the time we published our document on the options for a strategy on climate change in May of this year, to the publication of our draft plan in October, and the release of the official plan last week, we have listened and responded.

Government Orders

We reviewed the draft of our plan based on the concerns that were voiced, such as the need for greater certainty for business and greater clarity regarding our partnership commitments.

[*English*]

Many of the best examples relate to the views and concerns of industry and how to treat large industrial emitters. Based on those concerns, large industry will be asked for no more than 55 million tonnes in reductions. We will work with them to provide protection against sustained high prices for carbon on the markets. We will continue to work with them to design a system that will not disadvantage those firms that have taken early action.

There is one other major point I want to make about the climate change plan for Canada and that is the place of innovation in our plans.

I have been involved in environmental issues for more than three decades. I recall the days when those of us who wanted to see a cleaner, healthier environment were classed as the hopeless enemies of progress by those who were very comfortable with business as usual.

The hon. member for LaSalle—Émard made much the same point back in 1990 when he said, “Canada continues to regard environmental protection as a cost and really does not understand the benefits that lie therein. It does not understand that you have a far more competitive economy if you have lowered your fuel costs and if you have gone to renewable resources. The benefits have to do with a more productive and a happier population”.

The rising tide of public opinion, scientific evidence and demonstrated results have changed the attitude described in that quote. Canadians now know that a healthy environment is important. They believe that we could have a robust economy and an environment that we could enjoy as well.

Over time, people in business have discovered that they can bring the same power of innovation to environmental challenges that they have brought to their other business challenges. Governments such as our own have focused on setting realistic goals, as we have here, and then giving business the room to find the solutions that would deliver results more efficiently.

We are one of the richest countries in the world. We have the OECD's best performing economy, with projections from the OECD that Canada will stay in first place for years to come.

We have some of the best universities in the world and they in turn have some of the best minds.

We have companies that have shown what they can do when they turn their attention to solving problems. We have already seen that with climate change. Companies that want to get ahead of the curve are finding strategies that do get results for the environment and for their bottom line.

Government Orders

Many companies are making the first important step of making their operations more efficient when it comes to greenhouse gas emissions. DaimlerChrysler Canada has reduced its greenhouse gas emissions for each vehicle it manufactures by 42%. DuPont Canada set a 10 year goal that would reduce energy use by 25% per unit. It reached that goal in less than half the time it had put aside to do so. Syncrude Canada has reduced greenhouse gas emissions per barrel of production by 26% since 1988.

That paves the way for the next step, which is to cut total emissions through wise energy use. We have examples such as Weyerhaeuser Canada's Prince Albert, Saskatchewan plant which is energy self-sufficient and which has dramatically cut its greenhouse gas emissions. Interface Inc. reduced energy consumption at its Belleville, Ontario plant by more than 35% between 1993 and 1997 while production increased 58%. Mountain Equipment Co-op's new store here in Ottawa has reduced its energy consumption by over 50%.

The point is simple. Canadian business can do it and Canadian businesses are doing it.

• (1630)

[*Translation*]

Our job is to develop strategies to support the power of innovation in our business and research communities. During my travels across Canada, I saw how Canadian companies and researchers can innovate. I saw all of the means at our disposal to fight climate change and set an example for the whole world. All of this has led me to firmly believe that we can make the best of these changes to create a healthier environment and a stronger economy.

[*English*]

May I say a few words about the role of Parliament. Members from all parties in the House were part of the Canadian delegation to the UN Conference on Environment and Development in Rio de Janeiro in 1992. That was where the United Nations framework convention on climate change was finalized and opened for signature. Members of Parliament were at Johannesburg two months ago for the Rio plus 10 conference. Members of Parliament have been part of our delegations to many of the international negotiating sessions between those two events.

[*Translation*]

The Standing Committee on Environment and Sustainable Development and its predecessors have, on numerous occasions, assessed the situation and options available to Canada. Members began this work in 1989. They published an interim report the following year, in 1990, and a final report in 1991. Incidentally, the title of the interim report published some 11 years ago was "No Time to Lose: the Challenge of Global Warming".

[*English*]

Individual members on both sides of the House and certainly members of the government caucus have made their own important contributions to this issue and to our thinking of it.

I can say that I have appreciated the show of support and indeed there has been some none too subtle pressure associated with it most of the time. In fact, only three weeks ago seven members of the

Liberal caucus stood outside these doors and had a press conference stating their wish that the Government of Canada ratify the protocol.

That is what Canadians expect of their representatives here in Ottawa. They look to their members of Parliament to speak on behalf of the communities that the MPs represent, but they also expect their members of Parliament to think about the national interest. That is what we are doing here today. We are making decisions in the national interest for decades to come.

We cannot forever continue to indulge in the polemics of paralysis of talking about decisions instead of making them. Yes, we represent individual ridings, but this is the place where we must ultimately ask what is best for Canada and what is best for future generations of Canadians. Indeed, the question really is what is best for the world.

Let me say I am glad that we can count on the support of the New Democratic Party for this motion. In the same way, I appreciate the support that I anticipate from the Bloc Quebecois.

I should also point out that the entrenched opposition of the Canadian Alliance comes as no surprise. Speaking as a British Columbian who has been a member of both my provincial legislature and the federal Parliament, I accept no lectures from the official opposition on western perspectives. To the extent that the Alliance has a coherent view on this issue, it appears to be driven by the most parochial perspective possible.

Given a chance to show national perspective, the official opposition in this national Parliament once again shows that it is just not up to the mark. The Alliance just cannot reach out to the vast majority of Canadians throughout the country who recognize that climate change is a real issue that requires real action. Instead, we get a parochial view of one segment of one industry. There is no national vision, no understanding of the constructive role that Canada can and should play.

I have left the Progressive Conservatives until the last, not just because the right hon. leader of the Progressive Conservatives was so noisy earlier on in my speech. Whatever he may think about former Prime Minister Mulroney, Prime Minister Mulroney grasped the importance of the climate change issue early. In that, Mr. Mulroney showed leadership. In fact, let me remind the Tory caucus and the current Tory leader that Prime Minister Mulroney got it right when he said in 1992:

No country, acting alone, can meet this global challenge. We will only solve these problems by cooperating with others.

Mr. Mulroney was right and I said that in the House last week. What we are doing in this debate today is moving forward on a policy approach which he began.

I ask the Progressive Conservatives in the House, how will they handle the legacy of the former prime minister and their former leader? While the antipathy of the present leader of the Conservative Party to Mr. Mulroney is well known, let me make it clear that he too as foreign affairs minister in the Mulroney government was very much part of those climate change decisions before 1993. He too is on the record as supporting his government's position and in support of the United Nations framework convention on climate change.

Government Orders

Are we to see yet again another of his famous flip-flops as he chases after the Alliance position once more? I hope not because certainly the Progressive Conservative Party deserves better.

• (1635)

The impressive and growing weight of scientific evidence says that we must take action on climate change, not some day, not in the future, but now and not through half measures but in a comprehensive way. It must not be based on what is convenient but based on stretching our imagination and our capabilities.

Our government is determined to build on the record of action that gets results. We are committed to actions that will enhance the quality of life for Canadians and people around the world. This will be a national effort. To get it we will continue to seek out the common ground with provinces and territories, business, the labour movement, the academic community and our colleges and universities, church groups, environmental groups and most important with the Canadian people. We will continue to listen to how we can reach our international commitments more effectively.

It is time for us to turn the page on the issue of ratification. It is time for us to move on to getting real results in real timeframes.

I am proud to move the adoption of this resolution and ask this House to urge the government to ratify the Kyoto protocol now.

The Acting Speaker (Mr. Bélair): Before resuming debate, 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 Acadie—Bathurst, Health.

* * *

BUSINESS OF THE HOUSE

The Acting Speaker (Mr. Bélair): I have received notice from the hon. member for Esquimalt—Juan de Fuca that he is unable to attend his motion during private members' business on Tuesday, November 26.

It has not been possible to arrange an exchange of positions in the order of precedence. Accordingly I am directing the Table officers to drop that item of business to the bottom of the order of precedence. Private members' business will thus be cancelled tomorrow and the House will continue with the business before it prior to private members' business.

* * *

KYOTO PROTOCOL

The House resumed consideration of the motion

Mr. Bob Mills: Mr. Speaker, I rise on a point of order. I would like to ask for the unanimous consent of the House to ask the minister questions?

The Acting Speaker (Mr. Bélair): Does the House give its consent?

Some hon. members: Agreed.

Some hon. members: No.

• (1640)

Mr. Bob Mills: Mr. Speaker, that says it all in terms of consultation with the Canadian public and questions that might need to be asked of the minister. That is like the public meetings that he has where there is a set list—

Mr. Sarkis Assadourian: We have business to do here.

The Acting Speaker (Mr. Bélair): Order, please. Resuming debate, the hon. member for Red Deer.

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, the point I am making is that this is like the public consultations which have gone on where there is a set list of people to attend and they are given a canned presentation about the pros of Kyoto. No one from the other side is invited. The media and the public are not allowed to attend. That is the government's public consultation.

The minister went through all this in June at 14 different meetings before he went on the sky is falling tour of the summer where he was Chicken Little running across the country trying to scare people.

It stands to reason that he would not stand in the House and answer any questions of members who might want to talk about the fluffy speech he just gave.

He talks about the Liberals way, how it is great and how wonderful they feel. I have come to learn that what the Liberals really are. They are people who take the responsibility of the world on their shoulders, say that it is terrible, come up with an agreement, then talk a lot and do absolutely nothing. That is exactly what we have seen here.

The environment auditor general commented about the Liberal way as well. The government is not investing enough of its human or financial resources, its legislative or regulatory and economic powers or its political leadership to fulfill its sustainable development commitments. The result is a growing environmental health and financial burden that our children will have to bear. That is an evaluation of the government.

I am very pleased to have the opportunity to speak here today, and in the future, and talk about the importance of Kyoto. I want to start off by setting the stage as to why I am so involved with this issue. I believe it is an issue that will affect more Canadians than probably anything we have done in the House, certainly in the going on 10 years that I have been here.

To provide some credibility on the environmental issue, I should say a little about myself. That will set the stage as to where I will go in my speech.

Government Orders

As a young person, being raised in Saskatchewan, I was a member of the Saskatchewan Natural History Society and was on the editorial board of the *Blue Jay*, its environmental magazine. I was involved with some notable biologists of the time banding birds. I was the young guy they would have crawl up the trees and crawl around on the cliffs to band eagles and various types of birds. I was the guy who used to take people on tours of the sharp-tailed grouse dancing grounds, through their mating procedure. I was involved with Christmas bird counts and many books and reviewed articles related to biology later on in my career. I was avid environmentalist and still believe today that I have an environmental conscience.

Our party has an environmental conscience and we care about this subject very deeply, unlike the shallow nature of what we just heard with a bunch of fluffy talk and absolutely no commitment.

In university I went on to major in biology with a minor in history. I worked for the Canadian Wildlife Service through the summers. I was involved with a particular project on sandhill cranes and followed their migration. I did a paper on that and a lot of research into behavioural patterns and so on.

I worked from Big Grass Marsh in Manitoba on through Saskatchewan and Alberta and was involved in habitat protection, consulting farmers and so on. Ultimately, after my biology degree, I ended up going back to university and doing a project on sandhill cranes.

Finally, deciding that bureaucracy was not for me, I decided to teach biology. From that I had a fascinating career. I was involved in teaching young people, involving them in a love of nature and understanding of the balances that existed in nature. I was also involved in looking at the impacts that humans had through dams and various types of projects.

● (1645)

At that time, I was also very active on the parks board for a number of years. I cannot help but take some pride in the trail system and the protection of natural areas in my city of Red Deer.

I remember as well two very notable people in my life: a lady named Ethel Taylor who was the perpetual NDP candidate in our constituency but was a councillor and a very active environmentalist; and Margaret Parsons, a member of a well known family and the wife of a doctor. Among those two councillors and myself we managed to protect an awful lot of the environmental areas around the central Alberta area, and I take a great deal of pride in that. As the city has grown, it too has taken pride in that and that has become a major selling point for our community.

As well, I was involved actively in the eastern slopes. We have some of the most beautiful areas possible. Straight west of Red Deer is one of the most beautiful parts of this country. I often brag that I represent the most beautiful constituency in Canada, from the city of Red Deer through to the B.C. border.

With that in mind, I think this gives me some credibility and background over a number of years to say that I have shown a real care for the environment. I also have studied this accord for the last year and a half as the senior environment critic. I have never been so convinced of anything in my whole life that this is the wrong way to go in dealing with climate change and pollution. Over the course of

the next few days, I hope to tell the House exactly what we should do, instead of what the Kyoto accord is all about. That is what I will attempt to do.

First, there is not a Canadian out there who does not care about the air, the water, the soil, the food they eat and the safety of that food. The polls say that people care. I am really surprised sometimes when I see that only 90% of people care. I really cannot imagine what the other 10% are thinking if they do not care about their environment. When we develop a policy, we need to be sure that we consult with Canadians, and that is one of our biggest problems.

However let us start with the clear policy. Anything I have heard over the last year and a half from the government has been anything but clear on where it is going with Kyoto, what its objectives are, what its targets are and what it wants to achieve.

Let us look at the Liberal record on some of these issues. We can start with the pollution of the air. Some members are clapping. We could go on for several days talking about this record, but let us just use a couple of examples.

Let us talk about the 45 smog days in downtown Toronto. Let us see what the government has done to help with that. Kyoto is not about those smog days in Toronto. It is not about particulate matter. It is not about all those other things that we call smog. The government conveniently has meshed those two together, and I believe the people in Toronto think that Kyoto is a solution to those smog days.

Let us move on to the Fraser Valley. It is the second most polluted area in Canada. This area now has health problems that are higher by hundreds of percentages than anywhere else in Canada. This includes asthma and all kinds of other things. Let us examine what the federal government has done in that area. The state of Washington has approved a power plant called Sumas 2. There are 12 other plants in various stages of being approved.

● (1650)

These power plants would be built right on the border between Washington State and British Columbia. They would draw their water from the aquifers in Canada. They would put their sewage into the Sumas River which goes into Canada. The prevailing winds would blow the pollution into Canada and of course we would sell them the gas but in exchange for that they would put the power lines down Main Street of Abbotsford because they do not allow high tensile power lines over populated areas in Washington State, but it is fine to put them in Canada.

Let us examine what is happening here. This is the Liberal government that did not get involved in the Washington State hearings. I was allowed to be an intervenor on behalf of the Canadian people and testify. The minister said that he knew the governor well and that he would write him a letter.

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I do not know whether the letter was sent or not but he obviously did not have very much influence on Governor Locke because the governor approved this thing. Let us examine what we have here. We have a 660 megawatt power plant being built. We would get the air pollution into the second worst air shed in Canada. We would get the sewage, lose water from our aquifers, and get the high tensile power lines coming down Main Street, Abbotsford, then out to the coast and down to California.

What would Washington State get? It would get the jobs, the profit, and would not have the pollution and all of the problems. What would California get. It would get the energy because it does not allow any kind of power plants like that in its jurisdiction because it is too harmful to health.

This is the Liberal government's involvement. I applied to the National Energy Board to be an intervenor at those hearings on behalf of the Canadian people as the senior environment critic for Canada. What happened? I was turned down. Why was I turned down by the NEB? I was turned down because I do not live in British Columbia and the area. It let the Alberta government be an intervenor because the company said it was okay, but it said the company objected to me being an intervenor because I was opposed to the project.

That is how the government caves in. This is the feel good, be good and happy Liberal type of thing. It is phony as a three dollar bill because there is the proof of it. There will be 11 other projects. What will the government do about the air pollution in the Fraser Valley? It will be doing nothing about it. It talks about having clean air and that it cares about the health of children. There are hundreds of thousands of people there who will be affected and the government is doing absolutely nothing.

It says it cares about the air. I can give examples of where it has failed. We could ask the member from the Windsor area about southern Ontario. He has showed me many medical reports about the damage done to the health of the people of that area and how the government has done little or nothing to care about the most polluted area in southern Ontario.

When we are talking about air pollution we could talk about the biogas that is being used throughout the world. I had the privilege of being in Berlin and examining its biogas project. There are six big vessels for the sewage from Berlin. It is fermented in the vessels. The vessels capture the methane gas which is then used as fuel for incinerating garbage. The water from the sewage is heated and sold in pipes throughout the entire downtown Berlin area. It is run by a private company and it makes a profit.

I was amazed by the project and asked how long the authorities had been doing it. The answer was 40 years or 50 years. If the government cared about fixing the air problems we would see it taking some action on biogas.

• (1655)

It is interesting that the little town of Olds, just outside of my constituency, is looking at a digester. I was told yesterday in Hamilton that there is a digester already in operation in Ontario and I was invited to see it in Thunder Bay. These things are happening but not because of the Liberal government. They are happening because

of the common sense of people who realize they must do something about their air because the government does not give a damn about that air.

What about water? Let us look at raw sewage. Is it not interesting that the minister lives in Victoria and represents Victoria, and that city dumps its sewage into the ocean? Is it not interesting that St. John's and Halifax do the same? Is it not interesting that about every other year, the federal government announces that it will do something about it but nothing ever happens? There is no leadership. There is no commitment. The government does not care about the water.

Regarding the whole issue of approval of landfills by the provinces and municipalities, where is the federal government in the research and in the provision of some guidance in this whole process? It is nowhere. Members across the way say it is at the provincial or municipal level. That is what they always do. They show no leadership, no guidance or work with anybody. They go bullying off on their own like they are doing with Kyoto. Instead of landfills we should be looking at incinerators, recycling, composting, and there are lots of examples across the country. These members are not environmentalists; they are phonies when it comes to the environment. They like to talk a lot but not do anything.

What about our groundwater? Our groundwater has not been mapped. We do not know whether our water tables are in a positive or negative charge. We have no idea. The government is not committed to finding out about groundwater. Sumas is a perfect example. We are letting a U.S. corporation take the groundwater and use it to pollute our environment. What kind of sense does that make?

I could take the rest of today talking about the government failures: the baby steps in the Great Lakes or the Sydney Tar Ponds, the uranium mines in Saskatchewan and Manitoba, and the first nations water quality. All of these would be examples of Liberal talk but no action. When they take on an environmental issue it is pretty suspect as to whether much will actually happen. There is a lot of talk, a lot of feel good and be happy, but not a heck of a lot of commitment or action. Many people would agree that Kyoto is somewhat along those same lines.

Regarding Kyoto, most people remember what happened in the House, that questions were asked prior to December 1997. Members in the House asked the Liberals what their plan and strategy were, what was Kyoto, and what was the agreement all about? The Liberals were asked what guarantee we had that we would be able to live up to this plan?

There was a conference in Regina with the provinces. The provinces were told one week prior to Kyoto that the Liberals would not sign anything that would damage the provinces or affect them. This was just one of those climate change things that came out of the Rio conference of 1992. It was not really that important, it would not have that much of an effect. In the course of the next few days the provinces would get all of the details on Kyoto and would examine it step by step; examine the PowerPoint presentation of the government, and would examine it line by line to see how effective it would be in dealing with these environmental issues.

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● (1700)

The government talks a lot about guarantees and states that no one would be hurt. Where will it get the money to do all of these things?

Most important of all is the fact that the Australians went to Kyoto with a plan. They indicated in their plan that Australia was a big country. It did not have a very good transportation infrastructure. It had a growing population and quite a bit of immigration so it could not do better than 8% above the 1990 levels.

Does Canada not have a growing population? Do we not have a lot of immigration? Are we not a big country? Are we not in the same category as Australia? As a matter of fact, Canada is bigger. We do not have the infrastructure. I cannot get a train to go to the next city if I want to. We have the second coldest climate in the world. What did our negotiators not understand about that? How did they think we could get to minus 6% from 1990 levels? I will tell the House how it happened.

The Prime Minister was set on beating the Americans. The Prime Minister does not like Americans much. He said we should go one better than them. Guess what happened? The Americans went minus 5% and Canada said minus 6%. That is how we got to minus 6%. Since then the U.S. and Australia have both said they could not achieve those targets because they would damage their economy too much. They would not hit those targets so therefore they would not ratify Kyoto. Here we are, the Boy Scouts, agreeing to minus 6% below 1990 levels.

Most people would agree that with these targets no one has really developed a plan. What kind of plan would we need to achieve these targets? How much would it cost? Where would the money come from? Nobody has dealt with those issues, and certainly this plan has not done that.

Let me give the House an idea of where I have been asking questions. I asked questions in Vancouver, Alberta and Saskatchewan. I did townhall meetings in those cities. I asked questions in Halifax and throughout Ontario. Yesterday I was in Hamilton where I asked individuals what Kyoto was? It was amazing to see a standing room only crowd in that auditorium. More interesting than anything was a breakfast meeting in Victoria 10 days ago which was once again sold out. I will tell members what those people told me.

● (1705)

It was just amazing what those people asked. There are four things that people ask right across the country, in town hall after town hall, in talk show after talk show. They ask what is Kyoto? How does Kyoto affect me? Will it help the environment? Is there some other way? Once they have the first three answers, they ask that question. They ask those four questions and we need to give them some answers. The government has not made much of an attempt to do that.

Yesterday I was pretty shocked that the audience really did not know what Kyoto was about. Some knew it was a city in Japan. Some knew it was some kind of environmental agreement. Most of them thought that if we ratified Kyoto we would not have a pollution problem any more, that it would solve little Johnny's asthma. We care about little Johnny's asthma, we care about clean water and we

care about the health of Canadians. Most people thought that was Kyoto.

As we get into looking at Kyoto page by page, line by line, we will find out what Kyoto really is about. It is not about health and little Johnny's asthma; it is in fact about climate change, about global warming and about carbon dioxide. A lot of people thought carbon dioxide was what came out of the exhaust of a car. They were mixing it up with carbon monoxide, but most people are not scientists.

One fellow who worked at the Ford Windstar plant down the road from Hamilton jumped up and said, "I work there. This is going to affect my job. I never knew that. I did not think it would affect me. I thought it was some international agreement that would fix little Johnny's asthma, that would not cost me anything and that certainly would not threaten my job". The automobiles that he builds at work are not environmentally friendly. Obviously the minister would say that they have to make something half that size, that driving something big like that obviously will not allow them to achieve their Kyoto targets.

When it comes to the question of what is Kyoto, we will examine what people think. That is what I have found across the country.

As far as the question of how it affects people, most people feel it does not affect them at all. It is not going to raise their energy costs. It is not going to raise the cost of electricity. It is not going to have any effect on them at all, except to fix the health problems. Obviously once they start examining that issue, that changes pretty dramatically as well.

Does it help the environment? If we were to deal with pollution, yes we could help the environment a lot. I started off in my introduction showing the lack of commitment for real environmental improvement. There are many countries that have been successful in fixing the environment. Whether we talk about Denmark, Germany, Japan or the U.S., there are lots of countries that are doing a lot for the environment. We have a lot of entrepreneurs who could do a lot more with a bit of government encouragement. When we look into whether it is really going to change the environment or change how things are, we will find the answer is not very positive.

Is there a better way? Darn right there is a better way. There is a made in Canada way and I want to explore that in depth. That made in Canada way is not just the Alberta plan. The made in Canada way is a much broader approach. I would need days and days to go through some of that information.

● (1710)

Why is there so much confusion around the whole Kyoto issue? Why are the polls dropping in terms of support? Why are 71% of Canadians saying they think we should have the cooperation of the provinces and they should know more about it? When we ask an audience, they all up their hands and say they want to know more about the Kyoto accord. Why has there been so much confusion?

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First, the government and a number of environmental groups have been in bed together, as the minister said, for a lot of years. The minister and the Liberal government have made a habit of trucking them around the world to various conferences. The minister makes sure that they have good tax deductions so that any donations are tax deductible. He has even given the Federation of Canadian Municipalities \$250 million for green projects. He does a lot of things to get people onside. That information is being put out by these groups because they owe something to the minister.

There has been a real skilful job of mixing health and Kyoto, of mixing pollution and Kyoto. It has been very well done. Most people really do believe that signing Kyoto will have major health results. Of course, if we look at Kyoto, Kyoto by itself is not about that. Kyoto is about CO₂, climate change and global warming. That is what it is there for.

We should deal with both of these issues. I want to make that extremely clear. The minister implied that we do not want to deal with this issue. He is totally, absolutely 100% wrong. We want to deal with these two issues, but let us deal with the issues and let us be honest with Canadians and with the provinces.

The provinces made it fairly clear in Halifax. They set out their 12 requirements and expected the federal government at least to respond to them. They wanted a first ministers meeting. Is it too much to ask to have a first ministers meeting, to sit down with the ministers and discuss those 12 points? I do not think so, because all of the provinces and territories agreed.

The other thing we are looking at is why there is so much confusion. How bad the doomsday scenario is that the minister goes with depends on where he is in the country. I cannot help but remember when he said in Calgary at the university that even if we implemented Kyoto it probably would not make much difference in the next 100 years.

That was in Calgary, but certainly here it is quite a different story. His doomsday scenario consists of floods, ice storms, droughts, pestilence, infection and people dying of heat. He implies, depending on where he is in the country, that ratifying Kyoto would end all of that. All of sudden we would not have any more floods, ice storms, droughts, pestilence and so on.

We can examine the scientific evidence about droughts in the Prairies. It consists of a number of university studies of pond areas and core samples taken from deep into the earth. They examined the climate that had gone on for the last couple of thousand years and found that there have been many periods of drought in western Canada. In fact once in the 17th century there was a drought that lasted 70 years. In the last few centuries, the droughts have been getting shorter and shorter. If we get two or three years of drought, that becomes more the law than the other way.

When the minister implies that we will have no more droughts, I am not exactly sure how he will arrange that simply by ratification of Kyoto. I do not know who he has connections with that he will pull that off, but obviously he has.

• (1715)

As far as pestilence is concerned, West Nile virus and various types of malaria were common in past history. They could flare up at

any time. With increased transportation and people moving from all parts of the world, it is only natural that is going to happen. To say that it is all related to signing or not signing Kyoto is totally misleading the Canadian public.

The importance of this debate is it gives us an opportunity to zero in on what the accord is all about and on many of the mistruths and wrong statements that have been made by the government, by its ministers and by the Prime Minister.

As I mentioned, I am quite surprised because I have been able to listen to the minister in different centres. It is interesting how the message differs wherever one happens to be. I guess that is politics but when we are dealing with something as important as little Johnny's asthma and climate change, it would seem to me that one would want to have the same message, believe it and go out and give that to Canadians.

Let us talk about climate change. What is it? We all know that the temperature has increased in the last 100 years. We know that the amount of CO₂ has increased in the last 100 years. We also know that there have been eight ice ages, that there have been eight interglacial ice periods. I am sure all members would agree that we cannot really predict the weather for tomorrow, let alone for 100 or 1,000 years from now. I cannot believe that the minister really believes that we are going to be able to do that.

I am going through some definitions here so that in the course of the next few days we will be able to discuss and use these definitions.

What are greenhouse gases? Obviously, 97% of greenhouse gases is made up of water and water vapour in the form of clouds, water and so on. We have to remember that the other 3% is made up of a major gas, CO₂, methane, ozone, and a number of other things.

The important thing is that greenhouse gases are necessary for our very survival. The earth is kept warm by greenhouse gases. It would be 37°C cooler if we did not have them and we would not have life on earth without those greenhouse gases. There is a lot of science out there that might disagree with those who say that carbon dioxide is the evil one.

We also need to understand and know what the IPCC is. The minister made reference to it and talked about it as if it was something pretty important to him. I will go through a few chapters of a book to explain it exactly. I know the member on the other side looks forward to it and will be sure to be here tomorrow so he can understand better what the IPCC models are. It is very important and I know he will enjoy understanding the modelling.

The top 200 scientists have finally zeroed in on 40 models. These models are pretty interesting. The member probably will not sleep tonight waiting to find out about them but I am going to make him wait until tomorrow. They put different factors into the modelling and came out with totally different results. Some of those results are 5°C higher in the next 100 years; some of them are colder than that.

• (1720)

Mr. Maurice Vellacott: Madam Speaker, on a point of order, I do not believe we have quorum in the House at this time.

And the count having been taken:

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The Acting Speaker (Ms. Bakopanos): There is quorum. The hon. member may continue.

Mr. Bob Mills: Thank you, Madam Speaker, for bringing decorum to the House. Obviously we are talking about a very important subject that many Canadians care an awful lot about.

I must apologize for not putting out a notice so Liberal members could have been here to hear my comments. I will do that tomorrow and I will try to give them a breakdown of the areas to which I will be speaking so they can be prepared a bit to ask some questions. I would not be afraid to have them ask me questions. The minister of course was very afraid and did not allow questions to be asked.

The IPCC is a group of 200 scientists. These scientists really care about climate change. They are a lot of good, top-notch people. As I said, I will be quoting from a number of texts prepared by the IPCC in relation to its studies. It is working with 40 different models right now and those 40 different models come up with very different conclusions. This obviously will be for the benefit of some of the members across because most of the Canadian public may not be quite as interested in these models as they are.

I have noticed in the so-called PowerPoint presentation of the government that it actually gives no credit at all to technology. It does not look to the future. It does not talk about the advances of technology. Instead, it deals in hypothetical kinds of things, picking the models it wants to pick and picking the few examples it wants to. As we go through it line by line we can then examine exactly where the flaws are and where there should be some clarity before we ratify the proposal.

The other thing the government really fails to do is give any credit at all to humans, animals or plants for adaptation. In all my university biology I learned about adaptation and the adaptation that animals, plants, insects and bacteria undergo in order to change. Adaptation is the way to go. It really is too bad that someone might be under water in 100 years but with a little adaptation they could handle it. Certainly the Netherlands demonstrated that it could handle that sort of climatic change without very much trouble. It will not happen tomorrow. It will happen over hundreds and hundreds of years and people will adapt. That is what is important.

Then we get to the consultation part of it. We need to really look at that term because the minister keeps using it saying that he has consulted so widely that everybody understands this. Well the people do not understand what Kyoto is about. Maybe that is Parliament's fault. Maybe that is the media's fault. Maybe that is someone's fault but the government needs to take the responsibility to inform the people.

Before we ratify the protocol the people have to understand. I am not talking about the select group of 84 people who were invited to the meetings that went on through June. I am talking about the person on the fixed income. I am talking about the mom and dad with two kids. I am talking about the single mother. I am talking about the working poor who are having a hard time making a go of it. Those are the people who need to understand the implications of Kyoto. The government has not delivered that information. When we talk about consultation that is the first line.

The one big failure in Kyoto is that the government has left out the people. All I can do is just remind the government what happened with the Charlottetown accord when the people were left out. It was great. It was cooked up here in Ottawa and everyone said it would work. The bureaucrats said that they could do up the paperwork. The politicians agreed to it. They said that they could make it happen but that they would not answer many questions or give much information. Well, obviously we know what happened there. The Canadian people engaged. When they engaged they ordered 12 million copies of the Constitution.

What bureaucrat or politician would ever have believed that could or would happen, that the Canadian people would engage like that and get involved? Well they did and we know what happened to the Charlottetown accord.

• (1725)

I put forward the same argument for Kyoto. As people understand and as they see what a phoney, eurocentric, bureaucratic document it is, they will say no to Kyoto and yes to a plan, but a plan they have been part of developing and have bought into.

Industry will be on side because industry knows it is good for business to be green and to be environmentally friendly.

What about the provinces? I think the provinces have stated their position fairly clearly. The Prime Minister, probably right now as we speak, is meeting with the premier of B.C., and will be meeting tomorrow with Mr. Eves in Toronto. The only real purpose, it appears, for the Prime Minister to do this is to divide and conquer.

What I saw in Halifax from the ministers was anything but a divide and conquer success story. I saw all provinces, Quebec and Manitoba included, and the territories together saying, "Listen federal government, we want to work on a plan, here are the 12 proposals that we are putting forward and you had better listen to these".

Of course the response in the House was, "No, I will not meet with the premiers. No, we will not agree to those 12 points".

Therefore when the minister stands in the House and says that he has the cooperation, we now have two failures. The Canadian people have not been consulted and the provinces and territories do not feel that they have been part of developing the plan.

What about the third aspect of the consultation, and that is with industry. Industry provides the jobs in this country and that includes the small and medium sized businesses. Do they feel that they have been consulted? Ask the chambers of commerce. I ask members of the House to ask their chambers of commerce what they think will happen if they have a rise in their energy costs and if they have to live by restrictions that they were not part of developing. The members can tell me that it will not affect jobs and will not affect the income of a communities.

There is a very important word that we will be discussing over the next while and that is the one of consultation: consultation with Canadians first, consultation with the provinces and territories, and consultation with the people who provide the jobs. When we have those three on side, we have an agreement that will work and is destined to work.

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As part of my introduction I want to talk about the ministers of government. I think it is rather interesting where their positions have come to and I would like to quote a few of them. I think these quotes are kind of interesting and will give Canadians an idea of just exactly where the ministers are on this whole agreement.

Let us remember that the Prime Minister has promised to consult fully with every province, to consult with all individual Canadians and to make sure it does not hurt any province or any person very much.

It is really nice, if one is the Prime Minister, to say that it will not hurt the economy or the people. I guess that is what he thinks Canadians want to hear, but is that really what will happen? Until we see the plan and until we know how it will be implemented, how can we possibly do that?

Let us examine a few quotes. This is a letter dated March 26 from the Prime Minister to Mr. Perrin Beatty, president and CEO of the Canadian Manufacturers and Exporters. The letter states:

I have stated that the Government would like to ratify the Kyoto Protocol, but we will only do so once we have a workable plan for meeting our target.

Is it not interesting that on September 2 the Prime Minister decided, probably surprising his own ministers and his bureaucrats, and said "we're ratifying it by the end of the year".

•(1730)

Let me read what the Prime Minister said to the head of the Canadian Manufacturers and Exporters. He said, "I have stated that the government would like to ratify the Kyoto protocol—". There is nothing wrong with that. However he goes on to say, "—but we will only do so once we have a workable plan for meeting our target".

That is pretty important and that will be the first set of words I think that will condemn the Prime Minister to not doing what he said.

The Prime Minister, on March 26, again in the same letter, stated, "I assure you that there is no artificial deadline for a ratification decision".

There is no artificial deadline and yet a few months later he has a deadline of the end of December 2002.

I am not a lawyer and yet I am putting forward evidence here, using the man's own words, and asking the House whether he is living up to what he said.

Again, the Prime Minister said in a letter "...the emission reductions that have been agreed to in the Kyoto Protocol will not be sufficient to stop climate change...", so what does that mean? I interpret that as meaning it is probably not going to make much difference. The environment minister confirmed that in Calgary about a month ago when he said there will probably not be a single bit of environmental change in the next 100 years. It will take much longer than that. All of these things are going to happen to us with very little gain.

Let me go on with statements from the Prime Minister. On September 25, 2002, he said, in *The Toronto Star*:

We will sign the protocol, we'll ratify it, and we will develop the plan. We will give the framework of the plan, but all the pieces of this plan will take 10 years to finalize.

One might say, well, that is great, he is going to take 10 more years and he has already had 10 years. We must remember that this was started in 1992. But there is one big problem. Article 3 of the protocol states that we will have to show substantial improvement in CO₂ emissions "by 2005".

This is stated clearly in black and white. A country must show that it has substantially reduced its CO₂ emissions. Between 1999 and 2000 we increased our CO₂ emissions by 5%. In 2000 we were 20% over 1990 levels. Today we are 25% over 1990 levels. How is the Prime Minister going to substantially reduce our CO₂ emissions? As everybody says, emissions will be another 5% higher by the year 2005. Again I guess it is a matter of the fact that he will not be Prime Minister much longer so he will leave it to the guy he does not like much and let him deal with the problem. As we know, though, that still comes back to the average Canadian I am talking about. It comes back to the family of four, to the single mom or to people on fixed incomes. They are going to have pay the price for the Prime Minister to live up to that commitment, whoever that Prime Minister might be.

The Prime Minister even said in the House that in 30 years our children and grandchildren will be dying from the heat. There is not a scientist in the world who would agree with that. None of the people in the IPCC, in those models, say that in 30 years people are going to be dying from heat. We must remember that the Prime Minister himself said that in 100 years we probably will not notice much change, so how the heck are people going to be dying of heat in the next 30 years when in 100 years they will not notice much change?

Let us look at the environment minister. We talked earlier today on a point of order about the ad during the Grey Cup game yesterday. I hope you will not mind me using this example, Madam Speaker. Just before that government ad that we the taxpayers paid for to try to blackmail and calm the Canadian people, there was a Viagra ad. A guy jumps out of his house and, boy, he is feeling great. He feels wonderful. All the old guys on the street envy him. He bounces over the white picket fence, runs down the street, dunks the ball and does all that stuff. When I saw the Canadian government ad and all its propaganda, I expected to see the environment minister jump over the white picket fence and tell us that there will be floods and pestilence and disease and all that comes with not signing Kyoto. It would have fit. That is probably for the next issue of the ads paid for by Canadian taxpayers.

This environment minister talks about all of these good things. He put out a note to his cabinet colleagues saying that all of us should set an example and have small cars that are environmentally friendly and use transitional fuels. There is one problem with that. Only one person replied. That was himself. The opposition leader at that time, our House leader, applied for one but he never did get it. He is still waiting. So we have one car.

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●(1735)

After votes in the House in the morning, how many of us have walked out there along the road and have seen ministers' cars turned off, saving fuel and not releasing CO₂? I do not think so. What I have seen is that they are all running. We could not have a minister getting into a cold car. They run for hours and hours and that includes the Prime Minister's car out there. Again, it is typical Liberal propaganda: talk a lot, say they are doing a lot and then do absolutely nothing or the opposite. I would encourage people to start asking their MPs to start asking their cabinet ministers just exactly how committed they are to doing something about the environment.

I have listened to the environment minister many times. I am sure he is a very honourable person and that he really believes in what he does, but when I had that breakfast meeting in Victoria 10 days ago, with all those tables filled with people from the business community, doctors, dentists and other professionals, they said that they did not understand Kyoto. That was in the minister's riding. They do not understand it in the minister's riding, let alone in the rest of Canada, and of course they are getting no help from him.

What about the natural resources minister? He said that the government would not implement it until it knows it will not do any damage to our industry, that we will not have an investment freeze, and that it will all be fixed. I think the only fixing that got done was probably by the hon. member for LaSalle—Émard who fixed the minister pretty good, and it may well mean that he is not going to be in this place anymore.

What about the industry minister? The industry department had an interesting report last week. It said that the government is underestimating the costs of Kyoto by 30%. I cannot help but think of some of the other underestimates that have happened in this place. I was in the House when a minister said that we were going to have this Bill C-68 and it would cost only \$87 million. He said they would have it all cleaned up and done right away. It would be smooth and easy with no problems. Within this next year that bill will have cost us \$1.053 billion and has probably accomplished only about 10% of what it was set out to do.

The government traditionally underestimates things. I have been talking with the oil industry, for example, which says that the government is working with a figure of 3¢ per barrel. That will be the increased cost. If it is 3¢ a barrel, then the government is right and it really will not make much difference, but nobody I have asked in industry will even come close to 3¢ a barrel. They say that figure is out by hundreds of percentage points, so really how valid is this whole thing?

What about the health minister? As we are talking about cabinet ministers and leadership, she is pretty interesting too. In *The Edmonton Journal* of September 7 of this year, she said, "An awful lot of countries have ratified Kyoto without a plan and that to me is irresponsible and frightening." I think she is right on. She obviously knows where it is at. It is pretty irresponsible and frightening to adopt this without having any kind of plan.

Of course, we have talked about the hon. member for LaSalle—Émard. He has an interesting position, which kind of goes like this: "I think Kyoto is pretty good, but, you know, Kyoto could be bad,

but it's good, but if we ratify it, we might not, but if we do, we could, but if we don't, well, then, we won't and then it won't hurt anybody and it won't cost anything, and I think that's what we should do". I think maybe he has to clarify his position a little bit.

●(1740)

I think he has quite a bit of room to manoeuvre, but if he wants to show real leadership this would certainly be the time to do it. He has said in the past that we must have a plan, we have to know how it will be implemented, we have to know what it will cost and we have to work with the provinces and Canadians. That is right on. I just quoted what he really says. I do not think anybody understands. He has said that "Canadians are entitled to know" exactly what the government's plans are and "I don't think you can spend the next number of years working that plan out". That is a quote from the member for LaSalle—Émard.

He is right. We must have a plan. We have to know how it will be implemented. That is what this whole thing is all about.

I do want to tell the House about the presentation which I have been making at the town halls across the country. Hopefully you will be in the chair tomorrow morning, Madam Speaker, as I do not want to start now because I will not have time to finish. Certainly in my notice to the member across I will let him know that I will be doing that presentation first thing tomorrow just so he can be here bright and early and get a seat.

Let us talk about the polls. Polls are pretty interesting things. Someone said a long time ago in the House that "polls are for dogs". Other people have said that the polls that are good we believe in and the polls that are bad we do not, but let us talk a little bit about these polls and the polling that is being done.

We must remember that the government has now spent \$1.7 billion on Kyoto. What we have to show for that is a bunch of advertising, but most important, the weekly polling that the government does to see where Kyoto is at to decide how fast it will move.

Seeing that the government likes polls so much, I decided that I would do a poll as well, in my own riding. Let me tell the House about this poll. I heard the minister say that we have to represent our people first and I believe in that more than anyone else. Let us talk about my poll. We surveyed 1,230 people in my riding and asked, is climate change a problem? Forty-seven per cent said yes, climate change is a problem. Twenty-eight per cent said no, it is not a problem, and 24% did not understand Kyoto well enough to know whether it was a problem or not.

Government Orders

Next we asked, will Kyoto harm our economy? Eighty-one per cent said yes, it will. Eight per cent said no, it would not, and 10% were not sure. Next was, is Kyoto the right way to deal with climate change? Thirteen per cent thought it was. Seventy-two per cent said no, it was not, and 13% did not know enough about it to respond to that question. As well, the comments are interesting. Of those 1,200 people, over 1,000 wrote comments. I have some of the comments here, very few in favour of Kyoto. That is exactly what I am finding when I go out on the road. That is what I found in Hamilton yesterday. I was supposed to be in Toronto tonight, but obviously I need to be here to help the members understand Kyoto better.

An hon. member: I think they need help in Toronto.

Mr. Bob Mills: Anyway, these are the sorts of questions that people ask. People ask, what is CO₂? As we remember, CO₂ is used for photosynthesis. Animals undergo respiration and give off CO₂. I am simplifying this. Plants undergo photosynthesis and take in CO₂. The more plants we have, the more CO₂ is absorbed. The biggest absorbers of CO₂ are the oceans. They are the biggest sinks that there are for absorbing CO₂.

An hon. member: Canadian Alliance MPs, they're the biggest—

Mr. Bob Mills: Obviously the member does not know the difference between a plant and an animal. I will tell him about that in another lesson on another day. The member has a long way to go before we get there.

• (1745)

People ask how we will stop our carbon use. Obviously when we go through this plan we will find that the government is saying that we need to cut our CO₂ release by 20% per person, by about one tonne per person per year. We need to ask what that means.

I refer again to Hamilton because the results were so startling yesterday. I talked about CO₂ and where it came from, the government's plan to have smaller, more fuel efficient vehicles and that sort of thing. A guy jumped up and said he worked at the Windstar factory which I think is in Oakville. He said what I was saying would affect his job.

Will the manufacturing plant downsize and make smaller vehicles to fit the Kyoto target? It is not likely if its major market is the U.S. Remember that we are a very small market. What may happen to those jobs? They may well move somewhere else. All of a sudden the light bulb came on. He said that would affect him. Yes, it will affect every Canadian.

I was driving 120 km on Highway 401 and everybody else was driving 130 km or 140 km. Everybody was passing me. I looked at those people in the eye and thought, do they know that they will have to slow down or take the train? I do not think they understand that.

The government has not communicated with people about Kyoto. People have no idea that they are going to be affected like that.

I listen to the Europeans talk at some of these meetings. They say we pay 72¢ for a litre of gas. Mind you, that is in Alberta; here it is 66¢ or 62¢. I cannot quite figure that out. I should ask the Minister of

Transport why gas is always cheaper here than it is in the place from where it comes, but that is another issue totally.

The Europeans say we should pay \$2.50 a litre for gas and that is how we will reduce consumption and change the habits of people. That may be fine in Europe. It may be fine where people can take a train, where there is a train, but there are not many trains in most parts of Canada. It is a big country compared to Europe. It is a big country compared to France, Italy and Germany. We cannot draw the same conclusions that the Europeans draw for this sort of thing.

When we talk about these polls, 78% of people believe that the federal government needs to spend more time investigating the cost and impact of the accord before implementing it. A recent poll says that 78% of Canadians think more work has to be done before this thing is ratified and 71% say it is possible to have a made in Canada solution that would cost the economy a lot less.

That really comes down to Canadians saying that rather than send \$1 billion to Russia to buy credits, would it not be better to spend \$1 billion in Canada on research and development to become leaders in fuel cells, windmills, or whatever type of high tech we are going toward. The use of hydrogen fuel will be where we are going. At this point, we are not leaders in that area because we do not have a government commitment.

Canadians are beginning to say we will bankrupt the country. We will not have money to put into research and development and a lot of those companies will simply leave in disgust because of the way the government is handling the file.

• (1750)

When we look at this, the support is falling rapidly. If we wonder why the government is speeding things through, we should look at Saturday's *Globe and Mail*. The headline was "Kyoto support dips as ratification nears". That is exactly what the government is worried about. It is worried that the longer it holds off on this and the more Canadians find out, the better the chance that they would defeat it. It is just like the Charlottetown accord. The fact that the government is hiding it from Canadians, it is pretty obvious what is happening.

When it comes to the polling that the Liberals do and they use our money to do so, they will get quite a surprise. Canadians will get a surprise when they realize who will really be paying for an awful lot of these things. That will be a huge surprise to them, because certainly the Liberals have not indicated that will be the case.

Government Orders

Let us look at how the plan came about. There was a supply day on October 24. Is it not amazing that on that morning we got a call telling us there would be a briefing for Liberal MPs at 8:30 and for opposition MPs at 9:30. Our briefing started at about 9:40. The Liberal briefing was ahead of that. Is it not amazing that is when the plan came out? It came out the very day that we had our supply day.

If we look at the facts, I think the photocopiers were pretty busy that night. I think a lot of bureaucrats had to work all night putting together the plan, the powder puff, PowerPoint presentation. They had to put that thing together. As we will see tomorrow when we look at the plan, there are some really big holes in it. There are some really stupid statements in that report. Obviously somebody who did not understand anything about science, climate change or any of those issues, had to come up with some of those ridiculous ideas.

I will start with the first draft, the climate change draft plan. I am afraid I will not be able to get through all of it today. I will probably start again tomorrow to refresh everybody's memory so they know where we are.

Let us start off with the general points that are made in the first part. The first statement is that the science is clear. I think we would find a lot of argument among the 17,000 scientists. The many scientists who are now responding to Kyoto would say the science is not clear, that the science is at least 10 years away.

I want to talk a fair amount later on. Of course I know that most members would like me to read into the record, Bjørn Lomborg's *The Skeptical Environmentalist*. I am sure hon. members would like me to read all of it, but I will just read selected parts of it into the record in a few days.

Let us talk about the science. The government said on the first page, "The science is clear". I am saying there are a lot of scientists who would disagree with that. Then it says that we can establish a competitive edge by joining the rest of the industrial world, even if the U.S. is not part of Kyoto. I think that is a huge underestimation of the importance of the U.S. market in Canada.

• (1755)

It says that we can just move ahead and ignore the U.S. Well we are not only going to ignore the U.S., we are going to ignore the Americas. We are going to ignore our NAFTA partners like Mexico; we are going to ignore Chile, Argentina and Brazil, all countries that we trade with. We are saying that we can trade with the good guys that sign onto Kyoto.

Let us look at who those good guys are. When we examine who they are and we look at the percentage of our trade with those countries, we know we have some big problems. If 85% to 90% of our trade is with the U.S., how can we make the statement that we can establish a competitive edge by joining the rest of the industrialized world? What kind of a comment is that? Remember that China, the number two producer of CO₂, and India, the number five producer of CO₂, are not part of this. That makes a pretty big difference.

Let us go on to the next statement. It says that the U.S. may join Kyoto in future and already we will be far ahead of the Americans. The problem is that the Americans are doing something. There are 39 states that actually are going to reach Kyoto targets and better. We

have our heads in the sand. We are going to be at 35% more emissions than 1990 and 39 of the American states are going to beat the Kyoto target. We are going to have a competitive advantage over them because we are going to slash 35% of our production? I do not understand the logic of that, yet that is a statement from the power point presentation.

It says that modelling suggests cost impacts will be modest and costs will be offset by investments in technology and other advancements of doing business in Canada, like livable cities, exchange rates and social services. How long have we been trotting out that little thing, that our health care system is the best?

The World Health Organization rated us 30th. We are 30th in the world for health care and we are trotting out that our social services are better than everywhere else. I do not think Mr. Romanow is going to say that on Thursday and that is the government's own report. I do not think our big cities are any more livable than some of the cities in some of the other parts of the world. That is having one's head in the sand and not even knowing it is there.

It says that innovation and technology are the keys to growing the economy while reducing emissions. Boy is that ever true, but when we start buying emissions credits and penalizing business to get them down to this artificial target, how are we going to have the money for innovation and technology?

We are getting the idea from these statements. The government will have to raise taxes. The money has to come from somewhere. Will that make us more productive? I question it.

It says that we must ensure a strong overall investment climate. Let us examine that. Right now we are suffering an investment freeze. EnCana is taking \$100 million out of its fourth quarter and putting it into Venezuela. Petro-Canada and all kinds of other companies are holding off on development. We have fourth quarter slowdown in all kinds of industry in this country because of the uncertainty of Kyoto, and it says that we must ensure a strong overall investment climate. We are doing just the opposite. We are creating an investment freeze in this country.

It says that the government has held extensive consultations. I have talked about those consultations. I do not know where they have gone on because Canadians do not feel they have been consulted. Provinces do not feel they have been adequately consulted. The manufacturers right here in Ontario do not feel they have been consulted. The government has held those consultations behind closed doors.

It says that the fundamental approach is national engagement. I am reading from the report. Canadians are just starting to get engaged and are finding out what this is about.

Government Orders

•(1800)

It talks about a made in Canada plan, evergreen, step by step in partnership. I cannot help but think of that Viagra ad, with the minister jumping over his white picket fence and Canadians jumping all around him. Canadians are not there yet. They are not part of this.

It says there would be no undue burden on any sector or region. How many times have we heard that? Tell me that the manufacturing sector, the oil and gas industry and the power plants would not be affected.

Members should recall that over 50% of the energy produced in Canada comes from coal. Coal is the dirtiest producer of CO₂. It produces more CO₂, and we are 50% dependent on it. What would we do, shut down the coal plants? If we do, what would we replace them with? We could ask Mr. Suzuki if he wants a nuclear power plant in every backyard? Is that the source of energy? It does not produce CO₂. I do not think that is a solution.

It talks about adequate and prudent funding. I do not know what that means so I cannot interpret what that is. Funding for what, for whom and from where?

It talks about open process, concrete timelines and no surprises. These are general points of this so-called plan. We will have no surprises. We will know everything. Canadians will know all the costs. I do not know because a lot has to happen in the next few days for that claim to come through.

It says that Canadian participation is necessary for credibility of the protocol. That is putting one's hand right over one's heart and saying, "Right on, guys. You really have it." Lots of talk, but no action.

It talks about credit for clean energy exports. We must work on energy exports and clean energy credits. This is the best one of all, probably. We are asking the Europeans to give us credit for selling our clean energy to the U.S. We sell lots of gas to the U.S. We are saying to the Europeans to give us at least x number of megatonnes credit for that. But where do the Europeans get their gas from? They get their gas almost exclusively from Russia. If they agree to clean energy credits for Canada, they would have to give Russia clean energy credits for the gas that it sells. Russia already has credits. Why would the Europeans ever agree to give it more? Because they would have to buy them from Russia. Mr. Putin made it clear that he wanted billions of dollars. He did not want millions, he wanted billions of dollars for his clean energy credits.

We send coal to Japan. Are those negative credits because we sell coal to somebody? I guess if we take it all fair and square we would get negative credits. I suppose that is what that means.

It says we need large adjustments through many pragmatic steps. It was getting late as we got through these things and probably whoever thought up these points was getting fairly tired at this point.

The next part of this document goes on to modelling and it talks about how these models work. I am really kind of lucky because I have a daughter who does modelling. She just finished a project with the German government. She is now working in the Netherlands. She designs computer programs and models. Her last project was to design a model for the German government for what the German

social requirements would be in the year 2055. That was the model that she designed. She showed it to me. I could not understand a single word of it, but that is modelling.

I asked her about the modelling that the IPCC was using. I asked her to read that section on modelling. In modelling, it depends what one puts in as to what one gets out. This plan says that the overall economic impact would be modest.

•(1805)

That sounds good, but that is because the model used 3¢ per barrel of oil and \$10 a tonne for buying emissions credits. Right now it is at \$38 but \$10 was used in the model.

It says that when this emissions trading begins in the European Union on January 1, it is estimated the price would escalate. The Canadian government says if the Americans are not there the price would not get too high. If the Americans are in, it would be \$500. If the Americans are not in, it would be less than \$100. However, in the model \$10 and 3¢ are used. How accurate is the model? Sure it could say that the economic impact would be modest. Obviously if we were to put in modest numbers we would get modest results, but that is not the reality.

It says the impacts would be balanced across all sectors and regions. How in blazes would that happen? There has been no sector by sector plan. For us to understand that statement we would have to know how much we would penalize each sector: the oil and gas industry, the manufacturers and the automobile industry? How much would each sector have to pay for these credits? That is the only way we could have an accurate model.

It says that the variation in impacts would be small relative to the accuracy of the overall modelling. When we talk about modelling and the 40 models that the IPCC has, these impacts could be very great, particularly economic impacts and what they might mean. Models are only as good as what we put into them and only as accurate as the figures and input items.

It talks about investment and new markets. The Canadian government puts a lot of store in the fact that we would have all these new markets and technology. That is all well and good and I am sure we have Canadian entrepreneurs who would benefit from Kyoto, but the real question is who has the leadership today? We would find, if we looked at Denmark, Germany, or the U.S., that they are leaders in this technology. They started working on it in 1992, after the real conference.

Some of those entrepreneurs said, "There is money to be made here. Let's get in on that". They developed a phenomenal number of windmills and all kinds of alternate technologies. Canada is not a leader in that area and will not have the jobs there. We have 10 years to catch up before we can do that.

Government Orders

It says that Canadian companies can take the lead in several fields of technology. It does not point out what those are. I guess again that it is kind of a we are going to be leaders in something statement.

It says that investments in leading edge, capital stock, and state of the art technology is key to competitiveness. Is that ever true? However, we have not done that. We have not been investing nor encouraging the development of that technology.

It talks about fair and competitive tax treatment, strategic investments in critical technology and long term technological approach. Translated that says we must have a fair and competitive tax system. Fair and competitive to whom? I believe fair and competitive to our number one competition, the United States.

The United States will not be part of Kyoto. It will develop it on an incentive basis. It is putting \$4.6 billion into fuel cell research. What is Canada doing? We are putting \$7 million over 10 years into research and development. What will that develop?

It is fine to say that we will have fair and competitive tax treatment and we will have strategic investment in critical technology. Who is investing? We are behind. We needed to start this in 1992 and we did not. We sat on our hands and did nothing.

• (1810)

Risk management is the next topic. "We will work with industry to reduce uncertainties, limit risks and impact on competitiveness". I guess that means the Canadian manufacturers, the group of industries that have come together as part of a coalition, the oil and gas industry, the chambers of commerce across Canada are saying no to Kyoto and this is saying that we will work with industry to reduce uncertainties, limit risk and impact on competitiveness. Those are fine words. The problem is that is not being done.

"We'll build in contingencies to limit risk of measures". Does that mean the government will provide guaranteed loans to any industry that wants to develop an innovative project? That might be fine, but the problem is who pays for that. Where does that money come from? Do we take it out of health care? Do we take it out of agriculture? What do we take it out of? Perhaps we could take it out of some of the government waste and boondoggles in this place.

"We will work in conjunction with the U.S." That is the next item. I am pretty sure calling the President a moron will really help us to work with the U.S. I am sure that makes us really popular in that community. How would we like it if we heard politicians from other countries calling our Prime Minister something? I would defend him. We are in Canada. It is fine for the Americans to call their President something, but it is not for us. That is sure not going to help.

"We will keep open Canada's long term undertaking under the protocol. No commitments for the second commitment period". Let us talk about that for a minute. We will not commit to the second period. We will only commit to the first. The first is from 2008 to 2012. The next period is 2012 onward. The problem with this whole thing is that we will not be able to live up to our commitments. We will not be 6% below 1990 levels. It is impossible.

What are the penalties? It is fine for the members to say that there are no penalties. There are. When we go through the protocol, we will find a 30% penalty when a country does not achieve its

commitment by 2012. Besides that, the Europeans will go to the WTO to impose other penalties on countries that do not ratify Kyoto. That is to go directly after the Americans but we get caught in the crossfire because we will not achieve our commitments either.

When the government talks about risk management, I do not think it understands what that means. There is a big risk in ratifying Kyoto and not living up to it. I have heard Liberals say that they will ratify it just like they have the other agreements. Let me quote the statement of the Auditor General which is very clear. In the 3 documents she went through, 200 binding international agreements have been signed by Canada in the last 10 years. She states:

The federal government is not investing enough—enough of its human and financial resources; its legislative, regulatory, and economic powers; or its political leadership—to fulfil its sustainable development commitments. The result is a growing environmental, health, and financial burden that our children will have to bear.

That is the record. She audited 60 of those 200 and we received a failing grade on those 60. If we think we will do that with Kyoto, we will pay the penalty. The penalties are clear: a 30% penalty in the year 2012 and we will have WTO restrictions put on our trade. That will not cost anyone anything? That will not cost our exporters anything? I think we had better examine this one pretty carefully.

Let us go on and examine this document. This is the first plan. We had another one which was a stapled photocopy. This is the actual PowerPoint copy. Let us see what we will do. Actions that are underway are 80 megatonnes. We have taken care of 80 megatonnes. Actions that we are planning for are 100 megatonnes. The third category is 60 megatonnes and we do not know how we will do that.

• (1815)

Tomorrow I will examine the 80 megatonnes and then I will examine the 100 megatonnes. God help us to figure out what the other 60 are. The government says that it will be clean energy credits from the U.S. We are not getting those. We can wait until hell freezes over and we will not get those. We can wait until the ninth ice age and we will not get those clean energy credits.

An hon. member: In 1970 we were supposed to be there already.

Mr. Bob Mills: Yes, in 1970 we had that already.

We do not have a plan for how we will achieve these targets. There is no plan for which industries will commit to this.

We have a gap of 240 megatonnes but let me talk about some of the methods to get to the first 80 megatonnes. Everyone will have to come back tomorrow to hear about those because they are so ridiculous no one will believe them. I know everyone looks forward to hearing about that. Then I will talk about the 100 megatonnes and the 60 megatonnes. I am priming everyone to be ready for tomorrow.

Government Orders

The federal government goes on to say that it has invested \$1.6 billion already. I would like to know where that \$1.6 billion is. I do not think that much could be spent on CBC advertising. This is the kind of stuff we have. It is pretty glitzy. It is multicoloured. It tells us why climate change is bad and all the wonderful things about the government. It has great pictures and really good stuff, but that does not amount to \$1.6 billion. Maybe the PowerPoint thing cost \$1 million or \$2 million, but we have spent \$1.6 billion.

It says that action plan 2000 will lead to a 50 megatonne reduction by 2010. I tried to figure that one out, that is insulating our houses, triple pane glass and all those kinds of things. The industry says that we have saved about three megatonnes. The government is counting on 50 megatonnes. It is a slight different calculation but it is kind of close. It is Liberal math.

This is a good one. We will get 30 megatonnes from agriculture and four sinks. The problem with that is that forestry and agriculture, as far as I understand, are provincial, but we know who will get the credits for these. Who is taking credit for the sinks? The federal government. It will take 30 megatonnes of credit.

How does the government know it is 30 megatonnes? I tried to ask scientists how we would know that. They said that young trees absorb more CO₂ than old trees. It is just like old people and young people. It is like the member over there. He probably does not eat as much as some younger members do. I again asked one of the "Suzuki-ites" if they wanted to cut down all the old growth forests because they were not absorbing enough CO₂. That did not go over that well. I also asked about having some nuclear power plants in every city. That did not seem to strike home very much either.

However somewhere the government will have to figure out how many trees we have and how much agriculture we have to come up with 30 megatonnes. I was told by scientists that the only way that could be done was to estimate all the trees in all the forests and then do the math to come up with the CO₂ level, but it could not just be done by saying that all forests are the same age. We would have to age the forest and then decide right across the country.

I can sort of imagine the bureaucrats out there driving down the road counting the young, the old and the medium age trees. It should create a really good bureaucracy and maybe all those people who are working in the auto industry could become tree counters and figure out how many sinks we have. I am sure taxpayers would really love to pay for that. We have a lot of questions about the 30 megatonnes from agriculture and forestry sinks.

• (1820)

Does anyone know what the Europeans said about that in Johannesburg? I specifically asked them about that. They said that when they had their meeting in Bonn, Canada was ready to leave Kyoto. They said that they wanted to keep Canada in as their bridge to the Americans so they did a throw away. They gave Canada 30 megatonnes for its sinks and did not give a damn how we came up with that number. It was a throw away to keep Canada in the agreement at the Bonn negotiations last year. When a government does something like that it gives us great confidence that the government really cares about the environment.

I have a lot of material to go through here but let me talk about the 100 megatonnes. The member had to go home for lunch but he will

be back tomorrow so he can find out more details. However, regarding the 100 megatonnes, this is the plan. We are going to have targeted measures to support individual action by consumers. Let us think about that for a minute: targeted measures to support individual action by consumers. I guess that means that if I do not buy something that is made from carbon I will get some kind of an incentive.

Something concerns me here. When I built my house 11 years ago I put in triple pane glass and extra insulation. Will I be able to apply to the government and get a credit for that? The Liberals are telling me that they will support individual consumer action. Therefore, if I do something good I should get the payout. Someone should give me the money. I should get a cheque from someone. I think that is what that says.

It says we will have a comprehensive approach to industrial emissions including domestic emissions trading, technology and infrastructure investment and targeted measures. If one were to translate that one, industry would get a cheque too. The only problem is, where will all the money to handle all this come from? We will be getting cheques for emissions and for consumer buying but then it says, "direct government participation in international credit markets".

Translating that, it says that the Canadian government, with my tax money and everyone else's, will buy credits from Russia or wherever, will transfer \$1 billion and will get hot air in return. It will sell those to Canadian companies and Canadian companies will keep putting out the same amount of CO₂. I do not understand how that helps the environment. I understand how it could buy fighter jets and how it could provide Swiss bank accounts in those countries but I do not understand how it will help the environment.

We must remember that all Liberals care about the environment. They talk about it. They love it. They will do everything for it except take any action. They are going to buy these international credits. One day we hear government members saying that they will buy credits and the next day they are saying they will not. They are saying that they will buy credits in some parts of the country but in other parts of the country they will not. The Minister of the Environment very conveniently has a different speech for different places.

However the point is that will not help the environment. Kyoto is not about the environment. It started out in 1992 as a transfer of wealth. It was the dirty, rotten north that became rich by exploiting and raping its natural resources and the poor south did not do anything. It was a transfer of wealth from the north to the south. That is how it started. It was a great socialist plot. The Liberals believe everyone should share in all of these things. The problem is that it does not work that way. If that money is sent to a corrupt government that money will be used for F-18s or put into Swiss bank accounts.

Adjournment

● (1825)

It is not going to help the environment. It is not going to help the people. We are sending it to countries that have far worse pollution problems than we do and we have not even started talking about developing countries yet. We will do that later because that is a whole other big issue for Thursday, Friday, Saturday. Hopefully the House can sit extra hours so we can put forward all this material that we have.

What about future actions? The government wants to deal with these. It says that we are going to have partnership initiatives and we are going to save 30 megatonnes. We are going to have technological investments for 10 megatonnes, provincial action for 20 megatonnes, municipal reduction plans, 10 megatonnes, consumer challenge, 7 megatonnes, credits for clean energy exports, 70 megatonnes.

Those are the numbers, but how are we going to do it? What does it possibly mean when the government says it is going to do it? How realistic is it? Where does the money come from? How does it work? What does that mean to the average Canadian who asks, "Is this going to make my fuel bill higher? Are my transportation costs going up? Is it going to cost me more to heat my house?"

That is where that is coming from. It has to come from somewhere. I do not believe the government has any idea where it is going to get those cuts from. Those headings that I read give an indication of how unrealistic this is.

I will wrap up for today by saying that I do not think the government has a plan. I do not think it has a clue what it is going to cost. I do not think it knows how it is going to implement it. We can prove that by looking at the facts.

The government just does not know how it is going to deal with climate change. It is quite happy to con Canadians into believing that it is for their health, that it is for little Johnny's asthma that we are signing Kyoto. It is not about that at all. It is about climate change. It is about global warming. It is about CO₂. That is what we will go on to talk about.

I know that the one particular member across the way who has had a lot to say looks forward to the plans tomorrow and how we can develop this in much more detail. I hope he will bring his friends because it is very important that we get to all of these issues.

I am just waiting, Madam Speaker, for you to tell me when I need to sit down for today.

Some hon. members: More.

The Acting Speaker (Ms. Bakopanos): Have no fear there will be more tomorrow.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

● (1830)

[*Translation*]

HEALTH

Mr. Yvon Godin (Acadie—Bathurst, NDP): Madam Speaker, on October 24, I put a question to the Deputy Prime Minister in the House. My question was as follows, and I quote:

Mr. Speaker, it was reported on the news, on Radio-Canada, that some private medical clinics in Quebec are renting out operating rooms to health professionals to perform surgeries. A total of 11,000 surgeries have been performed in violation of the Canada Health Act. The Quebec health minister says "If there are no complaints, I am not taking action".

It is as though they were saying, "We do not care about the act".

Still quoting from my question:

My question is for the Deputy Prime Minister. Will he immediately look into the matter?

The Parliamentary Secretary to the Minister of Health answered as follows:

—at present, all the provinces are required to comply with the Canada Health Act. It is very clear that all the services that are medically necessary must be paid for by the provinces, with the money transferred to them by the federal government to provide these service.

Clearly, based on the information we have, one of the five principles of the Canada Health Act has been violated. As far as I am concerned, my question was clear. I wanted to know whether the government is going to look into the matter immediately to find those who are violating the Canada Health Act.

The reply was a disappointment. I was told that the act was in place and must be complied with. I should hope so. We are here in Parliament to enact legislation and that legislation must be respected. That is not the response I was expecting to get from the government.

I was asking what was going to be done to ensure compliance with the act. This is important. We know where the money will end up if there is a two-tier health system. It will go to the private clinics, which want to make money on the health of Canadians, be they in Quebec, Alberta or New Brunswick. The private sector must not be allowed to start making a profit from sick people. My question was clear. I was under the impression that the Liberal government was opposed to privatization of Canada's health care system.

This evening, I am after a more precise answer. The government has had a month to prepare for the question. I would like a clearer response. What does the government intend to do to halt privatization? People are going to start cheating the system. The provincial representatives will tell us that they do not take any action unless there are complaints. That is not a reply, nor is it an acceptable excuse for any government. If they have not had any complaints, here is one for them now.

This is an unacceptable situation and my complaint is addressed to the federal government. I am demanding that the federal government take steps to ensure that the Canada Health Act is complied with in Canada. The private sector is getting paid out of the government's coffers, and this is contrary to the legislation and the five principles it contains.

Adjournment

I cannot be clearer than that. I do not need to belabour the point. I am certain that the parliamentary secretary understood my question to the federal government.

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Madam Speaker, it is true that on Thursday, October 24, during question period, my hon. colleague, the member for Acadie—Bathurst, raised a question on a news report about private medical clinics in Quebec renting out operating rooms to physicians to perform surgeries for which patients paid the costs of the physical installations, and the government the medical fees.

The newspapers have reported that the Minister of Health and Social Services in Quebec did confirm that such was indeed the practice in Montreal, but that unless patients filed official complaints about having had to pay for an insured service, as my hon. colleague indicated, his department could do nothing to stop the clinic.

Charging fees to patients for insured medical or hospital services is illegal, under the Canada Health Act.

Following up on this information, Health Canada contacted the provincial officials in Quebec to get more information. If patients are required to pay for insured services, the minister expects the province to take the necessary steps to put an end to this practice. We are pleased to note that, on November 5, on the basis of this information, the Quebec health minister announced through the media that he was contemplating amending the provincial legislation to prevent private clinics from charging patients for surgeries.

Naturally, the Canada Health Act is the cornerstone of our health care system. This vital legislation reflects the government's commitment to a universal, accessible, comprehensive, portable and publicly administered health insurance system.

The act ensures Canadians have access to health care by establishing criteria with which the provinces must comply to qualify for the full amount of the federal contribution to health care owed to them.

In addition to these criteria, the act sets qualifying conditions for cash contributions and deters extra billing and user fees by reducing cash contributions to the provinces by an amount equal to the fees, if any, charged to patients.

If the principles laid out in the Canada Health Act are respected and encouraged, it will be possible to protect and even improve our health care system.

Health Canada takes its responsibilities under the Canada Health Act seriously, and works with the provinces to ensure the principles set out in the act are respected.

The Government of Canada has made a commitment to maintaining the Canada Health Act and ensuring that our public health care system is based not on one's ability to pay, but on people's needs. Canadians expect their governments to work

together, the federal government and the provincial governments, to find solutions to problems with the health care system.

We have always preferred to work with the provinces and territories, through consultations and cooperation, to solve problems related to the Canada Health Act.

I would like to thank my colleague for having raised this important issue in the House. Once again, I hope that based on cooperation, and following the statements made by Quebec's health minister, we will be able to ensure that Canadian laws are respected when it comes to health care services.

• (1835)

Mr. Yvon Godin: Madam Speaker, I would like to thank my colleague, the hon. member for Madawaska—Restigouche, for his answer on behalf of the government.

I do, however, have trouble understanding how a province would need to enact legislation in order to comply with an existing law. The Canada Health Act with its five principles is clear: there cannot be a two-tier system. I find that this slows the process down still further and allows other clinics to see the light of day. That is, to my mind, not right.

The legislation is already clear: according to the five principles of the Canada Health Act, no one can get around the law, sneak around it by paying for an O.R. and then asking the province to pay his or her doctor bill. In my opinion, this is contrary to the federal legislation and its five principles. I think that is precisely what the parliamentary secretary said. It is illegal.

I understand the desire to get along with the provinces and that this is the way to do so. Personally, however, I wonder this: what are they going to do when they find out that there have been 11,000 operations? Will it stop then?

Mr. Jeannot Castonguay: Mr. Speaker, again, I share my hon. colleague's concerns. He can no doubt appreciate how complex the situation is when dealing with federal and provincial jurisdictions. I do hope that, following the statements made by the Quebec health minister, who was going to look into the matter, thanks to our spirit of cooperation and collaboration, he is going to enforce the legislation in his province, so that the Canadians who have access to these services do not have to cover the cost out of pocket.

• (1840)

[*English*]

The Acting Speaker (Ms. Bakopanos): The motion to adjourn the House is now deemed to have been adopted.

[*Translation*]

Accordingly, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24.(1).

(The House adjourned at 6:40 p.m.)

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