

**CANADA** 

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OFFICIAL REPORT (HANSARD)

Thursday, October 28, 2010

Speaker: The Honourable Peter Milliken

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# HOUSE OF COMMONS

Thursday, October 28, 2010

The House met at 10 a.m.

Prayers

#### ROUTINE PROCEEDINGS

**●** (1005)

[English]

#### PUBLIC ACCOUNTS OF CANADA

Hon. Stockwell Day (President of the Treasury Board and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, I have the honour to table, in both official languages, the Public Accounts of Canada, 2010.

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# PUBLIC SERVANTS DISCLOSURE PROTECTION ACT

Hon. Stockwell Day (President of the Treasury Board and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, I also have the honour to table, in both official languages, the 2009-10 annual report on the Public Servants Disclosure Protection Act.

As recorded here, people will find that 248 disclosures came forward from public servants with areas of concern that they wanted looked at. There were 218 acted on, 36 led to corrective measures and 7 led to findings of wrong-doing. All of that is documented in the report.

\* \* \*

# INDIVIDUAL MEMBER'S EXPENDITURES

**The Speaker:** I have the honour to lay upon the table a document entitled, "Individual Member's Expenditures for the Fiscal Year Ending March 31, 2010".

[Translation]

The Board of Internal Economy has implemented a new style of report to make it easier to understand members' activities and expenses. The information is presented in columns and rows that are easier to understand, and each expense category is more detailed.

The report is available online on the parliamentary Internet site. It will be available soon.

[English]

# COMMITTEES OF THE HOUSE

HEALTH

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I have the honour to table, in both official languages, the eighth report of the Standing Committee on Health in relation to Bill C-36, An Act respecting the safety of consumer products.

The committee has studied the bill and has decided to report the bill back to the House with amendments.

TRANSPORT, INFRASTRUCTURE AND COMMUNITIES

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, I have the honour to table, in both official languages, the fourth report of the Standing Committee on Transport, Infrastructure and Communities in relation to Bill C-509, An Act to amend the Canada Post Corporation Act (library materials).

The committee has studied the bill and has decided to report the bill back to the House with amendments.

# **PETITIONS**

BULLYING

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, I am pleased to present a petition on behalf of constituents who note that bullying has become a very significant problem in Canada. With the Internet and other modern communication systems, it has become an even more prevalent and damaging problem.

The petitioners call upon Parliament to consider introducing legislation that would target the problem of bullying.

# PASSPORT FEES

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, my petition calls upon the Canadian government to negotiate with the United States government to reduce the United States and Canadian passport fees. The number of American tourists visiting Canada is at its lowest levels since 1972. It has fallen by five million visits in the last seven years, from 16 million in 2002 to only 11 million in 2009.

Passport fees for an American family of four can be over \$500 U.S. While 50% of Canadians have passports, only 25% of Americans do.

At the recent Midwestern Legislative Conference of the Council and State Governments, attended by myself and over 500 elected representatives from 11 border states and three provinces, the following resolution was passed unanimously, which reads:

RESOLVED, that [the] Conference calls on President Barack Obama and [the Canadian] Prime Minister...to immediately examine a reduced fee for passports to facilitate cross-border tourism; and be it further

RESOLVED, that [the Conference] encourage the governments to examine the idea of a limited two-for-one passport renewal or new application;

To be a fair process, passport fees must be reduced on both sides of the border. Therefore, the petitioners call upon the government to work with the American government to examine a mutual reduction in passport fees to facilitate tourism and finally promote a limited time two-for-one passport renewal for renewed application fees on a mutual basis with the United States.

#### EMPLOYMENT INSURANCE

**Mr. Mark Warawa (Langley, CPC):** Mr. Speaker, I have the honour to present three petitions today. The first petition is with regard to medical benefits.

The petitioners point out that there are a number of severe, potentially life-threatening conditions that do not qualify for disability programs because they are not necessarily permanent or because the waiting list for surgeries could lengthen recovery time.

The petitioners call upon the House of Commons to adopt legislation to provide additional medical EI benefits to at least equal to maternity benefits.

#### SKIN CANCER

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, the second petition is with regard to skin cancer, particularly melanoma.

The petitioners point out that one in seven Canadians will develop skin cancer in their lifetime. Melanoma is the most serious type of skin cancer and one of the most rapidly increasing cancers in Canada and the second most common cancer in young adults.

The petitioners call upon Parliament to support a national skin cancer and melanoma initiative to provide much needed access to newer drug treatments and funding for research and educational programs.

#### FIREARMS REGISTRY

**Mr. Mark Warawa** (Langley, CPC): Mr. Speaker, the last petition is with regard to the long gun registry.

The petitioners point out that the long gun registry was originally budgeted to cost Canadians \$2 million but that the price tag spiralled out of control to an estimated \$2 billion a decade later and that the registry has not saved one life since it was introduced.

The petitioners call upon the House of Commons to support any legislation that would cancel the Canadian long gun registry and streamline the Firearms Act.

• (1010)

#### CHILD CARE

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Mr. Speaker, I have two petitions to submit to the House this morning. The first petition relates to child care.

As members of the House know, for decades Canadian Parliaments have been promising to end child poverty and provide, in a complementary fashion, excellent child care. The petitioners want to ensure that all children living in Canada have access to excellent child care. In particular, they support the passage of Bill C-373.

#### OIL AND GAS INDUSTRY

Mr. Bruce Hyer (Thunder Bay—Superior North, NDP): Mr. Speaker, my second petition is about gas gouging and it has been signed by people in my riding of Thunder Bay—Superior who are definitely getting hosed, gouged or whatever metaphor one wants to us, more than most of Canada, certainly more than Ottawa or southern Ontario. Most of these people are from Terrace Bay and Schreiber and they pay the highest prices of all.

The petitioners call upon Parliament to give speedy passage to Bill C-286, which would deal with gas gouging in Canada.

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#### QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

# **GOVERNMENT ORDERS**

[English]

# PREVENTING HUMAN SMUGGLERS FROM ABUSING CANADA'S IMMIGRATION SYSTEM ACT

The House resumed from October 27 consideration of the motion that Bill C-49, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act, be read the second time and referred to a committee.

**The Speaker:** When this bill was last before the House, the hon. member for Trinity—Spadina had the floor for questions and comments consequent upon her speech. I therefore call for questions and comments. The hon. member for Mississauga South.

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I wonder if the member could refresh the House on the concerns that she expressed on Wednesday in her questioning of the other hon. member and the shared concerns that she has about this bill.

**Ms. Olivia Chow:** Mr. Speaker, when I left off yesterday I was talking about the plight of refugees and how difficult it would be for them if they were detained for at least a year, especially children.

Once individuals have been determined to be genuine refugees, it would take them another five years before they could apply for permanent residence and another three or more years for them to bring their sons, daughters or spouse to Canada. These people could be separated from their children for at least eight years. If a child is left to languish in a refugee camp for over eight years, who knows what will happen to that child.

We do want to punish smugglers but this bill really attacks refugees rather than punishing smugglers.

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, I thank my colleague for her impassioned speech regarding this very problematic bill. I would like to hear about something she referenced.

What does the government's approach mean in terms of perhaps contributing to that dark history of immigration and the way we have treated refugees and immigrants in the past? Is this not part of a very dark series of encounters and actions that we have had toward refugees and immigrants? Will we come to regret this later on?

**Ms. Olivia Chow:** Mr. Speaker, in Canada we have had two approaches. One approach is a welcoming and caring approach to refugees. If we look at the Vietnamese boat people, their arrival to Canada was very much celebrated by church groups, by the government and by Canadians. They settled well in Canada and have made tremendous contributions to the well-being of Canada.

Another approach has been that we did not want them and we would detain them. If we look at the Somali refugees, for example, we detained them for an extensive period of time. Further back in history, we have turned boats away, whether they were from India or from Europe. As a result, we have caused deaths and suffering, whether they were Jews or Sikhs.

We have also interned Italians and Japanese because of their ethnic origins. The internments, for peace especially, is what I really am concerned about.

If this bill passes the way it is written, we will see children being interned in jail and detained for at least a year, if not a year and a half. The psychological impact that would have on these children would be devastating. Let us give serious thought to this because detaining a child for more than even a few weeks is very problematic. I doubt that many of them would even recover after being detained for more than a year.

**●** (1015)

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I just wonder if the member would comment on what appears to be a deferential sort of treatment.

I remember that before the fall of the Berlin wall, there were thousands of individuals who would just simply get off a plane in Gander, Newfoundland, on a trip from eastern Europe to Cuba, and would be automatically granted refugee status and looked after. There was no talk of refugee detention centres.

One of the most horrific images in our world today is refugee camps where thousands of people sometimes spend many years in the same place without any recourse. With these detention centres, are we potentially looking at being in the same kind of boat? What does the member think the government thinks about that?

#### Government Orders

**Ms. Olivia Chow:** Mr. Speaker, we already know that the government is spending \$9 billion to build prisons. It will probably need to spend quite a bit to build more detention centres also.

I also recall when 50,000 Irish refugees arrived in Toronto at the turn of century and they were welcomed by 30,000 Torontonians. It was called the city of York at that time and they created Toronto. A lot of them were sick and starving after their long journey from Ireland. They were leaving the famine at that time and Torontonians opened their arms to help them and cure them. That part of the creation of Toronto is a proud history. I wish all of us would remember that our history in Canada is very much opening our arms to refugees, most of the time.

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I am very pleased to rise in this House in support of Bill C-49, the preventing human smugglers from abusing Canada's immigration system act.

From the day our Conservative government was first elected, we have made strengthening the criminal justice system a consistent priority. We have told Canadians that we would take action to crack down on the activities of organized crime groups and others whose activities undermine public safety and destabilize our communities. We told them that we would help build safer neighbourhoods for everyone and ensure that our streets and homes would be places where families could feel secure.

Ours is a government of action. We have consistently delivered on these promises time and time again. We have passed legislation to stiffen penalties for crime, and violent gun crimes in particular. We have provided law enforcement agencies with the tools and resources they need to do their jobs. We have taken steps to ensure that violent offenders are kept behind bars, not in their living rooms.

We are here today to take decisive action again.

In August, Canadians were reminded that this country is not immune to the global activities of organized crime groups intent on making a profit from the smuggling of hundreds of foreign nationals. The arrival of 492 Sri Lankan Tamils aboard the MV Sun Sea came less than one year after the arrival of 76 Sri Lankan Tamils aboard the Ocean Lady. The fact that two such vessels have reached Canadian shores in less than 12 months clearly demonstrates that large and growing human smuggling ventures are extending their reach and expanding their logistical capabilities and that these human smuggling networks are increasingly targeting Canada.

Human smuggling is a despicable crime, and abusing Canada's generosity for financial gain is utterly unacceptable.

Canada has an obligation to crack down on dangerous criminal enterprises that benefit only those who organize such large-scale ventures and do so little with regard to the human cargo which they transport.

We also know that human smuggling routes can be used to traffic narcotics and firearms. This poses a threat to public safety and erodes our communities.

The profits from human smuggling may also be used to fund other illicit criminal activities.

Our government is committed to protecting the safety and security of Canadians. We are committed to maintaining the integrity of our borders and our immigration and refugee programs. We are committed to ensuring that Canada's immigration system remains fair. That is what the legislation before us today is about.

Bill C-49 is focused on giving officials additional tools to better respond to human smuggling.

First, we are proposing targeted amendments to the smuggling offence to ensure that it captures the various ways in which smuggling can occur.

Under the current regime, prosecutions for human smuggling require proof that the accused knew the individuals being smuggled did not have the documents required by law to enter Canada. Today's amendments would expand this to include any violation of the Immigration and Refugee Protection Act, including for example bringing people into Canada in a way that avoids their presenting themselves for examination as required by the act.

Currently, only situations where the smuggler knew that the smuggled persons did not posses the documents necessary to enter Canada are captured as an offence under the act.

What does this mean in the context of smuggling? It means that a prosecutor could prove this offence by showing that the accused was aware of the substantial risks if the smuggled person was or would be entering Canada in contravention to the Immigration and Refugee Protection Act but simply did not care.

We believe these changes would improve our ability to investigate and prosecute those who contribute to human smuggling ventures.

Second, we are proposing an escalating mandatory minimum penalty scheme for persons convicted of smuggling, reflecting our government's intention to more effectively deter and denounce this criminal activity.

Under the proposed legislation, the number of people smuggled and the presence of aggravating facts would determine which mandatory minimum penalty would be imposed upon conviction. The two aggravating facts are: the offence was committed for profit or for the benefit of, at the discretion of, or in association with a criminal organization or terrorist group; and the person, in committing the offence, endangered the life or safety or caused bodily harm or death to any of the persons smuggled.

#### ● (1020)

The mandatory penalties would be, where less than 50 persons are smuggled, three years' imprisonment if one of the above aggravating facts was present, or five years' imprisonment if two of the above aggravating facts were present. The mandatory minimum penalties would be, where 50 or more persons are smuggled, five years' imprisonment if one of the above aggravating facts was present, and ten years' imprisonment if two of the above aggravating facts were present.

These amendments send a clear message. We will not tolerate smuggling operations in Canada and such conduct will be met with strong sanctions.

We are also proposing amendments to the Marine Transportation Security Act. For example, this bill would increase the penalties for anyone who fails to comply with the ministerial direction to not enter or leave or to proceed to another area in Canadian waters. Increased penalties will also apply to anyone who fails to submit required vessel pre-arrival information or who provides Canadian officials with false or misleading information.

The irregular arrival of a large number of irregular migrants all making refugee claims can pose significant challenges for border officials who are tasked with identifying each applicant in determining whether the individual is inadmissible to Canada and whether the individual poses a risk, due to the individual's association with organized criminal or terrorist organizations.

The sheer number of applicants combined with the increased complexity of examinations and investigations can and does overwhelm existing resources. This is why we need a new approach to the processing of irregular migrants, or one that will ensure Canada remains fair but also vigilant.

Bill C-49 accomplishes this by allowing the Minister of Public Safety to designate those who land on our shores in a way similar to those aboard the MV *Sun Sea* or the *Ocean Lady* as an irregular arrival. The minister will be able to make such a designation when he or she has reasonable grounds to believe that establishing the identity or admissibility of individuals who come to Canada as part of the arrival or other investigations cannot be carried out in a timely manner, or if he or she has reasonable grounds to suspect that the arrival of the group involved organized human smuggling activity.

Under the current rules, any foreign national or permanent resident may be detained on entry into Canada. People can be detained if an immigration officer considers such an examination necessary in order to continue an examination. They can also be detained if there are reasonable grounds to suspect that they are inadmissible to Canada, are a danger to the public or are unlikely to appear for an immigration proceeding.

The reasons for such detention however, must be reviewed by the Immigration and Refugee Board within 48 hours, and subsequently reviewed within seven days, and then each 30-day period that follows. In many cases this provides a reasonable system of checks and balances to help prevent unreasonably long detentions.

In the case of irregular arrivals however, the current system of detention review does not provide officers from Canada Border Services Agency with sufficient time to properly interview and identify each individual, or to determine whether the individual may be inadmissible to Canada or pose a risk to Canadians.

Too many resources are expended in meeting the demands of the detention review schedule rather than focusing on the required investigations and verifications needed to ensure the integrity of Canada's immigration and refugee program as well as the safety and security of Canadians.

Bill C-49 addresses this by providing for the mandatory detention of persons who arrive in Canada as part of a designated arrival until such time as they are found to be refugees by the Immigration and Refugee Board, or until 12 months have passed since they were first detained. Those persons still detained after 12 months will have a detention review hearing before the Immigration and Refugee Board to determine whether there is a basis for their continued detention. If the Immigration and Refugee Board continues detention, there will be subsequent reviews every six months. The minister will be able to order early release where exceptional circumstances exist.

Under our proposed amendments, individuals who come to Canada as part of a designated arrival will, for a period of five years, be prevented from applying for permanent resident status and sponsoring family members. Restrictions on travelling outside Canada will also apply during this period. They will also be prevented from accessing a more generous health care plan than the average Canadian currently receives, something they can do at the present time through the interim federal health plan.

#### **●** (1025)

These are practical and sensible provisions. They address the need to properly identify individuals who come to Canada as part of an irregular arrival. They will help to keep Canadians safe by helping to ensure that dangerous criminals and terrorists are not released into Canadian society. They will also help deter human smuggling operations from targeting Canada.

We also need to deter other kinds of abuse of Canada's immigration and refugee protection program. Refugee status can be revoked when it is proven before the refugee protection division of the Immigration and Refugee Board that an individual had lied to support his or her claim for protection and that the remaining credible evidence is not sufficient to support the individual's need for refugee protection. This is referred to in the act as the vacation of refugee status.

Bill C-49 amends the Balanced Refugee Reform Act to prevent such persons from appealing decisions of the refugee protection division with regard to the vacation of refugee protection to the refugee appeal division of the Immigration and Refugee Board. The bill also eliminates appeals to the refugee appeal division with respect to the decisions the division has made that a person's need for refugee protection has ceased.

All these measures substantially enhance our ability to crack down on those who engage in human smuggling. They strengthen our ability to protect the safety and security of Canadians from criminal or terrorist threats, and they respect our international obligations and commitments to provide assistance and sanctuary for genuine refugees.

Before I end my speech, I want to address the comments made by the NDP's public safety critic last week. He compared the selfless act of those who helped slaves escape persecution to the criminal human smugglers who prey on vulnerable individuals and who only care about profit. That member should be ashamed and he should apologize to this House.

#### Government Orders

Human smugglers are clearly targeting Canada and are treating our country like a doormat. The problem is growing and must be stopped.

Canadians expect appropriate measures to respond to the challenges associated with such large-scale arrivals, such as those we have recently witnessed. They want to help those in need and those who need our protection, but Canadians are not naive. They know that threats exist and that we must remain vigilant.

That is why our government is committed to taking action on many fronts, both domestically and internationally. That is what we have done, and that is what we are going to continue to do in the future.

We are proud of this bill. I encourage the member for Vancouver Kingsway and all members to recognize that the serious problem posed by human smuggling is growing and must be stopped.

#### • (1030

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Mr. Speaker, the Parliamentary Secretary to the Minister of Public Safety referenced two vessels, the *Sun Sea* and the *Ocean Lady*. I would like to take him back in time and reference two other ships that arrived in Canadian waters.

Back in 1939 the SS *St. Louis* arrived in Canadian waters with 937 European Jews on board. Unfortunately, that ship was turned away. Those unfortunate Jews were returned to Europe, and in the subsequent years virtually all of them lost their lives in the Holocaust.

There was a similar incident in 1914 with the SSKomagata Maru. There was 354 people on board. They were turned back. Many of them lost their lives when they returned to India.

I ask the parliamentary secretary, under this legislation, what sort of sanctions would the ship's captain and owners of the SS *St. Louis* have faced?

**Mr. Dave MacKenzie:** Mr. Speaker, I know my colleague opposite is very interested in a number of immigration issues, and I respect him for that.

Let us be honest, we are not talking about 50 or 60 years ago, or even 80 years ago. These are different circumstances, different people. These are human smugglers who are doing it purely for profit. That is what we are talking about here, human smugglers who are doing this purely for profit. The intention behind this legislation is to take that issue out.

We understand the need for legitimate refugees to be able to come to this country. We have processes that are able to handle that.

In this situation, these are human smugglers. Large sums of money are being expended by these folks to come here. We also hear a lot of things are occurring after the fact, after some of the folks come here, about their returning to their country of origin.

I think my friend has to recognize that these are different circumstances, different times. We are not talking about something that happened 60 years ago. We are talking about something that happened in the last few months.

[Translation]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the point raised by the previous member is a very important one. Will the government acknowledge that a ship can be leased to transport legitimate refugees, and that these refugees may agree to pay a reasonable amount of money so that the ship can reach foreign shores? Will it also recognize the fact that the captain would be remunerated?

How do we make a distinction between a captain who receives reasonable remuneration for the risks he is taking and the expenses he is incurring, as opposed to a captain who is doing it for profit? An investigation would have to be done after the fact. I think that the government member knows very well that in the past our welcome for refugees has been an example for the world. We have had no complaints about the refugees, because they have truly enriched our country.

Now, in different circumstances that may appear similar, how will we distinguish between those who are charging a fair price and those who are exploiting refugees? The second kind has neither the government's sympathy nor ours, I should add.

**(1035)** 

[English]

**Mr. Dave MacKenzie:** Mr. Speaker, I know my friend is interested in immigration issues and I respect him likewise for that. But these are different circumstances. I do not think we can deal with the what-ifs and all those other things. We do know certain things are occurring in our world, and Canadians expect members of Parliament to take a stand.

I hear in my riding, and I am sure my colleagues do, from people who have legitimately followed all of the rules and have immigrated to this country or have come as refugees in the normal sense of how these things occur. What they are not happy about is people who are paying huge sums of money, lining up on foreign shores and coming here in ships. Seemingly, in their minds, the ship owners and the captains have been immune from any prosecution. This is just putting it on the table that all of these people need to recognize before they leave their shores, if they are paying large sums of money, that the captain is going to face sanctions when he gets here, and those people who are buying their way, so to speak, into this country are going to face this process of dealing with the refugee system. It is a fair process, quite honestly.

Canadians do not want Canada to be seen as a welcome mat for everyone who wants to come here and uses this as a reason for getting into the country.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, the current law in the Immigration and Refugee Protection Act, in section 117, provides for punishment of 10 years if people are smuggling in 10 or fewer people, and it provides life imprisonment if they are smuggling in more than 10 people. A life sentence is very severe. Why are those terms already in the immigration act not enough to deal with smugglers? I can see that if Conservatives want to amend the Marine Transportation Security Act, that could be possible. Why is it not introduced separately, and why is it mixed in with the immigration act, because the immigration act already has severe punishment in that section?

**Mr. Dave MacKenzie:** Mr. Speaker, again, my colleague is another member of the House who has immigration files she is interested in. I think she has a private member's bill before the House that would allow additional immigration to this country.

If what the member is saying is in fact what she believes, she should support the bill because typically the NDP supports less in terms of sentencing than other parties. The bill is fair and reasonable, but it sends a clear message around the world to those who would engage in human smuggling for profit that they are going to be sanctioned and there are opportunities when they get to this country to face Canadian laws that deal with this. So I would ask all members to talk to their constituents. I think they will find that most of their constituents find this fair and reasonable and they expect Canada to stand up for some of these principles.

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, the government attempts to create fairness, and one of the great mediators of fairness is the Canadian Charter of Rights and Freedoms. Would the parliamentary secretary be prepared to table in the House an opinion by the Department of Justice as to whether or not all provisions within this bill will meet the test of the charter or a charter challenge?

Would he provide that to members of the House, so that we can review as to whether or not these provisions do indeed meet the test of fairness as prescribed by the Canadian Charter of Rights and Freedoms?

**●** (1040)

**Mr. Dave MacKenzie:** Mr. Speaker, my colleague across the floor would know that I do not have such a document with me. Whether it exists or not, I do not know, but that is frequently an argument we hear from the opposite side, that it will not pass the test of the charter.

We can always stand back and say it will not pass the test of the charter, and we will not know that until a court has ruled on it. However, as he knows from when his party was in power, the drafters of these bills come from within the legal branches of Justice and other branches. They have vetted it. They have brought it forward. This bill was not written on the back of a napkin or anything of that nature. It has been drafted properly, and I am sure my colleague is quite well aware of that.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, it is a pleasure to participate in this debate. I want to do so by concentrating really on two aspects of the legislation and on the situation that the member who has just spoken and others have talked to

This bill causes me a great deal of concern, not because it is illegitimate or inappropriate for governments to be concerned about the security of Canada. In fact that is a primary responsibility of the federal government and a responsibility that all of us take very seriously. However, I am concerned because the methods and definitions used in this bill would significantly impact a number of people who are not smugglers, the term used by the government, but people fleeing for their lives from difficult situations.

In particular I want to discuss, at this point in time, the situation in Sri Lanka because we would not be having this discussion if two boats had not arrived over the last several years on which a number of Sri Lankans of Tamil origin came to Canada. It is important for us to stop dancing around the issue and understand that, were it not for that particular circumstance, we would not be having this debate, we would not be having this discussion and the government would not be presenting this legislation.

To talk about this legislation without talking about what happened in Sri Lanka and what is taking place there today would be a bit like talking about *Moby Dick* without mentioning a white whale.

As members know, I have spent many months in Sri Lanka over the last several years. Together with a number of other Canadians and international constitutional experts, I was involved in advising in the negotiating process that came out of the ceasefire in Sri Lanka that took place in 2001 and was negotiated by the Norwegians.

In the course of that work, I had the opportunity to spend a great deal of time in that country. I met on several occasions with political leaders on all sides and have had an opportunity since then to follow on a regular basis the events that are taking place in the country.

I am not going to go over the entire political history of Sri Lanka except to say that the period in which I was there, the period of the ceasefire, was a brief interregnum of non-violence during a 25-to-30 year, very difficult and violent civil war in which literally tens of thousands of people were killed, mainly in the north but including civilians in the south. Yes, acts of terrorism were carried out against civilians. Very significant bombing and damage and destruction and death occurred as a result of the war carried out by the government of Sri Lanka as well as the Liberation Tigers of Tamil Eelam, as they are called, better known as the Tamil Tigers.

The ending of that war was a subject of considerable debate in this House. Many questions were raised in question period about it, not only in this House but in parliaments and legislatures around the world.

There are questions about what actually happened at the end of that conflict. Certainly by any estimation, several thousand people were killed in the last few days. Estimates range anywhere from a few thousand to as high as 30,000 or 40,000. Those numbers are contested and debated by all sides, but nevertheless, it is clear that there was a significant loss of life at the very end of the war.

**●** (1045)

It is also interesting that as recently as the last few days, Prime Minister Cameron of the United Kingdom called for an investigation into possible war crimes that may or may not have taken place at the end of that war.

The Secretary-General of the United Nations, Mr. Ban Ki-moon, has appointed a panel of experts to advise him. It is to look into the question of what happened and what the possible consequences would be with respect to the conduct of the government of Sri Lanka as well as the conduct of the LTTE. That panel has not been welcomed by the government of Sri Lanka. In fact, its very existence has been challenged. It is the subject of considerable debate in Sri Lanka. The government of Sri Lanka has also appointed a

#### Government Orders

commission that is supposed to look into the question of what happened in those last days.

From the perspective of the government of Sri Lanka, the war is simply over. The conflict is at an end. There are still several thousand people in large refugee camps, but many of them have been rehoused and moved out, away from the 300,000 people who were in the camp at the end of the conflict.

At the same time, it is fair to say that political power is being consolidated at the central level. As colleagues will certainly know, the government of Sri Lanka not only has not been particularly enthusiastic about allowing in the members of the panel from the Secretary-General of the United Nations, it also, despite the fact I had a valid visa issued by the High Commission of Sri Lanka, did not permit me to enter the country when I arrived at Colombo airport some several months ago. I am sure other members perhaps in other parties have since been allowed to go, but I regret very much I was unable to go last June.

I must confess, I do not say these words with even a degree of personal resentment at the fact that this took place. Rather it was the fact that when I was not allowed in, it was because I was deemed to be a threat to the security of the country. When I hear others described as a threat to the security of the country, that is what I was called.

I hope people will think through very carefully in trying to understand some of the motivation, some of the issues, the human problems, the suffering, the sense of threat to life and limb that has historically led people to flee a country and to seek refuge and harbour somewhere else.

The minister is sitting in the House. I respect the fact that he is here listening to the debate. I have always respected that approach—

The Acting Speaker (Mr. Barry Devolin): Order, please. I want to bring to the attention of the member for Toronto Centre and others that it is not a practice to draw attention to whether members are or are not in the chamber.

(1050)

**Hon. Bob Rae:** I certainly know that, Mr. Speaker. One would think that after 32 years I would have figured out how to do this.

I simply wanted to point out the fact that I appreciated there were some people who were here. In my experience, other ministers are not always here when we discuss matters of a bill. I appreciate the minister's respect for parliamentary tradition.

However, I want to emphasize that it is not possible for the House to debate the question of the appropriateness of this legislation unless we understand what exactly is taking place in the country from which people are fleeing and which are now the subject of the sanctions in the bill. This is why we are discussing the legislation.

It is not possible to have a serious discussion about the bill without understanding that in Europe, in the United Nations, in the United States, in virtually every country in the western world significant concerns have been expressed, and are being expressed, about the human rights situation, historically, in Sri Lanka, and even today in Sri Lanka. It is an illusion to think that this is not a problem or it is something we should not discuss.

The Conservative government has remained significantly silent on this topic. We have not heard anything from it with respect to the circumstances surrounding the end of the war. We have not heard anything from it with respect to whether or not it is fully supportive of the decision of Ban Ki-moon to name a panel. We have not heard any response to the call from the British prime minister with respect to the need for war crimes investigation.

I do not know why there is that reluctance. I do not know why a government, which in many respects from insignificant moments in the life of the House has spoken clearly about democracy and has spoken clearly about human rights, would have such difficulty in this situation. It cannot be that there was a violent conflict and because one party to that conflict was the LTTE. It cannot be that the standard to which we hold the Sri Lankan government can be any less or any lower. It cannot be that we have appropriately designated the LTTE as a group that practised terror, that believed in violence, that believed in the appropriateness of killing civilians or of using civilians as targets and as shields in the course of a war, a group that believed it was appropriate to strap bombs on the backs of young 13year-old women and send them into a market or into a bazaar. There never can be an apology or an expression of support for that kind of tactic or approach to life. We should be very clear about that. Speaking as someone who has lost dear friends to these acts of terror, I have no hesitation in being critical of that.

However, that is never an excuse for repression. That is never an excuse for oppression. It is not an excuse for the killing of civilians. We would not be seeing the numbers of people who get on those boats if there was not a problem in Sri Lanka. Anybody who says that we are not worried about that or we will not express a concern about that or that is not part of what we need to discuss is simply not facing up to the reality of the situation.

I would ask the government to use its offices of investigation and its capacity. I would like the government to remain deeply sensitive to the challenge that the Tamil community still faces in Sri Lanka and to be aware of some of those circumstances and the pattern of increasing the political power at the centre. Every sensible observer from the International Crisis Group to Amnesty International to Human Rights Watch to the United Nations has expressed concern about the underlying challenge of the problem of human rights in Sri Lanka.

### ● (1055)

#### [Translation]

If there were no civil rights problems in Sri Lanka, we would not be having this problem with refugees right now. We cannot discuss this bill in the House of Commons without discussing the situation in Sri Lanka. We must discuss it honestly and openly. That is essential. [English]

The second point I want to make is the government has told us, and the member who just spoke referred to this very directly, that the purpose of the bill is to increase the severity of punishment for what it calls human smuggling. In the history of immigration and in the history of the movement of populations, it is very important for the Government of Canada and the people of Canada to express a strong view about people being paid money in order to bring many others to Canada and to portray them as refugees.

My colleague from Etobicoke Centre mentioned two of the most dramatic examples of the arrival of boats in the country. The member who was asked about it simply dismissed by saying, "well that is history". Well, not exactly. It was pointed out that when the *Komagata Maru* was posted outside of Vancouver, it was not allowed in, people were not allowed to disembark and stay here. Eventually the boat went back and when they arrived in India, hundreds were killed. We know from the plight of the *S.S. St. Louis* that of the 900 people who were not allowed to land in Havana, or in Miami or in Halifax, probably as many as 300 were killed in the Holocaust. A lot of studies have done on both of these experiences.

When the member says that we should ask our constituents how they feel, I have to ask how Canadians felt in 1914 and in 1939.

We always have to say to ourselves that these are not easy issues. I have no doubt at all in my mind that there are a great many of my constituents who, if they were told about this legislation, would say that it is good. It is only when we think it through that we ask ourselves if this is really what we should do. This is where I have a problem.

I have a problem because the law is not just about smuggling; the law is also about refugees. It creates two classes of refugees. That is the weakness of the law and, in my view, it is the flaw of the law. In my view, it is a flaw which the courts will attack front and centre. It is not just about the charter; it is also about our international obligations.

We have signed covenants with respect to the rights of children and with respect to the rights of refugees. We cannot simply say that because refugees came over in a certain boat that we will put them in a different category. They would be designated by the minister and they would be unable to do what other refugees could do, or what other people who applied for refugee status could do, or those who sought to be refugees could do.

It is this creation of two classes that is the central weakness and flaw of the bill. In addition, the legislation as a whole and the discussion as a whole does not in fact deal with where the problem lies.

It is equally important for us to deal with the issue of queue jumping. There is nothing more basic to a Canadian's sense of fairness than to say that we do not want people jumping the queue, that those people are trying to come in as immigrants when there are other people who are patiently waiting in their countries of origin.

It has to be understood that there is no queue line for refugees. These are two different things. Again, that is where I think the government has used language, quite creatively I might add, which is intended to tell Canadians that we have to create a situation that is fair to everyone.

# **●** (1100)

I agree we have to create a situation that is fair to everyone, but I question legislation that creates two separate categories of refugees, that treats people who come over in certain boats in a certain way and people who come over by plane or in another boat in another way. The government is not being upfront with the people of Canada when it suggests that what is taking place is any form of queue jumping.

If there is a refugee process that is well managed and that has enough people to manage the flow of people who are coming in and asking to be refugees, if people are not accepted as refugees they go back to their country of origin, and that is it.

We send back hundreds, if not thousands of people. No one should be under any illusions about that. This legislation is more about politics than it is about dealing with a real problem.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I thank the hon. member for Toronto Centre for his comments. He is always a thoughtful member. In particular, let me say that I agree with many of his comments with respect the conflict in Sri Lanka and the need for a just and durable settlement that respects the legitimate aspirations of the Tamil people and that responds to the many serious concerns about human and civil rights violations.

I spoke to that at the beginning of my speech in introducing this bill yesterday, and I did discuss the ongoing efforts of Canadian diplomats and members of this government's executive branch to do everything we can to ask the Sri Lankan authorities to deal with these issues in a transparent and serious manner. I entirely agree with the member.

Having said that, I think it is important to underscore that the bill does not deal with any particular source country.

Second, in dealing with that issue, I wonder if the member would care to comment or reflect on the fact that, since the cessation of hostilities last year, more than 100,000 Tamil Sri Lankan refugees who were under the protection of India, principally in Tamil Nadu, have since returned to Sri Lanka. The UN High Commissioner for Refugees has said that Tamil refugee claimants can no longer be presumed to have a bona fide claim. The UNHCR has also facilitated the return to Sri Lanka of many Tamil asylum claimants who were under temporary protection in southeast Asia.

Similarly, a CBC report last week indicated that Tamils living in India had paid smugglers to come to Canada, in part for economic reasons, in their words. Finally, according to a CBSA survey, a significant majority of successful Tamil asylum claimants in Canada have subsequently returned to the country from which they claimed to flee for reasons of fear of persecution.

Could the member comment on the fact that the situation according to the UN and other international observers has improved appreciably from the point of view of safety? However, I agree with him that there continue to be very serious issues that must be dealt with.

Finally and very briefly, the analogies to the *St. Louis* and *Komagata Maru* quite frankly border on demagoguery. Neither of those situations has any relevance to this. We would—

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Toronto Centre.

**Hon. Bob Rae:** Mr. Speaker, the minister is very kind. At one point in his speech he says how thoughtful I am and at the end of his speech he calls me a demagogue, so I am not sure which it is. I wish the minister would make up his mind. I can handle the praise and the criticism, either one, but I just wish he would make up his mind. A thoughtful demagogue, I guess, is the average.

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On the first point the minister is absolutely correct, that of course the situation has changed, but let us be candid. The situation has changed because there has been a considerable consolidation of power in Sri Lanka, significant centralization of power and continued repression. It is still a very dangerous place to be a journalist. It is a very dangerous place to express opposition and differing views, but it is also a constantly evolving situation.

I am not suggesting for a moment that there is an automatic presumption that any one of the people, who came over in the circumstances of the last 18 months in two boats that are the subject of this legislation, is a refugee. I am simply saying there is a need to consider their claim. There is a need to make sure we have a sufficient number of officers and people who can review the case in time to get it done. That is the approach that needs to be taken to regulate that situation.

We can debate the question of the other boats in our history. The one thing I would not want the minister to ignore is the comment that was made by former Prime Minister Mulroney at the time that the boat came to Newfoundland. At that point the government of the day decided it would grant almost immediate resident status to the people who claimed, and Mr. Mulroney said it was done in a spirit of generosity, realizing and remembering the historic traditions of the country. If I may say so, this was quite a significantly different tone than the one struck by the current Prime Minister.

#### **●** (1105)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to thank the hon. member for his thoughtful commentary on a very important bill. He made a couple of points, which I hope all members will recall, that we cannot paint all refugees and refugees' circumstances in countries with the same brush.

I listened carefully to the speech of the Parliamentary Secretary to the Minister of Public Safety, and I was a little disturbed that he invoked a number of images of gun crime, violent offenders, profits and funds used for illicit criminal activities. He tended to paint a picture that what we are talking about in the bill is about refugees and all of these terrible things that are associated with refugees.

The member read that speech, and that means it comes from the minister's office, which means it comes from the Prime Minister's Office. Is there a sense that maybe the government is not being totally forthright with the House with regard to its attitude toward refugees generally?

Hon. Bob Rae: Mr. Speaker, I think the central flaw in the bill, as I have tried to suggest, is this. First of all, the government did not invent the offence of human smuggling. Human smuggling is an offence that is now punishable by up to life imprisonment. We have not had many convictions of it, but nevertheless to suggest that this is some new law, some new crackdown that is taking place, is more illusion than reality. The reality is that we already have a law in place.

The other flaw is that the bill has much more to do with how refugee applicants who come over in boats of this kind are treated, that is to say detention for up to a year and being treated in a separate channel, a separate class. It creates a new class of people who have been designated by a minister because of the circumstances in which they have come. It gives extraordinary power and discretion to the minister to label a group or to label a particular circumstance, and it then puts those people in a separate stream and they are treated in a completely separate way that is entirely discriminatory in comparison to how other refugee applicants are to be treated. That is why I do not believe this meets the test. It does not meet the test.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, there are 18,000 internally displaced persons in Sri Lanka and 89,000 widows in the north and the east. They are in a desperate situation. They talk about struggling to live each day. They have no jobs and no men to help them out.

Would this be one of the definitions of refugees, people who have no livelihood, who live in camps and who are stuck in a desperate situation with respect to food and shelter?

• (1110)

**Hon. Bob Rae:** Mr. Speaker, I am not here to give a definition of who is or is not a refugee. That is a determination that is made in law.

I am here to say that we all have to understand how serious the humanitarian situation in Sri Lanka remains for a great many people. One should not forget that, and one should not ignore the nature of that circumstance.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, it is indeed an honour and a pleasure for me to rise and speak in favour of Bill C-49, Preventing Human Smugglers from Abusing Canada's Immigration System Act, and I would certainly like to commend the hon. Ministers of Citizenship and Immigration and of Public Safety for the good and timely work they have done in getting this legislation before the House.

Hon. members will know that in recent years the smuggling of human beings across international borders has become a multimillion dollar activity that is actually global in scope. Some estimates place the number of people who are smuggled across borders every year at 800,000. The United Nations notes that it is one of the fastest growing areas of international criminal activity.

The precise number of people who are smuggled across international borders is difficult to confirm, given the clandestine nature of these operations, but there is no doubt that human smuggling is big, big business. People can be smuggled by land, by sea or by air. Human smuggling may be perpetrated by organized crime groups or by individuals with links to terrorist organizations. This fact in itself should spur us all into action. Like many of our international allies and partners, Canada today is a target for the global activities of organized criminal enterprises that engage in this reprehensible act of human smuggling.

Canadians have recently witnessed the arrival of 492 Sri Lankan Tamils aboard the MV *Sun Sea*, less than one year after the arrival of 76 Sri Lankan Tamils aboard the boat the *Ocean Lady*.

Earlier this month, a number of people were discovered in a container at the Port of Montreal in a possible case of human smuggling or human trafficking.

Last year, the RCMP's Atlantic region immigration and passport section, working with the Integrated Border Enforcement Team in New Brunswick, arrested four people alleged to have facilitated illegal migration. Two of these individuals have since pleaded guilty and were convicted of offences under the Immigration and Refugee Protection Act, including human smuggling and misrepresentation.

Finally, Canadians previously witnessed the seizure of four cargo ships that appeared in remote west coast waters, carrying nearly 600 migrants from southern China. Many of these individuals were children and teenagers whose parents had paid sums equivalent to 10 years of their salaries to so-called snakeheads that specialize in human smuggling.

Human smuggling is a serious crime. I think all members of the House would agree with that, and the international community has taken decisive action to respond to it. The UN Convention against Transnational Organized Crime and its supplemental Protocol against the Smuggling of Migrants by Land, Sea and Air provide a broad international framework to respond to the varied threats posed by organized crime and their smuggling ventures.

Canada was among the first countries to sign and ratify these important international crime treaties, and the tabling of this bill today reflects Canada's ongoing commitment to strengthening our responses to migrant smuggling.

Human smuggling undermines the integrity of Canada's borders and our immigration and refugee programs and system. It poses a threat to public safety, since the identities of smuggled individuals are often hard to establish, and in many cases, it poses a threat to national security or public safety, since human smuggling ventures are also being used to traffic narcotics and/or arms, to secure safe haven for criminals and terrorists, and to raise funds for a wide range of illicit activities, including the aforementioned terrorism.

Bill C-49 will give law enforcement officials much needed and additional tools to investigate and prosecute these individuals who organize and engage in human smuggling ventures. It will also enhance law enforcement's ability to investigate the potential national security and public safety risks posed by unidentified migrants who come to Canada as part of an irregular arrival, among whom there may be individuals with criminal and/or terrorist links.

More specifically, Bill C-49 will amend the current human smuggling offence, about which the last speaker spoke, in section 117 of the Immigration and Refugee Protection Act. The proposed amendments would make it an offence to organize, induce, aid or abet someone to enter Canada, knowing that or being reckless as to whether that entry would be in contravention of the Immigration and Refugee Protection Act.

**●** (1115)

Currently, only situations where the smuggler knew that the smuggled person did not possess the documents necessary to enter Canada are captured as an offence under the act.

It is clear, at least it is clear to the members on this side of the House, that by broadening the offence in this fashion our laws will now better reflect the different methods that smugglers utilize to bring persons into Canada.

In addition to amending the offence, the bill also proposes tough mandatory minimum penalties of imprisonment ranging from 3 to 10 years, depending on the particular facts that are proven in court. This sends the clear message to smugglers, criminals who have little concern for smuggled persons and immigration laws, that Canada will no longer tolerate these illegal activities.

The bill also proposes increasing the penalties for the operator of any vessel who fails to comply with ministerial direction to leave or not enter Canadian waters or who fails to provide required prearrival information, and who provides false or misleading information to officials.

Today, vessels of 300 gross registered tons or more that are bound for Canada must fill out a pre-arrival information report at least 96 hours before arriving at a Canadian port. The Minister of Transport has the authority to direct any vessel to not enter Canadian coastal waters or to travel to another area in Canadian waters when and if there are reasonable grounds to believe the vessel in question may pose a security threat.

It is an offence under the Marine Transportation Security Act to knowingly make a false or misleading statement or to provide false or misleading information. Currently there are fines and a maximum one-year prison term for failure to comply with the ministerial direction or for making false or misleading statements and a maximum six-month prison term for not filing the requisite prearrival information report.

Bill C-49 also proposes significantly stiffer fines as a further deterrent to those considering mounting marine human smuggling ventures into Canada. Indeed, the amendments the government is proposing will mean that the operator of any vessel who fails to comply with a ministerial directive to leave Canadian waters or one who provides false or misleading information to officials will be hit much harder in the pocketbook and will face a longer prison term.

The proposed penalties for failing to comply with certain requirements of the Marine Transportation Security Act will be raised from \$10,000 to \$200,000 in the case of an individual on conviction on indictment. In case of a corporation, on conviction on indictment the penalties will be raised from \$200,000 to \$500,000.

The penalties will be even higher in the event of subsequent offences. Again, in the case of individuals, maximum potential prison terms will be raised from six months to a maximum of one year for those who fail to file the pre-arrival information report.

Stiffer consequences, stiffer fines and stiffer sentences will all send a signal to human smugglers that Canada will not tolerate their illegal and highly dangerous activities. Canada will not sit still while human smugglers calmly sail into our waters, travel across our borders or even land at our airports.

We will take action. We will work with our international partners to deter, detect and prevent these illegal activities. If they do get to

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Canada, we will take every step possible to hold these persons accountable.

In addition, Bill C-49 will ensure that border officials and police have the time to properly identify and investigate the organizers of human smuggling operations, as well as smuggled individuals who may pose a threat to our safety and to our security.

In particular, the bill that the government has put forward will provide for the mandatory detention of persons who arrive in Canada as part of a designated arrival until such time as they have been determined to be refugees by the Immigration and Refugee Board or 12 months have passed since they were initially detained, with exceptions for cases that involve exceptional circumstances.

This measure will prevent potentially dangerous or inadmissible persons from being released into Canada before their identity and the level of risk they present to Canadians can firmly be established. As the minister has mentioned, these amendments proposed are tough but they are also fair. They will help to make Canada a much less attractive target for human smugglers. They will help to make sure that the organizers of human smuggling operations are better held to account for this reprehensible crime.

I therefore urge all hon, members to support this legislation before us today and to work with the government to ensure its speedy passage.

#### (1120)

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Mr. Speaker, the legislation is so broadly drafted that it does not differentiate between those who would smuggle humans for humanitarian reasons and those who would do it for profit.

Also, it does not differentiate between those who smuggle people and land them in Canada and the individuals smuggled are determined to have been genuine refugees and those who are strictly economic migrants.

Would the member not agree that there should be a different approach for these various categories of people, and would the government be amenable to see amendments to the legislation that would differentiate between those who are involved with human smuggling of genuine refugees and those who are strictly just economic migrants?

# Mr. Brent Rathgeber: I do not agree, Mr. Speaker.

Recently there have been high-profile cases of human smuggling, and Canadians are rightly outraged by these incidents and are demanding action.

The legislation is aimed at the smugglers. If individuals are legitimate refugees and are determined to be such by the Immigration and Refugee Board, they will be dealt with according to law, but this legislation is aimed directly at the smugglers. We know that too often it is a profitable enterprise to smuggle people into Canada.

With these measures and the increased fines and the added mandatory aspect of jail time, individuals will have to calculate that in their business plans before they decide that this is an appropriate venture to smuggle people into Canada.

**Mr. Paul Calandra (Oak Ridges—Markham, CPC):** Mr. Speaker, I notice in clause 4, proposed subsection 117(3.2) says:

A person who is convicted of an offence under subsection (3) with respect to a group of 50 persons or more is...liable to a minimum punishment of imprisonment for a term of

- (b) 10 years, if both
  - (i) the person, in committing the offence, endangered the life or safety of, or caused bodily harm or death to, any of the persons with respect to whom the offence was committed, and
  - (ii) the commission of the offence was for profit, or was for the benefit of, at the direction of or in association with a criminal organization or terrorist group.

I wonder if the member would agree with me that obviously the bill seeks to protect the individuals who are preyed upon by individuals for profit, as such simply to earn some money and take advantage of these people. Would the member agree with me that this sends a very big message to anybody who would do something like this, that if they come to Canada they are going to be treated very severely. Finally the Government of Canada is taking steps to go after these people who would profit on the backs of these poor individuals who are trying to come to this country.

**Mr. Brent Rathgeber:** Mr. Speaker, I would like to thank the hon. member for all the good work that he does on this file and others.

Certainly I would agree with his supposition. Similar to my response to the last question, this legislation is aimed directly at the human smugglers, those who are involved in this enterprise, individuals who own the boats that are used to operate these types of enterprises.

There are many victims and it is conceivable that the people who are actually being smuggled in under certain circumstances are victims. This legislation allows the department to assess who are legitimate refugees and who are part of either criminal enterprises or perhaps individuals who are trying to masquerade under the pretense of refugees to try to gain entry into Canada.

In any event, the hon. member is correct. This legislation will make it easier to prosecute human smugglers and will impose mandatory prison sentences for those convicted of human smuggling. That is the target of the bill and I think it is very much needed and timely legislation.

• (1125)

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I find the discussion interesting. There is some concern about the time it takes to process persons.

The member will know that people coming on boats would not expose themselves to that kind of situation unless they were, and believed that they were, legitimate refugee claimants in dire straits.

I am concerned that the timeframe seems to be inordinate. Children could be in detention in excess of a year and then every six months thereafter.

The member is well aware that in a number of countries from which people have come, documents either do not exist or are refused. We are not changing this law simply because of the Tamil situation. It would apply to all countries.

Is the member at all concerned that children might be the victims of some unintended consequences?

**Mr. Brent Rathgeber:** Mr. Speaker, we should all be concerned and sympathetic about children being smuggled. This legislation takes direct aim at those involved in smuggling. There is often an overlap between human smuggling and trafficking in individuals. We have all heard the horror stories about individuals ending up in the sex industry.

I do not agree with the premise of my hon. colleague's question. Refugee claimants or people on the boats cannot be characterized in one category. The member said that he did not think that people would put themselves in that position unless they believed themselves to be legitimate refugees. Although that is true in some circumstances, it is not universally true. We have heard anecdotes that individuals pay large sums of money to board these ships, and one becomes suspicious about how dire a person's plight can be who is able to pay \$50,000. Some individuals are not as bad off as others.

The point is that individuals have to be individually assessed. Some are legitimate refugee claimants, and some are queue-jumpers who are trying to enter our great country without going through the normal process. Detaining them for an appropriate time would allow immigration officials to determine who is legally admissible as a refugee and who is not.

We have to send out the message, to potential refugee claimants as well as those who smuggle them, that Canada will not tolerate this type of activity.

[Translation]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to be speaking, on behalf of the Bloc Québécois, about Bill C-49, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act.

It is important to clearly understand the objectives of this bill. One of the objectives is to allow the public safety minister to designate as irregular an arrival in Canada of a group of persons, who are categorized as "designated foreign nationals". Designated foreign nationals who claim refugee or protected person status will be treated differently from other asylum seekers.

That is the reality. My Conservative colleagues are trying to tell us that this bill is meant to crack down on human smugglers, but its real objective is to create two categories of refugees, or rather a new category for designated foreign nationals. That is the reality.

Again, the Bloc Québécois will not support Bill C-49 and will vote against it, because it aims to do more than just crack down on human smugglers. It will punish people who are fleeing persecution, including children. Once again, the Conservatives are using a specific example from recent events—which made headlines in Quebec and Canada—to advance their law and order agenda, even though the measures they are proposing will not change the situation. The reality is that these people have arrived, they are here and the bill will not change anything in terms of the situation that unfolded when the last boat arrived in British Columbia.

The Bloc Québécois therefore opposes any new refugee category that would be justified only by the manner in which refugee claimants arrive. The fact that claimants arrive in a group does not mean they are not legitimate refugees. The Bloc Québécois believes that a new category that puts even heavier burdens on refugees would be prejudicial. We also deplore the fact that this government is backtracking, after a compromise had been reached on refugee reform. For years now, we have been calling for the refugee system to be updated and for the creation of an appeal system. We had nearly reached an agreement with the government, but instead it has decided to push ahead with its agenda rather than a compromise, because of a media event.

We in the Bloc Québécois believe it is simply inconceivable that all refugee claimants who arrive in a group can automatically be imprisoned for a maximum of 12 months, with no possibility of disputing their arrest. Worse still, according to the bill, that period can be extended indefinitely. This is a matter of fundamental human rights and democracy, specifically, the right to liberty. No human being should have to face such a situation.

This bill on illegal immigration goes against the Charter of Rights and Freedoms as well as Canada's international obligations under the 1951 refugee convention, the International Covenant on Civil and Political Rights, and the Convention on the Rights of the Child. The Bloc Québécois believes that it would be completely irresponsible to vote in favour of a bill that flies in the face of at least three treaties meant to protect fundamental human rights.

For years, the governments, Liberal and Conservative alike, have allowed the current refugee system to get bogged down without doing anything about it. The thing that should be noted about this alarming statement is that this is not the first time the Conservative government has tried to resolve the problem by tightening the rules around asylum seekers coming to Canada. Take, for instance, the decision to require visas from Mexicans and foreign nationals from the Czech Republic, or the government's unwavering desire to develop a list of safe countries of origin as part of the refugee system reform. We do indeed detect, in the development of immigration policies, a discriminatory tendency to want to close the borders, including to those who are seeking refugee status. The proof is in the targeted range for total protected persons, which went from between 26,000 and 31,800 in 2008 to between 19,600 and 26,000 in 2010, not to mention the growing use of propaganda rhetoric that, in the name of national security, is used to justify taking a hard-line approach to this category of immigrants.

#### **●** (1130)

Although the government is saying it wants to punish human smugglers with this bill, it is instead punishing people who are fleeing persecution, including children. Once again, the government is being utterly discriminatory toward these refugees and is putting words into action to separate what it considers to be good refugees from bad refugees, as though their lives were not equally threatened.

The current system is bogged down because no one wanted to modernize it. When refugees arrive in large numbers, the government's tendency, which was solidified under the Liberals and confirmed by the Conservatives, is to tighten the system and prohibit them from entering the country. Under international treaties that

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Canada has signed, refugees deserve at least to have their file reviewed. Will we keep them all here? Not at all. Far from it. We will offer hospitality to those who truly need it and who are being persecuted in their home country, but we have to develop an effective file analysis system that respects human rights.

The Bloc Québécois has repeatedly shown the House that the existing system should be updated. The Liberals did not want to do it. The Conservatives appeared to want to do it—we hoped so, at least—but the Minister of Immigration was rebuffed with this bill, which flatly rejects everything he had put in place through discussions and negotiations to change the existing system. By creating a new class of refugees or foreign nationals requesting asylum, they are rejecting all improvements to the existing system.

I will now turn to security. When the MV Sun Sea arrived, the government issued a barrage of public statements positioning the arrival of boats as a threat to the security of Quebeckers and Canadians. As it turns out, those statements were unfounded. True to their ideology, the Conservatives used a widely reported event to promote their own political law and order agenda. There was no reason to believe that the arrival of the MV Sun Sea posed a threat to the security of Quebeckers and Canadians.

Under the existing law, any asylum seeker arriving by boat must be fingerprinted, photographed and interviewed. Canada's waters are under the authority of the Canada Border Services Agency, the CBSA, which has the power to detain asylum seekers if there are any doubts about their identity and to oppose their release before the Immigration and Refugee Board of Canada, Immigration Division.

Some of the other 76 Tamils from Sri Lanka who arrived last year aboard the *Ocean Lady* and requested asylum remained behind bars for more than six months. None of them were found to be members of the Tamil Tigers or any similar organization. They were eventually released once the CBSA found that they were not a threat to national security.

Let us not forget that the 492 passengers aboard the MV *Sun Sea* accounted for less than 2% of the asylum requests received annually. The record, 5%, occurred in 1999, when four boats arrived carrying 600 asylum seekers. In 2010, the number of requests should be around 25,000, the lowest average in the past 20 years.

Arguments to the effect that the arrival of huge numbers of refugees poses a threat to public safety do not hold up. They certainly do not justify passing a bill that treats refugee claimants so harshly. We are not saying that smugglers should not be punished. However, this bill punishes legitimate refugee claimants. That is the problem. In addition, we feel that the existing act has all the mechanisms required to manage the arrival of these boats.

Why create a new category? The Conservatives simply decided to advance their ideological agenda.

#### **●** (1135)

Let us examine the compromise struck by Bill C-11. The Conservative government seems to be obsessed with classifying refugee claimants based on their numbers or origin. Such a measure was widely denounced when Bill C-11 on reform of the asylum system was studied. Initially, the federal government wanted especially to implement the concept of designated countries. Failed claimants from countries deemed to be safe would not have had access to the new refugee appeal division, a measure deemed extremely discriminatory by the Bloc Québécois.

The Conservative government insisted on this country classification. It said that, if this measure was not accepted, it would scuttle its own bill. Imagine. By making a strong case for refugee rights to the government and the other parties, the Bloc Québécois helped members reach a last-minute compromise designed to produce a reform that was truly effective and, even more importantly, fair to all asylum seekers.

Once again, it is important to understand that under international treaties that Canada has signed or recognized—and that Quebec would have signed if it were a country—all refugee claimants are treated with respect and have the right to be treated fairly, no matter their country of origin.

Even though the concept of designated countries still exists, this division will be accessible to everyone, including claimants from the designated countries. To compensate for that, two other expediting mechanisms were put in place. That was the compromise with Bill C-11. If the Refugee Protection Division rejects a claim for refugee protection, it may state in its reasons for the decision that the claim is manifestly unfounded if it is of the opinion that the claim is clearly fraudulent. Unsuccessful claims submitted by claimants from the same country that are referred to the RAD would then be expedited. There will be regulations regarding the processing times for refugee claimants from a designated country. They will be shorter than for regular claims so that claimants who file unfounded claims can be deported as quickly as possible.

The Bloc Québécois cannot believe that the government has decided to take a step backwards, when a compromise had been made regarding the reform of the current refugee system. In fact, with Bill C-49, the government is creating a new category of refugee, based solely on the way the refugee claimant arrives. That is what is unacceptable.

The Bloc Québécois agreed to make compromises on Bill C-11. The government wanted safe countries. For those arriving from these countries, there was no division that applied, while for those not arriving from safe countries, there was a division that did not apply. All the government said was that the same standards apply to everyone, but for certain countries, the processing time would be shorter. Obviously, that was a compromise that the Bloc Québécois could accept, given the Conservatives' intransigence. Now, the government has changed its mind and is ignoring all of the debates and forcing Bill C-49 on us, because there was a story in the news that gave the government the opportunity to advance its ideological agenda, whether it will admit it or not. Once again, I was listening to the Conservative member who spoke before me. He made it clear that the goal was to combat illegal smuggling, but the real goal is to

create a system that treats refugee claimants differently when they arrive by that means.

So there is a new category. The Minister of Public Safety, citizens of the world—

Some hon. members: Oh, oh!

**Mr. Mario Laframboise:** I understand the minister because those people, obviously, are not Canadian citizens. But they are still citizens of the world who have a right to benefit from the treaties that Canada has ratified and that allow them to seek asylum.

Once again, what we are seeing with Bill C-49 is that the public safety minister can designate as irregular an arrival in Canada of a group of persons, who then become designated foreign nationals. Designated foreign nationals who claim refugee or protected person status will be treated differently from other asylum seekers. The fact that different applicants would be treated differently is what we found to be unacceptable in Bill C-11. In Bill C-49, a different status is created for these designated foreign nationals.

• (1140)

If they are denied refugee status, they have to wait five years before they can apply for permanent resident status. In the meantime, their claim could be re-evaluated to determine whether they can return to their country.

They cannot travel outside Canada or apply for permanent resident status or citizenship for five years. Consequently, they cannot sponsor members of their family, such as their spouse or children. Designated foreign nationals who have been denied asylum cannot appeal to the new refugee appeal division, only to the Federal Court. They also will not have access to health benefits that other refugees can access through the interim federal health program.

And so, not only is the principle of fairness—which says that all refugees have access to the system—being called into question, but asylum seekers who arrive in a group will be in a sort of legal vacuum for five years, which will strip them of the same rights given to asylum seekers who follow the usual refugee process. Just because a group of people arrives, that does not mean that they are not legitimate refugees, and the Bloc Québécois feels that this categorization would be extremely prejudicial to them.

The acceptance rate for refugee claims by Sri Lankan Tamils is 80% on average, and there is no indication that the situation in Sri Lanka will change and that it will be deemed that their lives are not in peril.

It must be understood that the Bloc Québécois' objective has never changed and has always been to oppose categories based on the origin of claimants or how they arrived here, because Canada has signed international treaties. Therefore, these people can make a claim, but that does not mean it will be accepted. We need an analysis process that is effective and quick. For that reason, the Bloc Québécois asked for the current process to be revised and for an appeal division to be set up so these individuals would have the opportunity to assert their rights. It must be effective, and we have to invest the money needed to do that.

The Conservative ideology was bolstered by the arrival of a large number of refugees, which received extensive media coverage. The Conservatives decided to make this their priority and to set aside all the opportunities they had to modernize the current process through Bill C-11.

This does not bode well for future discussions. In fact, the legal vacuum created for this category of designated foreign nationals, who are not yet classified as refugees, keeps these designated foreigners in legal limbo for five years, when they file a claim for refugee or protected person status. During that time, they cannot apply for permanent residence or family reunification. Consequently, they cannot sponsor members of their family or their spouse. Furthermore, they are not free to move or to enjoy all the rights that other claimants may have.

As I mentioned, Canada's international and constitutional obligations are important. Not only does this bill run counter to its international obligations under at least three treaties it has signed, but it also contravenes the Constitution and the Canadian Charter of Rights and Freedoms, which states in subsection 15(1):

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Which includes how they get to Canada.

• (1145)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I find the comments by the member from the Bloc Québécois to be completely disconnected from reality and certainly from the will of their Quebec electors, who want an immigration system that is managed well according to reasonable and fair rules. The hon. member did not say a single word about the concern with regard to human smuggling. He says it is not really an issue and that we can ignore the fact that boats have on board thousands of illegal immigrants who are coming from very dangerous situations in their country. He talks about this issue with no knowledge of the situation in Southeast Asia.

Why would someone from Southeast Asia pay \$50,000 to come to Canada, when there are in that region a number of signatory countries to the convention relating to the status of refugees that could offer protection? Why are these people not going to India?

Is he not aware that last week, the Canadian Broadcasting Corporation broadcast an interview with some Tamils from India saying that they paid human smugglers to come to Canada? Does he believe that these people are subject to persecution in India? Does he have a solution to combat human smuggling or does he think we should ignore it because it conflicts with the political correctness of the urban elite and the left-wing ideology of the Bloc Québécois?

• (1150)

**Mr. Mario Laframboise:** Mr. Speaker, the minister can look at the blues. I said that the Bloc Québécois would be prepared to support a government bill that punished human smugglers. The problem is that, because of these smugglers, we are creating a new category, designated foreign nationals. That is the Conservative philosophy and ideology that the Bloc Québécois has always opposed. We should not create different categories of refugees based

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on their country of origin or the way they arrive in Canada. They all should be treated the same way.

That is why we were prepared to support the government's Bill C-11. We would also be prepared to support Bill C-49 if it addressed only human smugglers. The Conservatives are taking advantage of the problem with human smugglers and the media attention around the arrival of a boat to push their right-wing ideology. We will always be opposed to this Conservative right-wing ideology, under which they are incapable of treating all human beings, especially children, the same way.

[English]

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, a picture gets painted very quickly in this place when questions are asked and concerns are raised, and we get responses from a minister who shifts the attention to another member who is raising questions.

In his speech, the member raised a couple of very important points. Some have been raised before, particularly the issue of creating two classes of refugees. Our system must be a universal system in which all refugees are accorded the same treatment.

It would appear that although the bill deals substantively with smugglers, the provisions of the bill really deal with people who are ostensibly outside the reach of the government in being able to enforce this legislation anyway. I think the only people it could touch would be a boat's captain and crew who have some other problems.

The government was aware of that ship last April, I believe it was. A lot of Canadians probably are interested in knowing whether there is a way in which we can address the issue of not being able to deal with a boat that we are observing and we know is coming. We wait until it hits Canadian waters and then we have the problem which the government says it is trying to solve. It is almost as if the government created a problem so that it could claim it has a solution.

[Translation]

Mr. Mario Laframboise: Mr. Speaker, first of all, I appreciate my hon. Liberal colleague's question. I know he is very conscientious, but the situation needs to be examined closely. By no means do I wish to protect the Conservatives—the members heard my speech—but nevertheless, they did inherit the situation that was created by the previous Liberal government. On several occasions we asked the Liberals to update the entire immigration and appeal system. They ignored our requests. Of course they are willing to be more conciliatory now than when they were in power.

Thus, asking the right-wing Conservatives—whose ideology makes them more inclined to turn everyone back, regardless of the individual situation—to update the legislation, feels like quite an uphill battle.

We had nearly reached an agreement with the Conservatives. I understand that the media situation gave them an opportunity to further their own right-wing ideology, but once again, they inherited the situation from the Liberals, who were unable to improve and update the system. If it had been updated, if we could have welcomed these people and processed their files quickly, we probably would not be in this situation.

#### **●** (1155)

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, "It is time for Canada to send a clear signal to the world to discourage and fight human smuggling. That is why the Coptic community supports new federal legislation to protect human life, Canada's security and the integrity of Canada's immigration policy as a whole." Those were the words of Antoine Malek of the Association of the Coptic Orthodox Community of Greater Montreal, as we just saw.

The Montreal Syrian Arabic community, the League of Ukrainian Canadians, the Canadian Druze Society and the Lebanese Islamic centre have all said that the government has done what needed to be done and has taken the bull by the horns, as they say.

I am disappointed in the Bloc member for Argenteuil—Papineau—Mirabel's position. It troubles me to see a Quebecker speak out against the Quebec consensus, which is to ensure that Canada does not become a conduit for organized crime and human smuggling.

My question for him is simple. How can he go against the Quebec consensus, which supports making Canada a place that welcomes immigrants but keeps criminals out? As I just explained, cultural communities support this measure.

**Mr. Mario Laframboise:** Mr. Speaker, this gives me another opportunity to clarify our position. Regarding human smugglers, we agree with the government. We do have a problem, however, with the government's decision to introduce this bill to deal with the issue of people who arrive here and make claims. That is what it is doing. It is using this as an opportunity to promote its ideology. Will anyone go along with them? Yes, some people agree with the Conservative ideology. The Conservatives will always find people to go along with them. The problem is that the Bloc Québécois does not agree with the Conservative ideology of creating several categories, which is like saying that people from a certain country are allowed and people from another country are not allowed. What we are saying is that all refugee claimants should be treated equally.

The current system is overloaded and poorly managed. The Liberals managed it poorly and now the Conservatives are doing the same thing. Can it be modernized so that everyone has the opportunity to be heard? This does not mean we will let everyone stay. Those who do not deserve to stay will have to return to where they came from. Today, however, because it is advantageous from a media standpoint to further their ideology, the Conservatives are using this as an opportunity to say they are going to solve the problem of human smuggling. However, the problem we are currently facing is that some people who arrived in Canada should have had the right to have their files processed quickly, but that was not the case.

[English]

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, I am pleased to stand today in support of Bill C-49, an act to prevent human smugglers from abusing Canada's immigration system.

Human smuggling is a transitional criminal enterprise that spans the globe and Interpol says that it is a growing global phenomena. This form of illegal commercial migration is very dangerous and it exploits those individuals who are captured within it. Human smugglers consider their passengers to be little more than cargo and the boats on which they carry their passengers are like nightmarish prisons.

Migrants are typically stranded at sea, on an overcrowded boat, with unsanitary and unsafe conditions. These conditions often lead to severe illness or cause fatal accidents. As a result of these inhumane conditions, people die in human smuggling operations every year. Nevertheless, many illegal migrants decide to risk their lives and undertake this perilous journey for their destination country.

By charging people large sums of money for their transportation, human smugglers have made a lucrative business out of facilitating illegal migration, often by counselling smuggled persons to claim asylum in the country to which they are smuggled. Once they arrive in their destination country, these migrants are often at the mercy of their human smugglers and forced to work for years in the illegal labour market just to pay off their debts to their smuggler.

The arrival of the MV *Sun Sea* and the *Ocean Lady* in a period of less than 12 months is a clear indication that Canada is becoming a favoured destination for these human smuggling networks. Interpol says that human smuggling syndicates benefit from weak legislation and low risk of detection, prosecutions and arrests compared to other transnational organized crimes. If we do not take strong action now, more vessels will arrive and more lives will be put at risk. We cannot just stand by and allow these exploitative operations to continue.

This legislation would enable us to crack down on the despicable human smugglers who prey on these vulnerable migrants, but it also aims to stop those tempted to use this perilous form of migration by introducing several disincentives.

A key disincentive is that those arriving as a result of a designated smuggling event would not be able to apply for permanent residency for a period of up to five years. This would apply whether they are found to be in need of protection or not. During this five year period, persons found to be in need of protection would be restricted from travelling outside of Canada and would be unable to apply for permanent residency to Canada through other means. As a result, they would not be eligible to sponsor family members into Canada or become Canadian citizens during that time period.

The legislation also proposes mandatory detention for up to one year, which would also help ensure the safety and the security of Canadians.

When these migrants arrive on our shores, we have no idea who they are or where they are from. Often, they arrive without proper documentation and we do not whether they are criminals or terrorists who pose a threat to our safety and our security. Mandatory detentions would allow us to properly verify and confirm the identities of individuals to determine whether they are in fact admissible to Canada or whether they are involved in some form of illegal activity. This proposal is entirely within reason and it is fair.

The government's priority is, first and foremost, to protect the safety and the security of Canadians. This is the least that Canadians can expect from their government.

We are also taking measures to ensure that these individuals have access to fewer Canadian benefits. As we all know, Canadians enjoy health services that are among the best and most generous in the world. We need to ensure that illegal migrants are not receiving health coverage that is more generous than what is offered to other Canadians. It certainly will not happen under this government.

Currently, asylum seekers, resettled refugees, failed asylum seekers awaiting removal, detained individuals and victims of trafficking are provided with temporary health coverage through the interim federal health program.

#### **●** (1200)

Under these proposed changes, the scope of the services provided under the IFH program would be limited for those who arrive in Canada illegally via human smuggling operations. They would receive only basic coverage, including medically necessary care and immigration medical exams that refugee claimants must take upon their arrival in order to ensure they do not pose a risk to public health or safety.

Canada's generosity should not make us a target for criminal activity such as smuggling operations. We must remove the incentives for people seeking to come here by way of human smuggling. In doing so, we will uphold the integrity of our immigration and refugee process and our programs and ensure that the safety and security of Canadians is put into place.

This has certainly taken the attention of the public over the past 12 months. We have seen two ships arrive in our country for the purposes of smuggling, which is why the scope of the bill needs to be implemented. I have heard opposition members claim that this bill is some sort of a knee-jerk reaction to what has happened. I find that compelling in a way because, if this were a reaction to what had happened, then they would have to argue that we are actually about 11 months late introducing this legislation.

This legislation was put together over the past series of months to ensure that we have legislation that is strong, that is certainly consistent with the charter and with our Constitution, and, most important, that is consistent with the feelings and the positions that Canadians have held on this issue across our country.

There is no doubt that the issue in itself is a difficult one. We all know and, as members of Parliament, we have listened to the positions, arguments and stories in our ridings of refugees who have claimed asylum. We have heard them say that they needed to come to Canada in order to escape the perils they faced in their country. There is no question that the reason these ships are here is that our system is so generous and open and we want to ensure that those who need protection and those who are truly refugees have a place to come to in safety where they can become Canadians, find employment, find a new way of life and raise their families in a country as democratic and open as Canada.

However, the fact remains that the only answer to solving this problem of ensuring those who are clearly refugees, clearly want to be here and clearly need to be here go through the process that we have in place.

The previous speaker mentioned Bill C-11, which is exactly what this country needed in terms of reforming our refugee legislation. We

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took great pains to get through that process. I know, as the parliamentary secretary, we worked hours upon hours and days upon days to get that legislation back to the House of Commons so it would be supported at third reading. When it did come back here, it in fact received support from all parties. We now have a new system in terms of refugee reform legislation that will be implemented over the next 18 months.

Bill C-49 is so well augmented with Bill C-11 that we will have completely reformed and changed the direction that this country needs to take when it comes to refugees and those who need to seek asylum here. They will need to seek asylum in a way that follows the system that we have in place, not to jump the queue and not to be forced by smugglers, who take advantage of every person on that boat, to pay for their freedom rather than earn that freedom through a process that we have in place, which is one of the most generous in the world. We cannot have it.

The Canadian people have spoken loud and clear on this issue. The one thing that we need to continue to come back to is fairness, because this is what the Canadian people understand so much better than the rest of the world. No Canadian wants to see individuals living in peril in their country. If it is important enough for us to understand that freedom of security, of governance and of democracy needs to happen here in this country and they deserve that, then our arms are wide open to them, but we have a process and a system.

# • (1205)

There are people who are taking advantage of these individuals, charging them more money then they could ever afford in their lifetime, to get on to a boat and somehow find a way to come here. They make promises and claims. They literally push those individuals onto the vessel to get them here to Canada. They tell the individuals that Canada will accept them, that Canadian laws are so generous and in need of so much repair that when they land here they will be given the status they so want.

Those refugees who have a rightful claim and a rightful place for freedom will get that here in this country. However, those who do not are standing in the way of those who actually do.

This process of human smuggling, of bringing people into this country by crowding them onto a ship and having them land on Canadian soil, is not the way Canadians want this to happen. Canadians want to know who is on that ship and who is going to claim refugee status here.

Simply turning these hundreds of individuals loose on Canadian soil has the potential to put Canadian lives and health in peril. We do not know where these individuals have come from. We do not know if they are true refugees. We do not know if they are terrorists. We do not know if they are criminals in their own country. That is not the type of environment we want here in this country.

This bill changes all of that. It sets in place a process that will show respect for those who truly deserve refugee status. It will send a loud and clear message to countries and smugglers who live off the proceeds of these individuals that we will not be in a position as a country to accept this any more.

The Minister of Public Safety, the President of the Treasury Board, and the Minister of Citizenship and Immigration and Multiculturalism made this announcement in front of one of the ships that arrived here. They made the announcement on the west coast, but that message travelled to the east coast of our country almost immediately. There is page after page of endorsement. Group after group, editorial after editorial, Canadian after Canadian have said that this legislation is right, it is timely, it is good, it is fair. It is something that everyone in this House should be supporting.

One headline reads, "Ottawa tightens rules on human smuggling". The *Headline News* article states:

The bill, titled "Preventing Human Smugglers from Abusing Canada's Immigration System Act," shows that Ottawa will not tolerate abuse of the system by getting ahead of the immigration line, but stresses that the federal government of Canada will continue to welcome legitimate immigrants who could contribute to the country.

#### An editorial in the Calgary Herald stated:

Tough anti-smuggling legislation aimed at stopping boats of illegal migrants from showing up on Canadian shores, places the punishment where it belongs, on the smugglers.

...It's a welcome crackdown on a crime most Canadians would agree is heinous.

The list goes on. Another editorial on human smuggling stated:

The government must act to safeguard the integrity of Canada's immigration system, which welcomes 250,000 newcomers a year. Polls show that the public's high level of support for immigration dipped by 20 per cent after the arrival of the Sun Sea and the Ocean Lady — even though asylum seekers and skilled immigrants are two very different streams.

That is a very important point to realize. We are a country that accepts, at the present time, per capita more immigrants than anywhere else in the world. We are open to skilled immigrants. We are open to low-skilled immigrants. We are open to seasonal workers. We are open to immigrants who want to come to this country to build a new life for themselves and their families.

● (1210)

What we are not open to is those who want to come here to take advantage of our system, those who in fact want to move to the front of the line. Smugglers know this. They know that in their hearts Canadians want to help these people so they take advantage of it.

By passing this legislation, we would at least be putting ourselves in a position where we no longer would be that country where terrorists and smugglers simply say, "We will dump them all in Canada. We will make millions and millions of dollars, and we will dump them all in Canada because Canada does not have the laws in place to prevent this from happening".

Canadians have spoken loudly on this issue. They want to welcome new immigrants to this country. Many of us in this House have parents or grandparents who came to this country as immigrants. There are members in the House who came to this country to become Canadians. All of them have done it in a way that respects the rule of law in this country and that respects the system of fairness that all Canadians have come to accept.

The opposition is trying to say that this is something it is not, that this is a position we hold because we want to hurt people. It is the exact opposite. That type of rhetoric has no place in this House of Commons.

There are individuals and families who need our help, but those families and individuals are not just those who seek refugee status in our country. They are the very families and individuals who are Canadians and are here right now.

We need a system of fairness. We need a system of equality. We need a system of acceptance. We need a system that protects Canadians, but says to those who claim refugee status that we are a country that is open, we are a country that is free, we are a county that is accepting, but let us make sure that we do it with fairness and that we do it through a system that protects the individuals who are truly refugees and that protects Canadians here.

This is legislation we need. This is legislation that Canadians want. This is legislation that will actually put our country in a position not only to promote why this is a great country to come to, but why this is a great country in which to live.

There are smugglers and others who take advantage of the most down and out in an attempt to profit, and there may be those in the opposition who would allow that to continue and will vote against this legislation. However, there is no one on this side of the House who will do that. We are going to make sure that we fight as long and hard as we need to in order to put this legislation in place and bring our system up to where it needs to be.

**●** (1215)

[Translation]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Madam Speaker, I am rising in the House once again, this time to participate in today's debate about Bill C-49, which affects three laws: first, the Immigration and Refugee Protection Act—which means revisiting Bill C-11; second, the Balanced Refugee Reform Act—and I wonder if it really is balanced; and third, the Marine Transportation Security Act.

This bills aims to correct an illegal situation. It really is a government's responsibility to protect its border security. Security is clearly a critical issue for the entire world.

I would like to refer to certain international documents, agreements that Canada has signed, thus agreeing to be fully accountable for implementing their contents.

First, I would like to remind members that Canada signed the 1951 Geneva convention. It is also signed the protocol stipulating that individuals who have been victims of persecution since 1951 must also be subject to the Geneva convention. I will obviously come back to this during my speech.

The Geneva convention and the protocol that followed are the reasons why our refugee acceptance system was created. This system, despite its faults and weaknesses, and there are some, has become a model for industrialized countries.

This bill proposes a number of clauses that would punish smugglers, those who profit from the poor people who are trying to flee their country and come to Canada to live a life free of terror, discrimination, rape and killing. These smugglers receive enormous amounts of money and they violate international laws as well as our own Canadian laws.

[Translation]

In response to that, Bill C-49 proposes a substantial fine, for example a fine of \$1 million for any criminal organization guilty of inducing, aiding or abetting a group of people to illegally enter Canada. That is from subclause 117(3), as it would be amended by the bill.

This amount depends on the number of people arriving in the group. The offenders could also receive a life sentence.

That is an improvement, in my opinion.

[English]

These clauses can certainly act as a real deterrent for smugglers hoping to bring groups of people illegally into Canada. Still, I would suggest that impounding the vessel or ship on which they come would be an additional deterrent to these smugglers. The price of smuggling then would become exorbitant and the loss of the vessel a real economic loss.

[Translation]

We also wish to congratulate the minister on his intention to work with local police forces in the home countries of human smugglers.

That aspect is not included in the bill, but is an important part of any concrete action.

• (1220)

[English]

Refugee claimants are not criminals. How many times must we repeat this? However, Bill C-49 treats them as if they were guilty of crimes, and again, this is what the bill suggests throughout the first part of it. Why are there only five sections of Bill C-49 that impact smugglers and twelve sections that impact refugees? We thought it was about smugglers. In fact, it is about changing the Canadian law, after study, which admits prospective refugees.

Another question I have is, why is this bill sponsored by the minister responsible for public safety and national security? Is it because the Conservative government wants to give Canadians the impression that refugee claimants pose a security threat? It tried to do this with the ship that arrived off the coast of British Columbia a few weeks ago, when in fact we see several weeks later that not one person has been held because he or she is a terrorist, yet the rumour goes on.

The people who are on these ships, or whatever mode of transport they use, are seeking safety and a good life in Canada. It is not their intention to break any international or Canadian law, yet the government presumes that they do so when it decides, through a bill like Bill C-49, to detain all the individuals designated as irregular arrivals. Irregular arrivals are those people who arrive in groups larger than, one would suppose, just a man, his wife and his children.

In this way, Bill C-49 is in direct violation of section 11(g) of the Charter of Rights and Freedoms, which states that an individual is "not to be found guilty on account of any act or omission unless, at the time of the act or omission, it constituted an offence under Canadian or international law or was criminal according to the general principles of law recognized by the community of nations".

These refugee claimants, these people who flee in exile, include women, elderly people, young children, men and quite often, as we have learned, even pregnant women.

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As a signatory to the Geneva convention, Canada is duty bound to protect these claimants. But instead, Bill C-49 would have them immediately detained. Let us be clear: "detained" is a nicer way of saying "imprisoned" or "incarcerated".

This is contrary to article 31(1) of the Geneva convention, which states, "The contracting states shall not impose penalties...provided [the refugees] present themselves without delay to the authorities and show good cause for their illegal entry or presence."

Even if we agreed that detention is required, the length set out by Bill C-49 also goes against article 31(2), which states, "The contracting states shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized. The Contracting States shall allow such refugees a reasonable period..."

I would like to emphasize the word "reasonable".

But this bill proposes keeping these people in prison, until their identity can be proven, for up to one year.

Those of us who have worked with refugees and for refugees know that quite often, these vulnerable people have had to leave very suddenly and cannot always bring their official documents to prove their identity.

I should also remind hon. members that the Canadian Charter of Rights and Freedoms, of which we are all so proud, protects any person present on Canadian soil, regardless of their citizenship.

What about the negative consequences of detention on these people? As I was saying earlier, among these refugees we often see older people, very young children and pregnant women. Often they have been tortured, raped or abused in their country. They received no protection in their own country and they fled.

They did not receive protection from the smugglers during the dangerous voyage, but they had hope. When they arrive in Canada, despite what they might expect, they are not entitled to protection from the Canadian authorities either.

How do we explain to these young children why they are prison? What crime did they commit?

I would like to read from the Convention on the Rights of the Child, 1989. Section 40(2)(a) of this convention stipulates that:

No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

How do we explain this clear violation to them?

Section 9 of the Canadian Charter of Rights and Freedoms states: Everyone has the right not to be arbitrarily detained or imprisoned.

However, under clause 20 of the new Bill C-49:

The Minister may, by order, having regard to the public interest, designate as an irregular arrival the arrival in Canada of a group of persons...

#### And, under clause 55 of the same bill:

If a designation is made under subsection 20.1(1), an officer must

(a) detain, on their entry into Canada, a foreign national who, as a result of the designation, is a designated foreign national;

or

(b) arrest and detain...

This is clearly an arbitrary detention.

It is regrettable that under clause 110, no appeal may be made by a refugee claimant in respect of a decision of the Refugee Protection Division. In Canada, even common criminals have the right to appeal a judge's decision.

• (1225)

[English]

Our humanitarian tradition that allows individuals the right to appeal decisions is entrenched, or I thought it was. Even Bill C-11, tabled in Parliament by the same minister, respected this right.

#### [Translation]

Bill C-49 also has hidden consequences. For example, section 11 of the Immigration and Refugee Protection Act, as amended, would state that the designated foreign national may not make an application for permanent residence until five years have elapsed. Subsection 25. (1.01) of the same amended act would also state that the foreign national may not make an application until five years have elapsed. It is clear; it is stated twice in the bill.

Let us figure it out. When people arrive in Canada they are held for one year to prove their identity. The applicant may become a designated refugee, if all goes well. At that point, he must wait five years before making an application for permanent residence. Why? When the Immigration and Refugee Board establishes that someone is a refugee, that person is permitted to apply immediately for permanent residence in Canada. After the five years, if all goes well, the person applies but does not immediately become a permanent resident. We know it, I know it and everyone with immigrants in their riding knows it as well: two or three years may elapse before the government responds to the application. I estimate, and I do not believe I am exaggerating, that someone could wait up to 10 years before receiving permanent residence status in Canada.

[English]

During these 10 years not only he but his entire family will be in limbo, not knowing how life will unravel.

#### [Translation]

An irregular or designated refugee will therefore have to wait 10 years before being able to sponsor his or her family. Those are the hidden consequences of Bill C-49. Refugees cannot sponsor their families before becoming permanent residents of Canada. Given that they will not have the right to travel outside Canada during the entire period, they also will not be able to visit their spouse or children. That comes from a government that boasts about protecting family values. These family values are certainly not protected. Quite the opposite.

[English]

Amendments to the current immigration law proposed under Bill C-49 further consolidate the minister's legal authority to suspend an application for the consideration of any type of status, for example refugee status or even to be heard on humanitarian and compassionate grounds for access to Canada's protection, for a full five years. Let us not forget the individual would have already spent 12 months in jail, called detention, even before the government would look at the case. All these delays would be based on whatever the government deems to be the grounds for public policy. This amendment would then become part of section 25 of the IRPA as amended under Bill C-11.

This means that the timeline we just suggested, these 10 years, is the best-case scenario. It is not the scenario where the person is sent back or is refused anything in Canada. It is a scenario where he thinks he is going to stay, 10 years of limbo if the minister decides not to intervene.

Let us go back in time. Bill C-49 brings us back to the time of the Chinese exclusion act, the act that caused Chinese men to live their lives here in Canada without their wives, without their families. In fact many of these men never saw their families again. It caused economic hardship.

This is what caused the Canadian people to say they would not continue this, and this is when the concept of family reunification came in, when Canadians decided it was cruel to allow people, men and women, to stay here in Canada as Canadians and yet separate them from their families, wives, husbands and children, for we did not know how long.

Lo and behold, it was a Conservative prime minister, William Lyon Mackenzie King, who had the act repealed in 1947. How unfortunate that the present Conservative government cannot continue this humanitarian tradition.

Let us go back in time again to 1986—

(1230)

**Mr. Paul Calandra:** Madam Speaker, on a point of order, I just want to correct the member. William Lyon Mackenzie King was a Liberal prime minister, not a Conservative prime minister.

**Ms. Raymonde Folco:** Madam Speaker, I thank the member for that correction. It is very kind of him. I am even happier. I had hoped that it was a Conservative because I hoped that there was at least some good in the Conservative Party with regard to immigration. But what can I do?

Let us go further back in time, to the arrival of 151 Tamils on the shores of Newfoundland in 1986. They were immediately granted landing until their refugee claims were processed by, and I hope this time I am right, the Conservative government of Brian Mulroney. Two years later, that government enacted a complete overhaul of the refugee system, in 1988. Both the Conservative prime minister and his immigration minister, at the time, continued to stress Canada's humanitarian commitments to the dispossessed.

How ironic that Bill C-49 should reverse this humanitarian tradition of which Canada is so proud.

I think and hope that every member in this House remembers what happened in 1914 when a ship full of people from the Punjab, Sikhs, was refused landing. I hope people remember that in 1939 the *St. Louis* arrived on the eastern shore, and Jews fleeing Nazi Germany were also refused. We know what fate awaited them.

I would like to end on a more positive note.

I would like to quote Jeanne Sauvé, the then Governor General of Canada, who said in 1986 when Canada was awarded the Nansen Medal:

...this celebration cannot allow us to forget the harsh reality of the millions of displaced people and their tragic journey through solitude and abandonment.

Finally, I would like to quote from an article in the August 14 edition of the *Calgary Herald*, written by Don Martin, referring to the *Sun Sea* refugees who arrived recently off the coast of British Columbia. He said:

Only when it's women and children trapped in the hold, potentially trying to reunite with husbands or fathers who were on the Ocean Lady, is there a sudden screech for a security clampdown, revised laws and public safety campaign. It's a classic political diversion tactic.

These are not my words. These are the words of a journalist.

(1235)

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Madam Speaker, one of the reasons I wanted to correct the reference to William Lyon Mackenzie King was that he was the prime minister who put innocent Italians in jail, and I wanted to make sure that was recognized as being a legacy of a Liberal prime minister, not a Conservative prime minister.

With respect to this, I find it troubling that somehow we are supposed to be proud of the fact in this country that our laws have allowed individuals to seek out vulnerable people, treat them terribly, risk their lives coming over here and sell them a bill of goods that somehow they can come in this fashion, be smuggled in, pay \$25,000 and spend the rest of their lives trying to work that off to a criminal syndicate. Somehow we are supposed to be proud of that in this country. Are we not supposed to do whatever we can to ensure that real refugees come to this country and that they are treated properly and with respect?

Now, specifically in the bill, in proposed paragraph (3.2) it talks about the penalties with respect to people who commit human smuggling. It states that if:

- (i) the person, in committing the offence, endangered the life or safety of, or caused bodily harm or death to, any of the persons with respect to whom the offence was committed, and
- (ii) the commission of the offence was for profit, or was for the benefit of, at the direction of or in association with a criminal organization or terrorist group

a minimum penalty would be 10 years.

Surely the hon. member could agree that people who commit this type of crime should not be treated with kid gloves, that they should be put in jail, that we should do everything in our power to ensure that these human smugglers pay a steep price and that our focus should be on the people who want to come to this country properly and who demand and need the help of Canada as they have for so many years in the past.

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**Ms. Raymonde Folco:** Madam Speaker, I think what happened is that my colleague must have come in late during my speech because that is exactly what I said. So, we absolutely agree on that, that smugglers must be persecuted, must be put in jail. I said that. I thank the member for reminding everyone.

I would like to bring my colleague's attention to the number of articles in these three bills, because in fact as I said earlier there are three bills. The total sections that impact refugees are 12. The number of sections that actually impact smugglers in this bill are 5. The number of sections that concern marine transportation are 9. So, is this a bill about refugees, 12 articles, or is it a bill about smugglers, 5 articles? I leave it for members to decide.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, perhaps we could check into the cost of detaining a large number of refugee claimants for over a year. I wonder if the member has considered this. Some of these refugee claimants might be able to find jobs, or might be able to rely on a family member if they have one here in Canada. This bill, however, says that the minimum detention would be at least a year.

What does the member think of the cost to taxpayers of detaining these refugees, who come in through "irregular" methods?

**Ms. Raymonde Folco:** Madam Speaker, I listened intently when the member for Trinity—Spadina participated in the debate yesterday afternoon. She talked about that very concept. Unfortunately, I did not have enough time, and I tried to concentrate on something else.

It is clear that those 10 years in limbo will mean 10 years of suffering for these families. It also means that this will cause many Canadians to suffer financially.

There is a lot to be said about the financial costs of this bill. Bill C-49 itself says nothing. It is absolutely silent.

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Madam Speaker, I found the speech of the member opposite very interesting. She referred to two ships that were turned around in 1914 and 1939. If this legislation had been in place at the time, those ships would have stayed there. They would not have been turned around. That shows why we need this type of legislation.

There seems to be a feeling on the other side that somehow this system of smuggling people into this country is not upsetting our system. Some of the people wanting to come to Canada have been found by the UN to be clear and true refugees. But smuggling stops these true refugees from being able to set foot in our country.

Why does the member oppose a system that works instead of one that does not?

• (1240)

**Ms. Raymonde Folco:** Madam Speaker, I find what that member says just incredible. I mentioned some numbers. Numbers speak. They cannot be transformed. Twelve sections in Bill C-49 affect refugees. How many sections affect smugglers? We were told by the minister that this is a bill about smugglers. But only five sections in the bill affect smugglers. I would like to know where the focus is in this bill

I and my party are all for change as far as the smugglers are concerned. Absolutely nobody on this side has ever said that it is a good thing for smugglers to smuggle. What we are saying is that they have to be punished, not the refugees. This bill would actually persecute would-be refugees.

**Ms. Olivia Chow:** Madam Speaker, the member was involved in immigration. Just recently, Parliament approved a balanced refugee reform act. We worked together, that is why it was balanced. It was not balanced when the Conservatives introduced it, but we balanced it together. The House of Commons is much stronger when all members of Parliament work together.

Instead of implementing the bill so that genuine refugees can get decisions quickly and start a life here in Canada, and so that bogus refugees can be deported quickly, we are faced with an unbalanced refugee bill that does not treat refugees equally under the law.

Perhaps the member could talk a bit about why one refugee would be treated vastly differently than another. What kind of treatment would the so-called second-class refugee be subject to if such a refugee came into Canada irregularly?

**Ms. Raymonde Folco:** Madam Speaker, I would not call them second class. I would call them no class. That is clear.

At the beginning, I said that this was really three bills. The first part of the bill, the one called An Act to amend the Immigration and Refugee Protection Act, seems to be intended to propose amendments to Bill C-11, which is the bill that my colleague across the floor just mentioned. This was a bill in which we tried to bring balance to the way that the bill was going forward.

What Bill C-49 does to Bill C-11, under the guise of catching smugglers, is to change how Bill C-11 works. It changes how would-be refugees are accepted into the system in Canada; it changes this radically and people ought to know.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Madam Speaker, recently the Prime Minister addressed a number of new Canadians at a citizenship ceremony in Ottawa, welcoming these newcomers into the Canadian family.

Canada welcomes thousands of new immigrants and refugees every year through one of the most generous and fair refugee systems in the world. This is a source of pride for our government and a reflection of the generosity of our nation. However, there is a serious problem right now that threatens the safety and security of our communities as well as the integrity of our welcoming and generous immigration system.

Last August, the illegal arrival of the vessel, MV Sun Sea came less than one year after the illegal arrival of the Ocean Lady. The fact that these two vessels reached our shores less than 12 months apart clearly demonstrates that human smuggling networks are targeting Canada as a destination, and that they believe our generous immigration system can be exploited for profit.

Canada welcomes and will continue to welcome those who wait their turn and come to Canada in search of a better life. Such brave and industrious people from around the world have enriched the wealth and culture of our great nation for hundreds of years. Our government has clearly stated that we cannot tolerate the abuse of our immigration system, either by human smugglers or by those who are unwilling to play by the rules. That is why our government has recently introduced an act to prevent human smugglers from abusing Canada's immigration system.

Under this act, our government is making it easier to prosecute human smugglers, imposing minimum prison sentences on convicted human smugglers, and holding shipowners and their operators to account for using their ships in the human smuggling operations.

I would like repeat some quotes that have been in the media of late

Logan Logendralingan, the editor of the *Uthayan* newspaper, a Tamil newspaper, states in an October 21 news release that he "supports the measures of government introduced today to crack down on human smugglers".

In the same document, on behalf of Uthayan Publishers, he goes on to say, "We believe that the government should have the tools it needs to defend our borders and protect the fairness of our immigration system. That is why we fully support the new legislation. The mandatory minimum sentences for convicted human smugglers will deter those who profit from putting human lives at risk.... We want to encourage proper immigration channels and we do not want new immigrants to be victims or to pay large sums of money for their dreams of coming to Canada."

Mr. Jim Daikos, director of Canadian operations, United Macedonian Diaspora of Canada, said, "We are pleased to see the Government taking strong action to deter human smugglers from coming to Canada's shores and abusing our country's generosity. Those who take part in human smuggling make our immigration system less fair for legal immigrants".

The people who are waiting in line patiently and abiding by Canadian laws are being punished because of this illegal activity.

Recently, the executive director of the Toronto Community and Cultural Centre said, "Human smuggling is a criminal activity that puts people's lives at risk. It involves a network of international criminal organizations and Canada has become their target because of our compassion and fairness".

A news release from October 21 stated, "We support the government's proposals as we need to send a strong message that criminal human smuggling will not be tolerated. Smugglers need to understand that they will be prosecuted to the fullest extent possible and these proposals will make this easier to accomplish that".

#### **●** (1245)

He further stated that those who paid to participate in human smuggling operations needed to understand that Canada would not be a willing participant, that we would take action to protect our borders and to ensure the stability of the immigration system. He said that it was unfair to those who waited years to reunite with family members because others who arrived through illegal means jumped ahead of them. Arriving in Canada through illegal means was not an automatic ticket to staying here. He went on to say they were pleased the government was sending this message.

Our government is taking action to ensure the safety and security of our streets and communities by establishing the mandatory detention of participants in human smuggling events for up to one year to allow for the determination of identity, inadmissibility and illegal activity.

Coming back to my law enforcement years when I spent 18 years with the RCMP, one of the key components in homeland security was identity. People could not be released from custody unless they proved their identity. I had to deal with individuals who had altered or changed their names illegally, and we had to hold them for a weekend. For some individuals, it was up to a week. These were Canadian citizens.

Under the act, our government is also reducing the attraction of coming to Canada by way of an illegal human smuggling operation. This includes measures such as: preventing those who come to Canada as part of a human smuggling event from applying for permanent resident status for a period of five years, including those who successfully obtain refugee status; ensuring that the health benefits participants receive are not more generous than those received by the Canadian public; enhancing the ability to terminate refugee applications of those who return to their country of origin for a vacation or demonstrate in other ways that they are not legitimately in need of Canada's protection; and preventing individuals who participate in human smuggling events from sponsoring family members for a period of five years.

In addition, our government is also appointing a special adviser on human smuggling and illegal migration who will coordinate a whole-of-government response to human smuggling.

Are these measures tough? Yes, undoubtedly. However, in order to make human smugglers and fraudsters think twice, they have to be. They are also fair to those who legitimately and legally wait or have waited in line for a better life in Canada and they are fair for all Canadians who rightly expect that our borders and shores are protected and secure and our generous systems protected from abuse.

People in my constituency of Desnethé—Missinippi—Churchill River repeatedly have asked me why we do not just turn the boat around and have them go back. In working to address this problem, this government considered all the options. The policy measures that we have chosen are some of the strongest, most effective measures possible. We will not play the smugglers' games, which is to intentionally scuttle their boats and cast their passengers into the high seas when approached by one of our vessels.

We are working with our partners abroad to help keep these boats from departing for Canada. We are taking decisive action to combat

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human smuggling and those who abuse Canada's generous immigration system.

I have other constituents asking if anyone can board a ship to come to Canada unimpeded. On the contrary, with this new action we are sending a clear message that human smugglers will not be tolerated and those who are considering using human smugglers should think twice before doing so.

We will continue to actively work with our domestic and international partners to crack down on human smugglers who take advantage of our generous immigration system.

These measures will enhance our ability to crack down on those who engage in the smuggling and who try to exploit Canada's generous immigration system. They will strengthen our ability to protect Canadians from criminal or terrorist threats. They will respect our international obligations to provide assistance for those legitimate refugees who need our protection and help to start a new and better life.

#### **(1250)**

Canadians want tough but fair measures to stop those who abuse our generosity from becoming part of Canadian society. We know threats exist and we must remain vigilant. That is why our government is taking action and that is what our government is doing today. We will continue to do this in the future.

#### **●** (1255)

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Madam Speaker, I appreciate the member's comments, especially as someone who has been in law enforcement and has dedicated so much to the country and his community for so long. He has first-hand knowledge of how important it is to change all aspects of Canada's criminal justice system.

Would he agree that one of the things we are hearing is the difference between this side of the House and that side? We believe that if people break the laws, if they commit a crime and take advantage of vulnerable people, they should be punished severely for doing that. The opposition always seems to feel that if people break the law, have committed a crime, they must have been forced to do it and that we have to something for them such as coddle them.

The bill imposes very stiff minimum mandatory sentencing for people who take advantage of potential refugees. Should we not seize the vessel if that happens? Does he agree that it is absolutely about time that we got tough on the people who take advantage of vulnerable people and break our laws?

Mr. Rob Clarke: Madam Speaker, the principle of this government for safer homes and safer streets is the underlying principle of Canada and our government is trying to enforce that. We do not what refugees' criminal ties are. Do we have anything to discriminate? No. We just want safer homes in Canada. Canadians demand that. Since taking office, our government has delivered on our promise to increase the number of boots on the ground to protect Canadian communities.

For example, we promised 1,000 new RCMP officers and we have delivered 1,500. I recall how difficult it was trying to recruit new RCMP members and to find suitable candidates. The RCMP reported that 2009 was the most successful time in recruiting in its history.

Human smuggling carries stiff penalties, up to life imprisonment and fines of up to \$1 million. That does not sometimes seem enough to deter the criminal organizations. That is why this government is protecting Canadian homes and making safer streets.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, does the member realize that in the immigration act there is already a very stiff penalty for people who have been convicted of smuggling? It is called a life sentence. What else can we do in terms of stiffening the fine? Life sentencing is as stiff a fine as it can get. We are not talking about capital punishment; we are talking about a life sentence.

How are we letting criminals run free, if we are saying that if they are convicted, they will go to jail for their entire life? Surely he is not suggesting that refugee claimants are terrorists and criminals, or is he?

**Mr. Rob Clarke:** Madam Speaker, the question is kind of ironic coming from NDP members who have voted against every bill we have introduced to try to protect Canadians. I do not think they really like safer streets or safer homes for Canadians. They have opposed every motion we have brought forward to protect Canadians.

An individual arriving as part of a human smuggling event would be detained up to 12 months. That is very key. That will help law enforcement officials and Canadian border officials to determine the identity of people at high risk from entering Canada, putting our the safety of our communities in jeopardy.

#### **•** (1300)

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, what concerns me is that virtually every member of the Conservatives who have spoken to the bill have talked about refugees as being the smugglers and somehow they are the ones who put public safety at risk.

The member does not even give the facts about the bill and about the detention periods. It is after one year of detention and then it goes every six months thereafter. However, he is using the Immigration and Refugee Board.

Does the member believe that when we have detention periods that long, many of those refugees being children, that there are consequences and impacts on those children and those families of being in detention for such long periods of time?

Mr. Rob Clarke: I think our generosity, Madam Speaker, speaks for itself, allowing people to come into Canada, to immigrate legally.

Between April 1, 2005 and March 31, 2010, there have been 21 human smuggling convictions under section 117(1) of the Immigration and Refugee Protection Act. This number has been confirmed by the Public Prosecution Services of Canada. While there have been a number of successful convictions of migrant smuggling in Canada, there is more to do. It is important to continually strengthen our laws to ensure we have the tools necessary to hold the offenders accountable.

We are talking about organized crime and trying to keep our streets safer for all Canadians.

**Ms. Candice Hoeppner (Portage—Lisgar, CPC):** Madam Speaker, I want to go back to my colleague's personal experience of 18 years as an RCMP officer.

Since I have been a member of Parliament, one thing I have seen is any time we talk about mandatory minimum sentences for criminals, no matter what the crime, we just get a tremendous amount of push back, a lot of stalling and walls are always put up. There seems to be a real aversion for some opposition members to mandatory minimum sentences.

As a law enforcement officer, what did he find was the experience when people knew that if they committed a crime there would be a consequence? In this case we are talking about human smugglers and about people who want to come to Canada illegally. Could he comment on what kind of impact that makes?

**Mr. Rob Clarke:** Madam Speaker, going back into my policing history, I remember one community in which I was patrolling. We talk about deterrence and the proper utilization of criminal laws. which this government and past governments have brought forward in the Criminal Code of Canada.

I was patrolling around in a northern community of about 1,500 people. Crime and alcohol abuse was rampant in the community. It was almost to a point where the community was screaming for more visible policing on the streets.

We listened to the people's concerns about trying to protect their homes and their streets. What we did was a visible policing policy, being on the street, enforcing those laws and deterring the criminals from committing offences. If a person was out walking around and was found committing a crime, he or she was arrested and detained. In one year alone we had a 40% decrease in criminal complaints. That is because the laws are there to prevent people from committing those crimes.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Madam Speaker, I am pleased to have the opportunity to participate in the debate today on Bill C-49, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act. In the tradition of the government, it has given it a nickname, the Preventing Human Smugglers from Abusing Canada's Immigration System Act.

Once again, as has been the case with all of the nicknames that it has come up with, it is a very misleading nickname because this bill really affects refugees far more than it will ever affect those who engage in human smuggling.

It is unfortunate with this bill that we have seen a real setback in the kind of progress we have made in this Parliament on immigration and refugee issues. We had a great example of co-operation, of crossparty co-operation, and government and opposition co-operation, with Bill C-11, the Balanced Refugee Reform Act, which passed unanimously in this House back in June. That was a place where the government introduced a bill to address issues it saw with the refugee determination process in Canada, in an attempt to make it more efficient, to speed it up and to address some of the problems existing in that process.

The opposition had trouble with that bill, but because there was an openness to dealing with the questions that the opposition had, a better bill was created. Unanimity was found, a rare thing in this minority Parliament, and I was hopeful about that kind of process. We saw, in one of the few occasions since it has come to power in the last two Parliaments, the government's willingness to actually work with others to craft a better bill, and that is what we ended up with

Now we are set back with Bill C-49, which takes us back and tries to reopen some of the issues that the government apparently resolved back in Bill C-11. It is trying to reopen some of the issues on which it forged a compromise with the opposition parties back in the spring in this place.

That is very troubling. It seems that when we do the job that Canadians sent us here to do, to talk to each other, to do the things that are best for Canadians, when we finally have that opportunity, the government wants to turn its back on that development in a very dramatic way by reintroducing another bill that reforms a piece of legislation we just dealt with in June.

An hon. member: It isn't even in effect yet.

**Mr. Bill Siksay:** It has not even been proclaimed yet, as one of my colleagues points out.

This is really problematic and a very sad day that we are here to do this.

Bill C-49 is a piece of legislation that is extremely unfair to refugees. We just listened to a speech from a Conservative member that had a completely confused understanding of what it was to be a refugee or a refugee claimant in Canada. The member seemed to believe that all of these people were criminals or potential criminals and talked about them in that way. Nothing could be further from the truth, and even in the situation where a refugee claimant may lose that determination, I would think there are very few, if any, of those people who any Canadian would reasonably define as a criminal. It is very sad that this kind of confusion can exist on the Conservative bench amongst government party members about the intent or the need for this piece of legislation. That is a very serious confusion and misleads Canadians about the situation of refugees and refugee claimants in Canada.

Even if we look at the situations that seem to have given occasion to this particular bill, the arrival of the boats on Canada's west coast with largely Tamil refugees, that is not a fair descriptor yet. Many of the people who have arrived in Canada in boats, recently and in past years, have had successful refugee determination cases. They were not criminals. They were not queue-jumpers. They were in fact refugees, as determined by the established process here in Canada. That characterization of them is false and misleading, and it is very sad that it continues to be promulgated.

**●** (1305)

Bill C-49 is a deeply flawed bill and deeply unfair to refugees. It does not honour Canada's obligations under our own equality law, under the charter, or under international law. It is a sad departure from Canada being, in 1986, a country that was honoured by the UN High Commissioner for Refugees with the Nansen Medal for its refugee work as one of the outstanding countries in the world in

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terms of refugee resettlement and support for refugees. This is a far step from that point in our past history.

This bill would deprive refugees of an independent review. Because it moves to the detention system, which we have largely avoided in Canadian refugee determination and Canadian refugee law, it goes to the expensive alternative of detention. Detention is hugely expensive when compared to the value of a refugee claimant living in the community while his or her case is being determined. This is a serious departure.

The reality is that the bill, despite all the bravado about it, would really not do much about human smuggling. More Canadian laws are not going to catch human smugglers, the people who organize the kinds of things that the government is apparently concerned about.

Mandatory minimum sentences are ineffectual in most criminal situations and I cannot imagine how in this circumstance there is even any hope of them being any kind of deterrence. The only reason we would have a mandatory minimum sentence is for the deterrent value. I think they are almost useless. I doubt that any of the criminal organizations that the government says are out there organizing and switching from arms shipments to human shipments are writing memos to the people they work with saying, "Beware. Canada has just introduced a mandatory minimum sentence for human smuggling". Mandatory minimums are not going to stop any of those people. They are not even an issue. They are not even a consideration in those circumstances. In this case, a mandatory minimum sentence would be completely ineffectual. This is one of the places where it would be least effective anywhere in criminal law

Overwhelmingly, mandatory minimum sentences are ineffective throughout most aspects of criminal law. It is a government fantasy to think that they would somehow address the human smuggling situation.

Refugees are usually people who are in desperate circumstances. One of the criteria for determining whether people are refugees is if they fear for their life in their country of origin, if they have been persecuted and are seeking safety. It is our duty to receive those people and make a determination about their case.

In Bill C-11, we made decisions about how to expedite that process. It was taking too long in some cases. The Conservatives did not help the speed of the refugee determination process by their actions when they became government, by the fact that they would not reappoint anybody to the immigration and refugee appeal boards. The backlog increased because of their refusal to reappoint anybody that the previous Liberal government had appointed. They were slow making their own appointment. The Conservatives are directly responsible for the backlog that exists in refugee determination in Canada right now.

But we did take some extra measures to make sure that it was a more effective process in Bill C-11. We did take measures to ensure that when someone is determined not to be a refugee that they are removed from Canada. I have always said that a key aspect of our immigration and refugee policy had to be an effective removals policy as well. If we are going to have any respect for our refugee and immigration regime, that has to be an effective part. There has been a real experience that it is one place where we have fallen down in terms of enforcing immigration law in the past.

I want to talk about some of the specific aspects of this legislation.

I really believe that Bill C-49 punishes refugees. My remarks are drawing fairly heavily on the work of the Canadian Council for Refugees, in whom I have incredible confidence. This is an umbrella organization of almost every refugee- and immigrant-serving organization in Canada. It does excellent and detailed work on immigration and refugee policy and speaks loud and clear for the people it serves from coast to coast to coast in Canada. Whenever I speak on immigration and refugee matters, I draw heavily on its work.

#### **●** (1310)

Bill C-49 has been presented as legislation that would target smugglers, but in fact most of the legislation would not target smugglers but refugees and changes the circumstance for refugees. I think the previous Liberal member did a count and said there are 12 sections of the bill that deal with refugees and only five sections that deal with smugglers. So it really is an unbalanced piece of legislation in that sense.

Refugees, in this bill, including refugee children, would be mandatorily detained for a year without the possibility of an independent review and denied family reunification and the right to travel for over five years under the terms of this legislation. These are very serious restrictions. Mandatory detention is something that we have not used extensively in Canada and I think it would be a real departure from the success of our refugee legislation.

Many people believe that under Bill C-49 refugees could easily be victimized three times: first, by the people who were persecuting them in their country of origin; second, by smugglers who are often the unscrupulous people they have to use to escape their persecution; and finally, by an unfair process here in Canada. This is totally contrary to what we should be doing. We should be seeking to reduce the victimization of refugees and of people who have been persecuted and who fear for their lives in their countries of origin. The bill would only add to that victimization, unfortunately.

As I mentioned earlier, this legislation seems to violate Canada's commitments under international law and the Canadian Charter of Rights and Freedoms. The Convention on the Rights of the Child is another one that is in play here and is of great concern. The Convention Relating to the Status of Refugees, the refugee convention, is another important international commitment that Canada has made. I think under all of those international agreements and also under the charter there will be challenges to this legislation, because in one way or another it is problematic. When we look at the Convention on the Rights of the Child, for instance, a delay in family reunification is an incredible violation of the rights of a refugee child. If a parent is here in Canada making a refugee claim, if the

possibility of reunification for that child is delayed by five years, it is a very serious problem for that child and I think a very serious violation of that child's rights.

The most serious aspect of Bill C-49 is that it would create in our refugee legislation two classes of refugees: one class that is designated by the minister based on their mode of arrival, who would have different treatment compared to other refugees who land on our shores in Canada, who arrive in Canada by some other means. I think this is a clearly discriminatory provision.

In fact, it goes back on the commitments that we thought we had received from the government when the negotiation happened around Bill C-11, the Balanced Refugee Reform Act. In that legislation, there was also an attempt to establish two classes of refugees and to have a designation system. It was based on the country of origin, on what were considered safe countries that could produce refugees and countries that were not considered safe, and we know that it is almost an impossible designation to make.

So in negotiations with the government we got that changed and we did away with that classification of refugees that was a key part of the previous bill, Bill C-11.

Now the government, in this bill, is trying to reintroduce that kind of designation system. This time, it is not based on the country of origin of the refugee but on how that refugee got to Canada, on his or her mode of arrival. I think that is just trying to get it back in when we thought we had dealt with that issue very clearly in the previous negotiations, in the previous legislation.

I think, too, the discretion that is afforded the Minister of Citizenship and Immigration in making these designations would be way off the scale. It would be too much. It would go way too far in allowing an individual minister the ability to make these decisions about who would be this designated refugee who loses some of the rights established under Canadian law for refugee determination. I think if there is any reason to have serious questions about this legislation, it is because of the establishment of these two classes of refugees and because of the incredible amount of discretion that it would afford the minister.

#### **●** (1315)

There are places for discretion for ministers of citizenship and immigration around humanitarian and compassionate considerations, for instance, because refugee and immigration cases are often reflections of people's very complex lives and that is a place where there needs to be some discretion for a minister, especially in this portfolio. However, I do not believe that allowing a minister to designate who is a first-class refugee and who is a second-class refugee or a no-class refugee is an appropriate addition to our immigration and refugee law in Canada. It is a very serious problem.

This bill, as we has mentioned, talks about mandatory detention of people who are designated by the minister as second-class refugees. There is mandatory detention without independent review. This kind of arbitrary detention is likely contrary to the charter and international law. Children will also be detained under this proposal. Unless they are accepted as refugees or released on discretionary grounds by the minister based upon exceptional circumstances, designated persons will remain in detention for a minimum of one year before having access to a review of their decisions. There are examples in Canadian law where that kind of process has been shown to be in contradiction of the charter.

The bill also talks about mandatory conditions being imposed upon release and for persons to be indefinitely detained beyond 12 months without the possibility of release if the minister is of the opinion that their identities have not been established. These measures seriously deprive people of liberty, without the opportunity for an independent tribunal to review whether they are necessary to their particular situations or to their particular cases.

The bill also denies refugee claimants in the designated class the right to appeal a negative refugee decision to the Immigration and Refugee Board's Refugee Appeal Division. It is frustrating to no end to have to be debating the need for a Refugee Appeal Division yet again in the House of Commons. The Refugee Appeal Division, an appeal of the decision of the Immigration and Refugee Appeal Board on a specific refugee case, was part of the new Immigration and Refugee Protection Act that came into effect in 2001. In fact, with the Liberal government of the day, the establishment of the Refugee Appeal Division was a compromise, worked out with all the parties in the House, that garnered support for that legislation.

Sadly, even though we won the Refugee Appeal Division in an important appeal in the refugee process, the Liberal government of the day and subsequent Conservative governments never put it in place. It was passed and was part of the law but was never implemented. This was a serious problem. We even had private members' legislation, committee reports and other motions that called upon the government to actually implement the established law of the land but to no avail.

Recently, in the debate on Bill C-11, again we thought we had won a victory where finally the Refugee Appeal Division, this important appeal of a negative refugee decision, would be implemented. However, now we see that the government is proposing, in Bill C-49, to remove that again. We think we have it but we do not implement it. We think we have it again and now we are going to limit it.

Every organization has said that this is an important aspect of refugee law and that it needs to be here in Canada. International organizations have commented that Canada needed to have this level of appeal, that Canada needed to uphold its existing refugee act, and that this was a crucial piece of what we should be about in our refugee laws. I am really disappointed that the government has again moved to limit the Refugee Appeal Division.

Family reunification is an issue. I mentioned the issue of blocking families from being reunited for five years and the issue of refugee integration into the community. This slows that process down, and that has been one of the successes of Canadian immigration law. We

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have moved new immigrants and refugees into positions of participation in society, of feeling that they belong in Canada, that they are valued members of the community, better than any other country, and yet here again in this legislation we are putting forward barriers to doing that, and we do that at our peril. We are turning our backs on what we have proven works and what other countries agree have worked.

**●** (1325)

Mr. Dean Del Mastro (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Madam Speaker, to be quite honest, I am dismayed with a number of the comments made by the member.

As a person whose family is not far removed from being new Canadians, I think all Canadians, including myself, are very proud of Canada's very giving and gracious immigration system. I think immigrants have added so much to Canada and I know that is speaking from my own family's history.

This past summer I was inundated with people from my riding, including new Canadians, who felt that what we were seeing was an egregious violation of Canada's very open immigration and very open refugee laws. We must respond to it.

It appears that what the member is suggesting is that Canada's immigration laws should be behest to some unknown international community that thinks it should be something other than what the government feels it should be. It also appears that the member is suggesting that the people in my riding, the thousands of people who objected to what we saw this summer, apparently are not prepared to help people in need. I reject that entire line of dogma from the member.

**Mr. Bill Siksay:** Madam Speaker, I am dismayed with the member as well. If he is dismayed with me, I can be dismayed right back to him.

I wonder if he engaged any of those constituents in a discussion of what the actual refugee process is in Canada and what has happened in previous occasions when boats have landed on Canadian shores of people who risked their lives to escape persecution, who went through the refugee determination process and who have largely been found to be refugees.

I do not think people in my riding want me to turn my back or us in this place to turn our back on legitimate refugees, on people who have had their lives at risk in their country of origin. No one in my riding wants us to do that. They want us to find a process that tests those cases. They do not want us to have bogus refugees in Canada. I do not want bogus refugees here either. I said that if a person is a bogus refugee then we should have a removal process that works. I said that we have had governments that did not have that process working in the past.

This is not a question about lack of respect for our immigration law. This is a question about respecting the immigration law that we have and respecting the refugee process that we have as well.

We have a good process and we should let it work. We have a process that if the government had appointed the people to do the work, and had not let the refugee system fall into disrepute because of its own partisan considerations, we would have a system that was functioning effectively.

When the Conservatives came to power, the Immigration and Refugee Board had almost eliminated its backlog. That took a lot of hard work and determination by the folks who were involved in that organization. When the Conservatives came to power and refused to reappoint members of the board, it dramatically increased the backlog. That was irresponsible.

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Madam Speaker, when the hon. member referenced Bill C-11, which passed the House with the support of all parties and all members of Parliament, he referenced it in an interesting way. We worked collectively on that bill and we passed a bill that we all thought was pretty good. Were we 100% happy? No one was absolutely happy but we thought it was good.

All of sudden, this bill gets dropped on us out of the blue that seems to go back on that sort of consensual collective way that we were able to arrive at results. The result of dropping a bill without any consultation with other parties are issues that were raised.

My goodness, have we ever allowed for the incarceration of children for one year in detention centres in Canada? What are we thinking of doing here? How can we separate families for five years? The people who are determined to be refugees, we will not allow them to travel back to their country to bring to Canada the rest of their families who also are in harm's way as refugees in camps, perhaps. Even though they have been determined as refugees, we will not allow them landed status, so they cannot bring over their families

We will have sometimes husbands, wives and children of determined refugees in harm's way. Could the hon. member tell us if Canada has ever treated some of the most vulnerable on the planet in that manner?

• (1330)

Mr. Bill Siksay: Madam Speaker, as I said, this is an incredible departure from Canada's past practice in terms of the increased use of detention and it is a totally inappropriate direction for us to be going in.

The member raised the effects of detention on refugee children. I think what happened in Australia is a good example of that. Australia did a very significant study on the effects—

**Mr. Dean Del Mastro:** Are you calling everyday Canadians bigots?

The Acting Speaker (Ms. Denise Savoie): I am sorry to interrupt the hon. member, but I would ask other members to take their conversations outside in the lobby please.

The hon. member can complete his answer.

**Mr. Bill Siksay:** In Australia, a study was done by the Australian human rights commission, a parliamentary organization created by the Australian parliament, to look into the effects of detention on refugee children in Australia. Australia uses detention far more than

Canada does and it uses it, I think, in a very troubling way. However, Australia has a different set of circumstances from what Canada has, so we need to consider that.

Australia held a national inquiry into children in immigration detention and it found all kinds of serious things. It found that the kind of traumatization that refugee children experienced was only exacerbated by continuing detention once they got to Australia. It found there were repeated breaches of human rights under Australian law. It is not only a very serious matter to detain children, but it is also a very serious matter to detain refugees once they arrive on our shores. Canada, to its credit, has avoided that. I do not think we can make the argument that we have not had a successful policy that has protected Canadians and has protected immigration policy in Canada.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, earlier today, I believe a government member said that about 65% of Canadians supported this legislation. Clearly the government has done polling and held focus groups on Bill C-49.

The bill would give the minister great powers that future ministers may not actually want. To that effect, what is the purpose of having an immigration system if the minister will be making all of the decisions? What happens if a ship of migrants arrives and it is populated by a group of people widely supported by the public? How will they be treated? Will they be treated in the same way as the current group of refugees are being treated? Will the government at that point take a poll and, if those refugees are supported by 65% of the population, will it somehow make a different decision and treat those refugees differently?

**Mr. Bill Siksay:** Madam Speaker, that points out why we need a fair system in place. We need a single class of refugee so that any refugee arriving in Canada is treated the same way, equally and with fairness and justice. Giving too much discretion is a serious problem.

One of the aspects of the bill is to give the minister retroactive designation powers back to March 2009 to designate a special class of refugees who will be treated differently and who will have fewer rights in the system. That is a very troubling aspect of the bill. That retroactive power has to be gone because it is totally inappropriate. We should not go back that far and revisit cases that have already begun their process under the existing refugee law.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Madam Speaker, the member said that this government created a huge refugee backlog at the IRB. In point of fact, when we came to office there was a backlog of 20,000 and then we received huge waves of claims that were about 20,000 more than the full capacity of the IRB to process.

Is the member really suggesting that when we get a year like two years ago with 38,000 asylum claimants, more than any other country in the world as a geographically remote country, 60% of which claims are rejected, that we do not have a problem with bogus asylum claimants taking advantage of Canada's generosity?

#### **●** (1335)

**Mr. Bill Siksay:** Madam Speaker, I will say that the Conservatives created the mess by letting the number of appointments on the Immigration and Refugee Board lapse. That was a serious problem that they created. It was totally their own creation and it is something that should not have happened.

I am glad the minister qualified by saying geographically isolated country but that we have the largest number. People should listen very carefully to his words. Canada is not getting the same refugee numbers as many other countries because of our geographic—

The Acting Speaker (Ms. Denise Savoie): Order, please. The hon. member for Papineau.

Mr. Justin Trudeau (Papineau, Lib.): Madam Speaker, the arrival on Canadian shores of the latest two boats filled with Tamil refugee claimants has generated many concerns from the public. Opinion polls suggest that the vast majority of Canadians want future boats to be turned away and the Tamil refugee claimants to be deported for fear that our generous system is being exploited by criminal elements.

As always, the government has not missed the opportunity to turn public concerns into bad legislation that torques up the issue and promotes fear and misunderstanding in the hopes of electoral gain.

Bill C-49 is a terrible piece of legislation but a very effective announcement. It is effective because the government gets to talk about getting tough on vile human smugglers who criminally take advantage of extraordinarily vulnerable people fleeing persecution and oppression. It is always effective to be able to stand up and talk about defeating the evildoers while protecting the innocent and the just.

The problem is that is all this is, talk. This legislation actually does very little to go after the evildoers, and far from protecting the vulnerable, actually goes after and punishes asylum seekers.

Allow me to be very clear on one thing, Liberals and indeed members of all parties in this House are deeply committed and concerned with our capacity to crack down on human smugglers and protect the integrity of our refugee and immigration systems.

It is just that it is apparent there is little in the new legislation that actually cracks down on smugglers. There are provisions the government is quite pleased with that provide for mandatory minimum sentences of up to 10 years, but those are very unlikely to be an effective deterrent given that smuggling already carries a potential life sentence.

There are some minor provisions against shipowners who disobey ministerial orders, but nothing that is truly likely to put a dent in the multi-million dollar human smuggling business. Indeed, many of the provisions will just drive up the cost to asylum seekers and put them on more dangerous sea routes.

Rather, most of the legislation's provisions are directed at trying to deter refugees themselves. Many of the provisions may be inconsistent with the charter. Others are in direct violation of our obligations under international law. All will cause great hardship to refugees who have come to Canada to seek protection.

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The legislation represents a complete reversal and backtracking on Canada's proud humanitarian tradition toward refugees and the displaced.

#### [Translation]

This government bill would create two classes of refugees based on the means of transportation they use to get here. Consider this: our system assesses, questions and judges people to determine whether they are legitimate refugees, but they will be treated differently if the minister does not like the way they arrived in Canada. That has nothing to do with the refugees' merit. It is entirely arbitrary. These people are recognized as refugees because they have good reason to fear for their lives because of their race, religion, nationality, membership in a particular social group or political opinions. These are legitimate refugees, but because we do not like the way they arrived here, we subject them to harsh punishment that is no doubt unconstitutional and certainly violates our international obligations.

We cannot judge people on the basis of how they get here, because refugees use unorthodox means to reach their chosen land. In most cases, people have found unorthodox ways to get to Canada. The government judges these people on the basis of their country of origin. Designating people who arrive illegally means the government can judge anyone it wants.

In addition to keeping designated refugees locked up, the government would impose a five-year probation, during which time they would be forbidden from leaving Canada or from applying to sponsor other family members, who are most likely suffering. The government would also have the power to hold asylum seekers for up to a year.

The president of the Canadian Council for Refugees, Wanda Yamamoto, said:

Measures keeping some refugees longer in detention, denying them family reunification and restricting their freedom of movement are likely in violation of the Canadian Charter and of international human rights obligations. People who are forced to flee for their lives need to be offered asylum and a warm welcome, not punished.

#### **●** (1340)

# [English]

That is what is so worrisome about this capacity to create two categories of refugees depending simply on whether or not the minister approves of the way they got here.

The thinking behind it, I assume, is that if people know that the minister might not approve of their way of coming here, they are not going to get in those leaky boats and risk their lives in a heavy crossing. But when we look at the pressures on them when they got on, and their willingness to shell out to criminal elements extraordinary amounts of money that they do not have, the suspicion that perhaps the minister will disapprove of them is not going to keep them away.

When we create two classes of refugees because we like their way of getting here or we do not like their way of getting here, we are creating divisions among the very people who are most vulnerable, people whose rights Canada has sworn to uphold and protect. It is a complete discarding of the Canadian principles of fairness and justice that have defined this country for decades.

The Charter of Rights and Freedoms states that everyone has the right not to be arbitrarily detained or imprisoned. Everyone has the right on arrest or detention to be informed promptly, to retain and instruct counsel without delay, and to have the validity of the detention determined by way of habeas corpus and to be released if the detention is not lawful.

On top of that, the fact that refugees would have no right to apply for permanent residence for five years after determination of their claim is inconsistent with the principle enunciated in article 34 of the UN Convention and Protocol Relating to the Status of Refugees which provides that states must make every effort to expedite naturalization proceedings for people determined to be refugees. We are tossing international obligations and Canadian law to the wind with this bill.

#### The Geneva Convention states:

The Contracting States shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory...

That is fairly clear. Again, the proposed legislation goes against that by banning them from travel for up to five years. Even once they have been recognized as refugees, they have to wait until they become permanent residents to get travel documents.

The Geneva Convention also states that the contracting states, of which we are one:

...shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

That is one of the things Amnesty International recently declared in an open letter violates the rights of these refugees. It ignores the reality that many of these refugees who have a well-founded fear of persecution turn to smugglers for assistance because of desperation, because of a lack of other options, because of a lack of a willingness of their host government which is busy oppressing or maligning them to help them get to another country.

#### [Translation]

Neither a just society, nor the Canadian Charter of Rights and Freedoms, nor international agreements are safe from this government.

We have good reason to be very concerned about this bill. I—we —understand that the problem of human trafficking needs to be dealt with, but the Conservatives' approach lacks refinement, subtlety and respect for the Canadian Charter of Rights and Freedoms. They are classifying people not according to the dangers they face at home, but according to how they get to Canada. That is not the right way to do things.

# [English]

The Tamil boatloads of 2009 and 2010 represented a new wave of boatloads of refugee claimants. The government's response to the first boat was relatively muted. There was not a tremendously strong public outcry against these refugee claimants.

However, well before the second boatload arrived, the public safety minister was already warning the Canadian public that the boat was filled with terrorists and criminals, before these people were evaluated, examined, interviewed, judged on their individual merits, as our obligations require us to do in the case of every single refugee.

This coming out against them soured public opinion against the claimants before they even arrived in Canada, and has produced a dramatic backlash. The effect of this short-sighted reaction has been to create a strong anti-refugee and anti-immigrant sentiment.

That is not typical of Canada. That is not typical of Canadians. We are a country that has consistently stood up open to immigrants, to refugees, and to drawing from around the world people who wish to come here, build a safe and secure life free from persecution. Now we are busy encouraging that persecution and hyping up the tensions between Canadians and potentially new Canadians.

It is extremely important that a Canadian government be responsible in how it defends our immigration and refugee system, how it makes Canadians understand that we are strong because of, not in spite of, diversity. Our differences are what define us and make us the flexible, open, confident, powerful country that we are in the process of becoming more and more every day.

The government needs to be much more responsible in how it chooses to elevate and enervate the Canadian public's level of debate on an issue such as this one.

It is important to mention that when the minister and the Prime Minister talk about making sure that the immigrants who go through the normal process do not get unfair treatment because of the queue jumpers, it is actual misinformation.

Let me share a secret that the government does not want anyone to know. There is no queue for refugees. There are no queue jumpers in the refugee system. We have a process around refugees. Anyone who comes to Canada and seeks asylum falls into an evaluation process that has nothing to do with the quotas we establish for refugees, family class immigrants, economic migrants. It has nothing to do with the legitimate immigration process, the queue and wait times.

A refugee is evaluated on the merits of his or her individual case. Unfortunately, as we have seen in the case of the American war deserters and many others, the government is choosing to interfere with the process in which refugee claimants are evaluated on the merits of their claim. The government is choosing to prejudge. It is choosing to frame the debate in such a way that people are blending immigrants and refugees. They are two very different things.

By stoking our fears and concerns and the frustrations of legitimate immigrants who have been here but who followed the queue, who see these people as queue jumpers because the government says they are queue jumpers, we are not serving Canada. We are not living up to our international responsibilities to be a fair and just country. We are falling by the wayside of the rights and principles for which Canada has always stood.

Instead of misinforming and holding press conferences in front of boats, we would have liked the government to consider an alternative approach.

The first and most obvious one, in the case of the Sri Lankan asylum seekers, is to aggressively pursue a peace settlement in Sri Lanka.

Tens of thousands of Tamils still remain detained in detention camps. The government is being investigated by the United Nations to see if crimes against humanity were committed by the government during the civil war. Tortures and disappearances unfortunately continue.

#### • (1345)

However, there is no doubt that there is a genuine opportunity for peace. The Tamil minority wants some form of autonomy. This can be addressed within a federal state. More and more Tamils are involved in the Sri Lankan government. There is an openness toward improving the relations between the Tamil community, the international community and the government.

We are making headway on that and Canada can play a role in helping shape that peace, in helping encourage that peace. We know what it is like to live within a country where there are distinct cultural, linguistic and religious identities and to make it work. We are living proof of that here in the House of Commons. We need to build on our capacity to work with international partners, to work with the UN. Unfortunately it is an area in which the government has not been particularly successful.

When we called upon the government to work with international partners, to cut off human smuggling, to decrease the likelihood and the possibility of engaging with human smugglers, to go after human smugglers, what did it do? The Conservatives went after them. They worked with local police forces. But instead of rounding up human smugglers they rounded up potential asylum seekers. That is not the kind of work we need to do if we are going to really crack down on human smuggling.

People have been talking about turning around boats. I am pleased that the government has not chosen in this bill to encourage the idea that we should turn these boats around before they land on our shores, because that is a violation of any number of international conventions and puts people who are extraordinarily vulnerable at tremendous risk.

Since the diversion of the ships is not legal, the only alternative is therefore to provide expeditious determination of refugee claims. It is well known that the most effective mechanism for deterring frivolous or irresponsible or unfounded claims and slowing down refugee movements is to subject persons to fair but expeditious determinations and to quickly deport persons whose claims are rejected. Unfortunately, Bill C-49 does not address that and does not encourage that.

The process of seeking the detention of refugee claimants, coupled with expedited hearings while providing them due process is an effective response to try to deter claims. In the case of the Sri Lankan Tamils, given the current situation, it may well be that some of the claimants will be accepted. However, all should be expeditious, fair determinations.

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This, coupled with efforts to resolve the situation in Sri Lanka and with efforts to stem the flow of boats by working with governments in the region, is the most effective long-term response. It can be done without inflaming anti-immigrant feelings in Canada and in a manner that will ensure Canada complies with its obligations under international law and the charter.

Speaking of this legislation, there is something else that worries me. As we have heard speaker after speaker in the opposition get up and highlight all the real legal challenges and convention challenges with this bill, and as experts have come out time and time again with real concerns about this, the thing that really bugs me is that this legislation, which is filled with ineffective and illegal measures, was drafted by the good people in what is generally considered to be the best immigration ministry in the world.

Our fine bureaucrats put together this piece of legislation that is not worthy of the kind of work and the kind of balanced approach that was even available and visible in Bill C-11 that we passed unanimously in the House. That bill was supposed to balance and improve our process of evaluating refugees and providing fairness for refugees.

Under the guise of legislation to deter smugglers, or smuggling, the government has introduced broad changes to our refugee determination system and to the rights of persons recognized as refugees.

Let us be perfectly clear. There is very little in this legislation that is designed to crack down on smugglers. Instead, this legislation takes reprisals against the refugees who use those smugglers—

#### • (1350°

The Acting Speaker (Ms. Denise Savoie): I am sorry to interrupt the hon. member. I would ask all hon. members to take side conversations outside the House rather than shouting across to each other. Out of politeness and to maintain civil debate, I would ask that very respectfully.

The hon. member has one minute to complete his comments.

**Mr. Justin Trudeau:** Madam Speaker, this ultimately is the kind of bill that is being presented here.

We have indicated that we have grave concerns about particular pieces of this legislation. The government has indicated that it is a very important piece of legislation. Canadians have indicated that they have real, founded concerns about human smuggling and its impact on our immigration and refugee system. Because of that, we are considering this bill. We are looking to see if there is anything in it that is salvageable. We are hopeful that we will be able to determine measures that will actually crack down on smugglers and be fair to refugees. So we are going to look at that.

Members heard me say this before and they will hear me say it again just about every time I get up in the House to speak about the government and the ineffective legislation it continually puts forward. Canadians deserve better and so does Canada.

#### • (1355)

**The Acting Speaker (Ms. Denise Savoie):** Order, please. I ask hon. members on all sides of the House to be a little more respectful to those members who are speaking.

#### Statements by Members

For questions and comments, we have five minutes before the top of the hour. The hon. Minister of Citizenship and Immigration.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Madam Speaker, allow me to congratulate my colleague from Papineau on his appointment as the official opposition critic for immigration and citizenship. However to quote him, I do not really think that speech did anything to "enervate" this debate, or elevate it for that matter, because it was a heavy dose of demagoguery.

What I found most disturbing about that speech was the odious suggestion that Canadians who are concerned about this prima facie violation of the integrity of our immigration system, of our laws of the principle of fairness, are somehow "anti-immigrant".

He has seen the same polls as I have. I am sure his constituents have the same view as most Canadians. Two-thirds of Canadians have told pollsters they think Canada should not even allow the boats to enter our territorial waters if they are carrying people being smuggled here illegally. Some 55% of Canadians say we should return even those who are deemed to be bona fide refugees.

I do not believe that two-thirds of Canadians are anti-immigrant, and in point of fact, new Canadians, those Canadians who were born abroad, feel more strongly about this violation of the integrity and fairness of our immigration system than native-born Canadians.

I would challenge him to be very careful before he casts aspersions on the motives of those who are open, who maintain support for the most generous immigration and refugee determination system in the world but believe it should actually be governed by the rule of law and the principle of fairness.

I would ask him this. Apart from giving speeches in Colombo and talking to other foreign governments, what concrete actions would the Liberal Party take to stop the smugglers from bringing people here illegally?

Mr. Justin Trudeau: Madam Speaker, I am glad to defer to the hon. minister's expertise on demagoguery.

What is odious about this piece of legislation is that it is dividing Canadians into two Canadas. He is talking about new Canadians who have one particular perception of things and other Canadians who may not. As soon as we start distinguishing who is what type of Canadian, we are falling onto a slippery slope that, unfortunately, the government continually encourages when it blends the distinction between immigrants and refugees, when it talks about queue jumpers for refugees. It is being entirely irresponsible and it is not worthy of the minister who is responsible for upholding and defending the integrity and the respect for the law and convention of our immigration system.

**The Speaker:** There are about seven minutes remaining in the time allotted to the hon. member for questions and comments consequent on his speech, but we will have to resume that later since it is now time to proceed with statements by members.

# STATEMENTS BY MEMBERS

[English]

#### CANADIAN HERITAGE

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, it is indeed a pleasure to inform the House that my private member's bill, Bill C-465, An Act respecting a National Hunting, Trapping and Fishing Heritage Day has been approved by the Standing Committee on Canadian Heritage and sent back to this House for third reading.

Hunting, trapping and fishing are some of the oldest practices in Canadian society. For the first nations, the coureurs de bois and the Inuit peoples of the north, hunting, trapping and fishing have played a vital role in the sustainability of past and present communities.

I would also like to thank my hon. colleagues from across the aisle who supported this bill at committee. Their support and contribution have improved this bill's overall scope and clarity.

I would also encourage all of my hon. colleagues to support this bill at third reading, so that we may have a day to honour those who have contributed so greatly to our society, history, economy and conservation efforts.

\* \* \*

**●** (1400)

#### NATIONAL OCCUPATIONAL THERAPY MONTH

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, October is National Occupational Therapy Month, a chance to celebrate the contribution of occupational therapists as people who help others live healthier, more satisfying lives. They provide people-centred solutions that contribute to the overall well-being of all Canadians.

The work that OTs do is varied and constantly changing. They help people adapt to changing circumstances and abilities. A woman who has had a stroke finds new ways to manage daily activities. An autistic child learns new ways to deal with difficult social situations. A young man has his workplace adapted after a motorcycle accident and he goes back to work. This is occupational therapy.

OTs help family caregivers. When dementia strikes, they tell caregivers about behaviours to expect, about how to make their homes safer and about helpful community resources.

OTs help soldiers return to work, with outcomes that fit the demands and culture of the Canadian Forces. They help veterans cope with PTSD and live meaningful, productive lives.

Occupational therapists change lives. Let us celebrate their contribution.

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[Translation]

# SALLE ANDRÉ-MATHIEU THEATRE

**Ms. Nicole Demers (Laval, BQ):** Mr. Speaker, the Corporation de la salle André-Mathieu in Laval is nominated in two categories at the 32nd ADISQ Gala 2010: "venue of the year" and "entertainment presenter of the year".

The first category "honours the quality and suitability of the equipment, the acoustic properties, the skill and initiatives of the technical staff, the reception facilities, the relations with tour teams, the quality of administrative services, and the volume of activity."

The Félix for "entertainment presenter of the year" is handed out in recognition of the "evolution of the presenter, the diversity and quality of programming, impact on the community, succession planning, promotion and communications, as well as professional ethics."

The Bloc Québécois congratulates the entire team at the Salle André-Mathieu and would like to wish them good luck on November 1, when the winners will be announced. With these two important nominations, it is clear that Laval is, without a doubt, a cultural landmark in Quebec.

[English]

# VETERANS AFFAIRS

**Ms. Denise Savoie (Victoria, NDP):** Mr. Speaker, Corporal Stuart Langridge served Canada proudly at home and abroad until he died from injuries he sustained while serving.

In 2008, suffering from post-traumatic stress disorder, he took his own life after being refused the help he desperately needed.

Military officials not only failed Stuart; they continue to fail his parents, Sheila and Shaun Fynes, whose grief has been compounded by bureaucratic ineptitude. The Fynes asked me to speak out because they do not want anyone else to suffer the way their family has.

I am joining them today in asking the Minister of National Defence to intervene and provide the answers they have asked for. Through Motion No. 592, I am asking the government to review its practices in light of Stuart's case to guarantee that soldiers with PTSD and their families get the support they deserve.

# UNIVERSITIES AND COLLEGES

Mr. Rod Bruinooge (Winnipeg South, CPC): Mr. Speaker, Canadian universities educate more than 1.5 million students annually, perform more than one-third of Canada's research and development, and remain this country's critical centres of learning, discovery and innovation.

The Government of Canada has always played a strong and important role in supporting learning and innovation. As part of Canada's economic action plan, we have invested over \$2 billion in the knowledge infrastructure program, supporting infrastructure enhancement at universities across the country. Going forward, universities and government must continue to work together in the development of the talent that will ensure Canada remains a very prosperous nation.

Today I am very pleased to welcome the Association of Universities and Colleges of Canada and more than 40 university presidents from coast to coast who have joined us here on Parliament Hill.

#### Statements by Members

They are here to discuss ideas on research and innovation, international education, copyright reform and aboriginal access to higher education. I ask all members to join me in welcoming them to Parliament Hill.

**●** (1405)

#### TAMIL COMMUNITY

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I want to speak about the contributions made by the Tamil community to the fabric that makes up our multicultural nation.

This cultural community has forged roots across the country and has excelled in all areas of Canadian endeavour. Since the 1940s, when the first Tamils immigrated here, the community has grown to about a quarter million. Tamils are teachers, entrepreneurs, bankers, doctors, researchers, lawyers, engineers, professors, athletes, corporate executives, and other such occupations. Education is highly revered in the community, and more than 5,000 Tamil Canadian students are currently pursuing post-secondary education in Ontario alone. Their businesses are a part of the infrastructure of our communities and provide good services and jobs.

Recognizing the burdens imposed by a violent 30-year homeland conflict, we believe it is time that this important community's full contribution to our country is acknowledged, and that steps are taken to ensure that the image of Tamil Canadians is no longer tarnished by hurtful and false stereotypes. Such negative stereotyping in our media and in political discourse is hurtful and unhelpful in our grand Canadian enterprise.

# NORTH KOREA

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, our government has taken a firm, principled stand against the North Korean government's continued reckless and unacceptable behaviour, including its aggressive weapons program and the sinking of the South Korean vessel *Cheonan*.

The imposition of tough, targeted economic sanctions and the adoption of a controlled engagement policy limiting our bilateral relations with the North Korean government sends a clear message that its aggressive actions will not be tolerated.

These new sanctions are targeted specifically against the North Korean government and not the people of North Korea. We will not block remittances or humanitarian aid from reaching the people of North Korea.

We strongly believe that North Korea must take tangible steps to improve its behaviour and comply with its obligations under international law.

Our government continues to fight for the values of freedom, democracy, human rights, and the rule of law around the world.

#### Statements by Members

[Translation]

# QUEBEC'S AGRI-FOOD INDUSTRY

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, a Léger Marketing survey conducted from September 27 to 30 confirmed that our agricultural products are a source of great pride for Quebeckers, and for good reason. Be it because of their variety, their freshness or the role they play in our economy, Quebec products are a unique treasure.

Quebec's agri-food industry is made up of 500,000 passionate people who work every day to provide us with a smorgasbord of delicious food, from lamb to berries to ice cider. Their expertise contributes to the sterling reputation of our products, both at home and abroad.

As the member for Compton—Stanstead and the deputy critic for agriculture and agri-food, I am proud to represent hundreds of agricultural producers. I applaud the fact that Quebeckers find a source of pride on their plates at every meal.

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[English]

#### MUNICIPAL ELECTIONS

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, this week, we saw democracy in action. People of all ages, backgrounds and political stripes stepped up and did something honourable. They put their names forward to represent the citizens of their towns, cities, and municipalities.

In this House, we have all done this. We know first-hand the challenge of throwing our hats into the ring and trying to do something good for the regions we love.

Today, I would like to congratulate all who ran in these municipal elections.

To the people who were acclaimed, elected, or re-elected: great job and good luck. The road they have chosen can be difficult at times, but it is also very rewarding.

To the people who were not successful: my hat is off to them as well. We need more people to do what they have done. That is what makes democracy work.

I ask all members in this House to join me in congratulating all the candidates who participated in these municipal elections.

I would also like to wish our newest politicians the very best as they embark in public life.

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[Translation]

# DEMOCRACY AND HUMAN RIGHTS THROUGHOUT THE WORLD

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, all members of the House agree on an important issue: promoting democracy and human rights throughout the world, and especially supporting elected representatives and members of parliamentary assemblies who are threatened for expressing their political views.

[English]

On September 23, Mr. Sam Rainsy, an opposition leader in Cambodia, was sentenced to 10 years' imprisonment, along with fines and damages. If this prosecution, coupled with a number of other prosecutions of outspoken opposition members, is allowed to stand, Cambodia's democratic process will be seriously hampered.

The Inter-Parliamentary Union met on October 6 and passed a unanimous resolution calling on the authorities to explore all the issues surrounding this prosecution and attempt to solve them through political dialogue, so that Mr. Rainsy might be able to resume his parliamentary activities.

I urge all members of this House to stand together and encourage the Cambodian authorities to accept the resolution passed by the IPU, the recommendations of the UN special rapporteur, and to ensure the—

● (1410)

**The Speaker:** Order, please. The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

\* \* \*

[Translation]

#### AEROSPACE INDUSTRY

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Speaker, the Liberals are promising to cancel the F-35 program, thus jeopardizing tens of thousands of jobs. However, our government is reaffirming its support for the more than 80,000 men and women working in the aerospace industry.

While attending the annual general meeting of the Aerospace Industries Association of Canada, president and CEO Claude Lajeunesse indicated that the Liberal Party's ambiguity on the purchase of F-35 fighter jets is hurting the Canadian aerospace industry.

He also said:

If the contract is cancelled, and even if there is ambiguity surrounding the contract, it is clear that some Canadians will suffer because jobs will not be available...Some jobs will eventually disappear if the contract is cancelled.

If it were up to the Liberals, the F-35 program would be cancelled and tens of thousands of jobs in the aerospace sector would be in jeopardy.

The economic recovery is fragile, and the hard-working men and women in this sector can count on our government to defend them.

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[English]

#### AVALON PENINSULA

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, *National Geographic Traveler* had a panel of experts rate 99 of the world's great islands, coastlines, and beaches for sustainability and authenticity.

I am happy to say they ranked Newfoundland and Labrador's Avalon Peninsula as number one. The Avalon was extolled for its "stunning natural and cultural integrity", "home to one of the oldest English cities in North America—the provincial capital of St. John's—and a winding coastline dotted with picturesque and accessible fishing villages that look out on the Atlantic Ocean" with "unspoiled scenery ranging from stark moonscapes to crystal-clear lakes to open land where caribou roam".

This is in competition with the world, with Wales, New Zealand, Chile, and Hawaii, which were also in the top 10.

B.C.'s Gulf Islands and Nova Scotia's South Shore were rated in seventh and eighth place respectively, and Prince Edward Island ranked seventeenth.

We are proud of the recognition given to the Avalon Peninsula as number one and encourage all Canadians to come and visit the Avalon and all Newfoundland and Labrador. We hope they will see for themselves what the excitement is all about.

### AEROSPACE INDUSTRY

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, our Conservative government supports Canadian aerospace jobs.

While the Liberals play politics with the F-35 program, a plan that will cost 80,000 Canadian aerospace jobs, we stand with Canadians and their families.

Claude Lajeunesse, president of the AIAC, is concerned about the coalition threat to kill the program. He said, "Uncertainty about this decision is hurting us.... It is jeopardizing the creation of value-added jobs that Canadians need. Any uncertainty around Canada's decision or signals to our partners in the program that Canada may not proceed with this acquisition will jeopardize our sector's ability to secure our maximum share of this enduring and value-added work".

In these times of global economic uncertainty, we cannot risk having the coalition cost Canada tens of thousands of jobs. We cannot risk taking the best equipment away from the brave men and women of our Canadian forces.

[Translation]

### **DECORUM IN THE HOUSE**

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, the Conservatives promised they would do their part to improve decorum in the House, but they keep spouting nonsense as a diversionary tactic.

The Conservatives are in hot water these days, what with rumours of patronage, collusion with contractors and backroom financing deals swirling around their heads. In an effort to deflect attention and avoid facing the music and answering the allegations against them, the only thing they can come up with is to try discrediting the opposition with low blows and cheap shots. They are making unfounded statements out of pure demagoguery with a distinctly Conservative flavour. It is unfortunate that the person who should be leading by example, the Leader of the Government in the House of Commons, is contributing to this overheated environment.

### Statements by Members

Instead of looking for problems where there are none, the Conservatives should take a good look at their own caucus. There is an elephant in the House.

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[English]

#### BRAIN TUMOUR AWARENESS MONTH

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, October is Brain Tumour Awareness Month in Canada.

Over 55,000 Canadians are currently living with a brain tumour. Over 10,000 more will be diagnosed with a tumour this year, one-third of which are children like my little buddy, Trevor.

Brain tumours do not discriminate. Adults, seniors, children are all vulnerable to the prospect of this form of cancer.

These tumours can sometimes go undetected for months, even years, making early diagnosis and treatment especially crucial.

In the past few decades, great strides have been made in learning more about this unique form of cancer, but much more work and research remains to be done. This research not only helps those in the hunt for a cure; it also helps those afflicted with the disease to live richer lives under often difficult and debilitating circumstances.

The motto of the awareness month is "Imagine a Cure". It is up to us to make sure that in our lifetimes we not only imagine a cure, but also realize one.

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**●** (1415)

### STATUS OF WOMEN

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, yesterday the Liberals held an invitation-only event asking women to make a big donation to join the Laurier Club, a high-dollar donor group with privileged access to Liberal Party insiders. They sold the night as an event to "build your networks in the capital".

Selling access to female Liberal MPs, is that how the Liberals reach out to Canadian women? Why are the Liberals interested only in women who can pay \$1,000 at the door?

### Oral Questions

Our government cares about all Canadian women. We have listened to the concerns of Canadian women. That is why we have taken action to toughen our crime laws. That is why we have given families a choice in child care through the universal child-care benefit. While the Liberals only care about the chequebook in the women's handbag, we have taken action to protect the jobs of Canadian women and the safety and economic well-being of all families.

### **ORAL QUESTIONS**

[English]

#### NATIONAL DEFENCE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, Albert Einstein said, "The definition of insanity is doing the same thing over and over again and expecting different results".

In the case of the Chinook military helicopters, the Conservative sole-sourced, untendered, non-competitive process caused overruns of 100% and at least five years' delay. The Auditor General says that fiasco could well be repeated on the F-35 purchase: sole-sourced, untendered, non-competitive.

Why will the government not listen to Sheila Fraser, define the specifications and get competitive bids?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, nothing could be further from the truth. We are following a process that was put in place by the previous government. The previous government put it in place because it understood that at the end of this decade we would have to replace our CF-18 fighters and we would have to be part of a world consortium and get the best of that here, not just the best planes, but get the work to be done in our country.

That is why the previous government did it. Now the Liberals want to play coalition politics to scrap this deal. This government will not play politics with the men and women of the armed forces or the Canadian air force.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the previous government preserved the right to tender.

When the typical Canadian family is struggling to care for an elderly parent, trying to put their kids through school and carrying \$96,000 in debt, when they are counting every penny just to make ends meet, it is hard to fathom their government buying fighter jets by a process that is bound to overspend by at least \$3 billion.

Former senior officials in the Department of National Defence say that the government is wrong and reckless. The Auditor General says that it is high risk. Why can the Conservatives not do what is right for the air force and right for the taxpayer at the same time?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, that is exactly what we are doing. When the party opposite was in government, it understood this was exactly the right thing.

However, when it comes to managing taxpayer money through a recession, I will not make any apologies to a party that cut the military, that cut health care, that cut education and that raised taxes. We are on a very different track in this government.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the previous government in fact made the biggest investment in the Canadian armed forces in more than 20 years. It is not just Alan Williams, the former assistant deputy minister, or the Auditor General. It is also the Pentagon that says the system managing the F-35 project is a mess. Other countries, such as the Netherlands, Norway, the United Kingdom are all scaling back. It is only the Conservative government that insists on being reckless, that demands a blank cheque, that says to satisfy the air force, it has to break all the rules and waste \$3 billion.

Do the Conservatives not know what an insult that is to the Canadian—

● (1420)

The Speaker: The right hon. Prime Minister.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the Liberals can talk all they want about investments they made in the military. We are not going to find a single person in the military anywhere in the country who believes that. People know about the decade of darkness.

The party opposite and its coalition friends use every attempt, every piece of misinformation to try to oppose anything we do for our men and women in uniform. It is absolutely disgraceful.

The member named several other countries, all of which are going to buy the F-35 and so are we, because our air force is going to have the best equipment in the world to do its job.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, when the Prime Minister was the policy director for the Reform Party in 1993, he had this to say about the replacement of the Sea King helicopters, "the best approach is to defer the replacement beyond the year 2000 and to re-evaluate the role of a ship borne helicopter".

Why will the Prime Minister not apply the same judgment he had in 1993 at the beginning of his so-called decade of darkness, stop the irresponsible sole-sourcing of the F-35 and have an open Canadian competition in the interests of taxpayers?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, when the member was on this side of the House and was the parliamentary secretary to defence, he used to extol the virtues of the F-35 project. He used to espouse the benefits that would come to the Canadian aerospace industry. He has completely turned himself inside out.

As the Prime Minister said, we will move ahead with the purchase of the best plane on the planet, to give the best protection to the men and women in uniform and bring tremendous benefits to the Canadian aerospace industry. Jobs in Canada, benefits to the Canadian air force, this government is all about that.

[Translation]

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, the Prime Minister is ignoring Alan Williams, who literally wrote the book on defence procurement. He is ignoring the Auditor General, who has said that the purchase of the F-35s is too risky. He is ignoring the actions of the Pentagon and the British Conservatives and even his own comments in 1993.

Why is the Prime Minister going along with such irresponsible spending? What does he have against good management of taxpayers' money?

[English]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, what does the member opposite, the defence critic for the Liberal Party, and the interim leader serving for the Liberal Party here today, have against giving the men and women in uniform the best equipment that we possibly can? Why do they continually oppose efforts to build up the Canadian Forces so they can do the important work that we ask of them?

All of the experts know that this is the best aircraft. This is the best opportunity Canada has to replace the CF-18 with the aircraft that the forces need for the next 20 and 30 years.

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[Translation]

#### OMAR KHADR

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, at the centre of the scandal that is the treatment of Omar Khadr is the Conservative government's stubborn refusal to acknowledge that he is a child soldier. The UN's special representative on children and armed conflict recently said, and I quote, "In every sense Omar represents the classic child soldier narrative, recruited by unscrupulous groups to undertake actions at the bidding of adults to fight battles they barely understand".

Will the government finally acknowledge that Omar Khadr, who was captured at the age of 15, is a child soldier?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I have had the opportunity to answer that question on numerous occasions. I repeat: this government decided to comply with the American authorities and let them to try Mr. Khadr, who has acknowledged his guilt. The American trial is under way right now. The court is hearing from witnesses, and until this process is complete, we will refrain from making any other comments.

**●** (1425)

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, Mr. Khadr was forced to plead guilty because the government abandoned him. Not only should Omar Khadr have the rights provided for in the Convention on the Rights of the Child, but the government had and still has the obligation to ensure that his constitutional rights are respected. These rights are currently being violated, as was pointed

### Oral Questions

out in decisions from the Federal Court, the Federal Court of Appeal and the Supreme Court.

Will the Conservative government finally take responsibility, ensure that Omar Khadr's rights are respected, and have him repatriated?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, he is guilty. Mr. Khadr answered the charges. He testified and said that he was guilty. As soon as he said that he was guilty of murder, the Bloc Québécois was convinced that he was exonerated.

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### NATIONAL DEFENCE

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, Lieutenant-General Andrew Leslie's mandate was to trim 5% of the Canadian Forces' \$19 billion budget immediately. In the meantime, the Conservatives want to spend \$470 billion on military procurement over the next 20 years.

Does the Prime Minister realize that without a real foreign defence policy all these cuts and all these purchases will be totally improvised and inconsistent?

[English]

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I could have sworn I saw the member opposite's comments in the paper today supporting contracts such as the F-35.

With respect to reserves, we are going to continue to value their service. They are doing an extraordinary job in Afghanistan, as they have around the globe in previous missions.

I find it a little ironic that we are getting advice from the Bloc, a party that does not want the country to succeed, let alone our foreign policy to succeed.

[Translation]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, the Bloc Québécois has been calling for a comprehensive military procurement policy for years. Unlike the Conservatives' F-35 purchase that the minister just mentioned, the Bloc Québécois is asking that all military procurement come with minimum economic spinoff requirements. In aerospace, for example, the government should make sure that Quebec receives its fair share, 55% of the spinoffs.

When will we have a policy that responds to Quebec's priorities? [English]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, what we will do is ensure that all companies across the country are given fair and equal access to these incredible contracts that can be awarded up to \$12 billion worth of benefits. That is billions of dollars and thousands of jobs that can result from Canada moving forward on the MOU that was started by the members opposite.

The coalition parties better get their message straight on the F-35. The member opposite is veering a little off script.

#### Oral Questions

### POTASH INDUSTRY

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, sources in the media are telling us that the government apparently is starting to get it when it comes to the whole question of selling off a strategic resource like potash to the Australian multinationals.

The Liberals never rejected a foreign takeover and the Conservatives rejected only one when they listened to the NDP advice from Peggy Nash, the member of Parliament from Parkdale, and stopped the sale of MacDonald-Dettwiler.

When are the Conservatives going to simply get it and say no to the sale of the Potash Corporation?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the NDP never saw a foreign investment that it liked, just like the Liberal Party has never seen one that is has turned down.

The truth of the matter is this government, according to the act, evaluates all investments on their merit. The Minister of Industry will be announcing a decision on this in the not too distant future.

Let me assure the House that when we announce this decision, the criteria will be clear and the decision will be taken in the best long-run interest of the Canadian economy.

[Translation]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, what is unfortunate is that the government does not take the advice of the NDP often enough. The same arguments put forward to save the Canadian potash industry apply to steel, nickel and aluminum. However, the government did nothing for those industries.

Rather than dithering, why does the Prime Minister not send a clear message right now?

Potash is Canadian and will remain Canadian.

• (1430)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, according to the law, the government is required to listen to all sides in this matter. I know that it is the NDP's position to oppose any foreign investment, and it is the Liberal Party's position to approve all foreign investment. The government will announce its decision in the near future. Our decision will be in the best, long-term interests of the Canadian economy.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the lesson from potash is the government has to wake up and do a proper job of evaluating foreign investments in our country. One cannot do that in secret. That is the fundamental problem.

The government's approach to foreign takeovers is a tragic joke that makes Canada a sitting duck for any of these multinational operators to come in, because they know a sucker when they see one.

When will the government strengthen the Investment Canada Act to include public hearings, transparent decision making and real penalties whenever takeover artists fail to deliver?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as I just said, the government is obliged to listen to all of the perspectives on this transaction before taking a decision. That is what the government will do without bias, but also without the kind

of ideology of the NDP that would oppose any foreign investment under any circumstances. That is the kind of anti-market view that party has. It is not in the best long-term interest of the Canadian economy.

We will evaluate these bids fairly and on their merits. The decisions we take will be in the best long-term interest of Canadians.

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### NATIONAL DEFENCE

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, Alan Williams confirmed that Canada could save 20%, up to \$3 billion, if there were an open bidding process for our next fighter jet. That \$3 billion could be used to help our veterans stay in their homes by increasing the veterans independence program or creating more hospital beds for veterans.

Why will the government not open up the bidding process?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, there was a competition and in fact it was the F-35 that emerged from that competition, and members opposite should know that. How was the process started? It was started under the previous government.

Let us look at what the current assistant deputy minister of materiel in charge of the program has to say. He says:

Let's state the obvious: you must have more than one viable supplier to have a competition, and there is only one fifth-generation fighter available.

That is the one we are getting.

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### VETERANS AFFAIRS

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, Sheila Fynes, a mother of a dead soldier, made 22 phone calls trying to sort out her son's pension. The Canadian Forces legal adviser told this grieving mother to stop calling.

Maybe if the government listened to the Auditor General, it could find the money to get a single person to call Mrs. Fynes back.

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I have instructed our senior officials to do just that. No one shares the member's outrage more than I do, with the exception of Mrs. Fynes herself. We will look into this matter and we will be speaking with her directly to address these issues.

It is unacceptable to refuse access to the Department of National Defence or to counsel others to do so. We will remedy this matter. [Translation]

### **G8 AND G20 SUMMITS**

**Mr. Pablo Rodriguez (Honoré-Mercier, Lib.):** Mr. Speaker, security for the G8 and G20 summits was planned around the Conservatives' decision to hold two summits in two places.

Because of this, more than 40 sites had to be secured.

The head of the RCMP said, "This undertaking was the largest deployment of Security Personnel in Canadian history."

Will they eventually realize that their decision to hold the summits in two different places, without regard for taxpayers, is exactly what caused this mess?

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, we are proud of our accomplishments at the G8 and the G20 summits. Canada is leading the global economic recovery, as well as international efforts to aid developing countries.

As we have said from the beginning, these were legitimate expenses, the majority of which were for security. There were approximately 20,000 security personnel on the ground during the summits. The violence and the destruction that occurred proved the need to ensure that those who attended the summits were protected.

(1435)

[Translation]

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, other countries organize summits as well—we are not the only ones—except that the Conservatives managed to multiply the bill by 50.

We learned this morning that the budget coordination was entirely centralized in the Prime Minister's office. He was the only one who had an overview of the costs. He was the only one who could have prevented this spending spree.

This is a financial mess. All Canadians are paying the bill. The Prime Minister could have stopped it, but he did not do anything. Why not?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, the members opposite continue to put false information on the record. For example, yesterday a member opposite raised the Seoul summit and indicated that it would cost 2% of what it cost the Conservatives. In fact, when the South Korean ambassador was asked if the total security bill would climb above \$1 billion, he said, "probably yes. With this kind of indirect contribution by Americans, yes".

. . .

 $[\mathit{Translation}]$ 

### **INFRASTRUCTURE**

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the Minister of Transport, Infrastructure and Communities once again demonstrated the federal government's arrogance when he said that Quebec was not providing enough information about progress on infrastructure projects. He said that he would grant the necessary

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extensions on a case-by-case basis if Quebec can provide justification.

Given that the economy needs stimulating, does the government realize that it makes no sense to put an end to infrastructure projects for bureaucratic reasons?

[English]

Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I was before committee this morning and I was very clear. We have a good and respectful relationship with the Government of Quebec. The minister said as much in the national assembly this week.

I have communicated to the Government of Quebec that we are being very respectful of working through the provincial government, not directly with municipalities on these projects. That means that the Government of Quebec needs to give us the details of the Preco projects in particular, so that we can work together to find a fair and reasonable accommodation.

We are working well with the Government of Quebec and respecting both provincial and federal laws as we are doing so.

[Translation]

**Ms.** Christiane Gagnon (Québec, BQ): Mr. Speaker, despite the minister's assurances that the deadline is still five months away, I should point out that some kinds of work are difficult to do in Quebec in the winter.

The federal government's obsession with red tape is putting onethird of Quebec's projects at risk. Quebec's municipalities could be on the hook for an extra \$200 million because of the Conservatives' inflexibility.

When will the government extend the deadline for all of the projects?

[English]

Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the hon. member is correct. The deadline is still five months away, which means that we have time to sit down together with the Government of Quebec to talk about ways to deal with the projects. We have already been working closely with the Government of Quebec.

About a week ago, in working with the Government of Quebec, I helped to re-profile some money for projects that it said just could not be done because there was not enough time. It said that it would rather do other projects. We said that if the Government of Quebec wanted to do that, then we could work together to make that happen. We have been working on that.

We will be fair and reasonable but we need that data. Just throwing out 30% numbers without any data is anecdotal.

### Oral Questions

[Translation]

#### PUBLIC WORKS AND GOVERNMENT SERVICES

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, very disturbing things are happening at Public Works and the former minister refuses to take responsibility. For three weeks now we have been hearing about questionable practices in the awarding of contracts to Conservative cronies, as well as dubious ties to the biker gangs and mobsters involved in the construction industry. The minister denies everything.

Will the former minister of public works, the current Minister of Natural Resources, appear before the committee and tell us what he was doing at a cocktail fundraiser organized by a construction contractor who won a contract from his department, an event at a restaurant frequented by mobsters?

Hon. John Baird (Leader of the Government in the House of Commons, CPC): Mr. Speaker, that is not the case at all.

I have a question. Yesterday I said the Bloc member had participated in an event organized by the Réseau de Résistance du Québécois. I have the invitation here with his name on it. I also have a photo from another RRQ event he attended. The RRQ's manifesto states, "The RRQ will also rehabilitate those who fought for the Front de libération du Québec...".

I have a very simple question for the hon. member for Sherbrooke. Does he plan to rehabilitate the people who murdered minister Pierre Laporte?

**●** (1440)

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, the minister cannot deny that Paul Sauvé enjoyed a great deal of preferential treatment to obtain the West Block contract.

Does the minister not believe that we have serious cause for concern, given that the criteria for awarding contracts was modified to accommodate a contractor who had hired a Conservative lobbyist, and given that his business managed to pass security screenings even though it was controlled by the Hells Angels?

[English]

Hon. John Baird (Leader of the Government in the House of Commons, CPC): Mr. Speaker, let us be very clear that that was not the core

Yesterday, I reported that the Bloc Québécois MP for Sherbrooke spoke at an event organized by Réseau de Résistance du Québécois. I have the invitation and promotion of this event here. I also have a photo and a YouTube clip of an event that he spoke at for the RRQ.

The RRQ's manifesto is that it aims to rehabilitate the combatants of the FLQ.

I have a simple question for members of the Bloc Québécois. Do they want to resurrect the ideology and the tactics of the murderer of Pierre Laporte? [Translation]

### POTASH INDUSTRY

**Ms. Martha Hall Findlay (Willowdale, Lib.):** Mr. Speaker, the Prime Minister recently tried to raise doubts about PotashCorporation by saying that it would make no difference to him if this company were no longer the Canadian champion it currently is. And the Minister of Industry is starting to stall.

Who decides? Is it the Prime Minister who controls the process? [*English*]

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, if the member had actually read the Investment Canada Act, she would realize that the Minister of Industry has statutory responsibilities under the Investment Canada Act.

I intend to discharge those responsibilities to determine, under the net benefit to Canada test, whether this particular bid passes muster or not. I will exercise my responsibilities with due regard to the bidder's opinions and to the opinions of other Canadians, including those involved with the Government of Saskatchewan. I will make my decision shortly.

**Ms. Martha Hall Findlay (Willowdale, Lib.):** Mr. Speaker, we need to ask where the 11 Conservative members of Parliament and 2 Conservative cabinet ministers from Saskatchewan are. Are they afraid? Are they muzzled? There is only one member of Parliament for Saskatchewan who is speaking out for the interests of the people of Saskatchewan.

When will those 13 Saskatchewan Conservative MPs stop being afraid of speaking out in support of Saskatchewan?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, I thought I had heard it all in this place, but the member for Willowdale thinking she knows what is in the best interests of the MPs from Saskatchewan is certainly a new high or a new low, I am not sure which.

I would also remind the hon. member that if she wants to talk about people looking out for their own interests, the hon. member's party had 13 AWOL MPs for the Bill C-300 vote yesterday. That shows that the Liberals are trying to suck and blow at the same time, which is a typical Liberal tactic.

In our case, we will do the best thing for Canadians because that is what we do.

\* \* \*

### INTERNATIONAL CO-OPERATION

**Mr. Francis Valeriote (Guelph, Lib.):** Mr. Speaker, we have now learned from CIDA documents obtained through access to information and reviewed by the minister one year ago, that KAIROS' objectives are in fact "strategically aligned with our country program objectives".

On September 20 of this year, the minister for CIDA, in absolute contradiction of her own department's findings said, "KAIROS was recently refused funding as it did not meet the government's priorities".

Now that we know the minister's pretext for the KAIROS cuts is false, will the minister now finally restore funding to this organization?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, our government has been very clear. We have an international aid effectiveness strategy and we are acting on it. We are getting results for people in the developing countries and all projects by CIDA are assessed against our effectiveness standards.

After due diligence, it was determined that KAIROS' proposal did not meet government standards.

Canadians want to make a difference in developing countries and that means more food, more education, more help, more security and more opportunities for women and girls.

• (1445)

Mr. Francis Valeriote (Guelph, Lib.): Mr. Speaker, the government cannot hide from the truth. KAIROS was described by CIDA as being strategically aligned with our country's program objectives, and its programming would have benefited 5.4 million marginalized people. Canadian embassies and senior public servants said that KAIROS should be funded. The minister for CIDA, however, without any explanation, ended 35 years of support by suddenly penning in the word "not" before the recommended word "approved" on the report.

What really prompted the minister to add the word "not" to an otherwise glowing recommendation for funding for KAIROS?

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, as the House knows, we want to ensure that we are making a difference in developing countries and we are reducing poverty. We do receive many worthwhile proposals.

I want to assure the House and all Canadians that this government will ensure that we are making a difference for those we intend to help. We are accepting and considering proposals from various people and organizations, including members of KAIROS.

### **GOVERNMENT ACCOUNTABILITY**

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, Canadians were shocked by the Liberal sponsorship scandal and decided that it was time for a change. They decided to put their trust in the Conservative government to bring accountability back to Ottawa.

In 2005, Canada ranked a shameful 14th on an international corruption scale. Thanks to our government's Federal Accountability Act, this week Transparency International ranked Canada the sixth least corrupt country in the world.

Could the President of the Treasury Board please tell this House why Canadians can feel good about their government?

Hon. Stockwell Day (President of the Treasury Board and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, this is a very important improvement in credibility. Canadians, quite rightly, felt embarrassed and somewhat ashamed when they saw Canada as a nation being rated so poorly on an index of corruption. With the Federal Accountability Act and the areas of transparency

### Oral Questions

that we have brought forward have improved our rating incredibly, and we can now stand proud about that.

I should also add that today, as the public accounts show, it is clear that there is still money missing from the sponsorship fraud. We have been able to get back about one-quarter of a million dollars. I wonder if our Liberal friends would help us to get that money.

\* \* \*

### HARMONIZED SALES TAX

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, finally the government listened to New Democrats and veterans and removed the HST from Remembrance Day poppies. The people of British Columbia are hoping the Conservatives will listen to them too

The people of B.C. do not want the HST. This government ignored the people in small business and rammed through this tax. Last night, Premier Campbell said that it was the Prime Minister who drove the agenda to ram through the HST.

Will the Conservatives stop ducking the truth and finally accept responsibility for their role in this fiasco?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, decisions with respect to the HST are for the provinces to make. What the federal government can do is what we have done, which is to reduce the GST from 7%, to 6%, to 5%. What the NDP has done in this place every time we have reduced the GST is voted against it.

This is the party that reduces taxes. The NDP is the party that likes to raise taxes, along with its coalition partner, the Liberal Party.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, like it or not, last night the Prime Minister was outed. Premier Campbell said it was the Conservatives who forced B.C. to ram through the HST without any consultations. The Conservatives will not admit the HST was their agenda. They have been misleading their constituents. Now they are refusing to call a byelection in Prince George—Peace River because they are too scared to face the people of B.C.

When will they finally admit responsibility for the HST and when will they let the people of Prince George—Peace River have their say?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, when all else fails, the NDP can just make it up, which is what it did with that question.

The decision on these issues relating to the GST are for the provinces to make. The Province of British Columbia made a decision. It is up to that government about what it wants to do with respect to the HST.

The decision of this government was to reduce the federal sales tax, the GST, by two full percentage points.

### Oral Questions

**●** (1450)

[Translation]

### **KAIROS**

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, according to an internal memo, the Conservative government ignored advice from CIDA officials who recommended that funding for KAIROS be maintained. The decision to cut funding for this organization, which promotes human rights, was therefore a political one made for purely ideological and partisan reasons.

How can the minister explain that the organization was good enough for CIDA for 35 years, yet all of a sudden, under a Conservative government, the organization apparently no longer did meaningful work?

[English]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, as I have clearly said before, our government instituted an effectiveness agenda, which means getting more value for the money that we are putting forward to support a number of worthy organizations that are making a difference for those living in poverty. That means there will be fewer children who are dying under the age of five. That means there will be more mothers who will survive childbirth. That means there will be more farmers who will be able to feed their own families. That means more children in school. That means more teachers who are properly trained.

Canadian dollars are making a difference where they are intended to go.

\* \* \*

[Translation]

#### RIGHTS & DEMOCRACY

**Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ):** Mr. Speaker, the Conservative government took control of Rights & Democracy on the pretext that it was poorly managed. However, the forensic management audit of the previous administration still has not been made public.

By refusing to release the report on the alleged abuses, is the minister not confirming that the financial issue was just a pretext to take control of Rights & Democracy and to impose an ideological shift on it?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, Rights & Democracy is an independent organization that is funded by the government and is charged with promoting human rights and democracy internationally. The Deloitte & Touche audit was requested by Rights & Democracy, which has received the final report. My understanding is that the board of directors has come to a decision and is ready to make it public.

\* \* \*

[English]

### JUSTICE

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Mr. Speaker, here is the Conservative government's shameful record on crime: a more than 50% cut in funding to the National Crime Prevention Centre; a failed promise to fund 2.500 more police

officers across the country; and an abysmal record in moving its own crime legislation through Parliament, including a two and one-half year wait to address auto theft legislation so important to Manitoba, and a Prime Minister who prorogued Parliament three times.

When will the Prime Minister take responsibility for the delays and failed promises?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, it does not surprise me the member does not check her facts at all. No government has done more to support victims in this country than this Conservative government has done.

Mr. Speaker, I am hoping you will give the member another question so she can get on her feet and explain why she gutted the bill on conditional sentences to ensure that people who commit arson in this country can serve their time in the comfort of their own home. Perhaps she could get up and explain that if she is so interested in fighting crime all of a sudden.

\* \* \*

#### CITIZENSHIP AND IMMIGRATION

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Mr. Speaker, I am interested in all of the Conservatives' failed promises. It is more failed promises when it comes to immigration.

Under an agreement achieved with the Liberal government in 1995, Manitoba welcomed more new Canadians than ever under its provincial nominee program. Since then it has been reported that the province has been asked to lower the limit on the number of people it welcomes under the program.

Why is Manitoba being asked to do with less? Is this yet another example of what the senior minister from Manitoba thinks is more than its fair share?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, what absolute nonsense.

Manitoba has seen a fourfold increase in the number of provincial nominees going to that province under this government. When the Liberals were in office, Manitoba got about 2,000 provincial nominees in a year. Now it is over 10,000. Manitoba represents about 3% or 4% of the country's population but is getting 30% of the provincial nominees.

When it comes to immigration, this government is delivering for Manitoba.

\* \* \*

**●** (1455)

### VETERANS AFFAIRS

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, Corporal Stuart Langridge served proudly, with distinction, the Canadian Forces in both Bosnia and Afghanistan. From his time in Afghanistan, he began to suffer post-traumatic stress disorder that tragically led to his death by suicide in 2008.

What should have been a time for honouring his sacrifice and grieving his loss has become for his family two and a half years of bureaucratic hell and indignity. It is shameful that Mrs. Fynes, a grieving mother of a proud soldier, should have to come all the way from Victoria to Ottawa to publicly seek justice after the Minister of National Defence and the CDS have known about this for months.

Mr. Speaker—

The Speaker: Order. The hon. Minister of National Defence.

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, first I want to extend my sympathies to the family of Corporal Langridge.

I want to set the record straight. I learned about this matter this morning and as a result, I have instructed senior officials at the Department of National Defence to be in direct contact with the mother of Corporal Langridge.

We intend to address this situation in a timely fashion. This is unacceptable. We should never refuse access to members of the military or their families when addressing these important matters. We will move post-haste with compassion and respect to address this matter to the best of our ability.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the minister needs to meet with her.

It is because of what has happened to families like the Fynes and veterans like Sean Bruyea that a national demonstration has been planned for November 6 for people to demonstrate their concerns over the treatment of those who have served our country. We have heard reports of RCMP officers, Canadian Forces members and DND employees being told by their superiors not to attend these demonstrations.

Will the Minister of National Defence assure Canadian Forces members and civilians that it is perfectly okay for them to attend this demonstration in civilian attire to show their support for the concerns

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I am sure that members of the military who wish to attend any public demonstration at any time are protected by law and perfectly able to do so.

What I would like from the hon. member is some acknowledgement and some respect for the members of the Canadian Forces by supporting the important initiatives that we have taken to improve both their places of work and the equipment with which we are affording to protect them. All of the efforts that we have made to support the men and women in uniform have been singularly opposed by the member and members of his party. Every time there have been votes in this House, he has voted against them.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Speaker, in 1996, under the former Liberal government, tax relief that in effect existed for the Royal Canadian Legion when it acquired poppies and wreaths was eliminated. That took money away from the legions to support our veterans and their programs. When veterans and legions raised the issue with the previous Liberal government, nothing was done.

### Oral Questions

As a member of the Royal Canadian Legion and a proud son of a veteran, I am heartened that our Conservative government not only has listened but has acted. Could the Minister of Finance please inform the House of what our government announced today to support our veterans and our local legions?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, in advance of Remembrance Day, our government is taking an important step to support the great work of the Royal Canadian Legion on behalf our veterans. Effective for this year's purchases and going forward, a 100% rebate will be provided for sales taxes paid when the Royal Canadian Legion purchases its Remembrance Day poppies and wreaths. This is the right thing to do and the least we can do for our veterans and their families who have given so much for Canada's freedom.

### DISABILITY BENEFITS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, yesterday in response to my questions regarding Canadians on long-term disability who are about to lose their benefits, we were led to believe that this issue is in the hands of the highest level of the government. Maybe that is the problem. For more than 215 days, the Prime Minister has been using his influence to block a bill that would help the sick and disabled stay in their homes.

Will the Prime Minister just admit that he really does not care about these sick Canadians?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, that is absurd, wrong and ridiculous.

We are working in the best way possible to deal with issues that involve long-term disability and the failure not of the individuals but of the companies they had worked for.

That is why we are skeptical of the bill that the member supports because it actually would not help the people that she purports to care about.

\* \* \*

**(1500)** 

[Translation]

### **QUEBEC BRIDGE**

Mr. Pascal-Pierre Paillé (Louis-Hébert, BQ): Mr. Speaker, six months ago, the House of Commons adopted a motion calling on the federal government to resolve the Quebec Bridge matter once and for all. The Quebec National Assembly unanimously, Quebec City, the Communauté métropolitaine de Québec, the Lévis chamber of commerce, the Quebec City chamber of commerce and even CN are all calling for the same thing.

Why is it that the only people who are refusing to accept their responsibilities, who are hiding behind legal proceedings, who are abandoning the people to face this critical situation and who voted against the motion are the Conservative members, including those from the Quebec City region?

### Business of the House

[English]

Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, we have been clear and people should be clear as well that the bridge to which they are referring is a bridge which CN says is safe. It has done an inspection on it. It claims that it is safe.

There are some outstanding court cases between CN and the federal government on some other matters. Some of those court cases have to run their course.

However, the travelling public can be sure the bridges are safe.

# INTERNATIONAL CO-OPERATION

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, Canadians need to know that reason and not ideology dictates which foreign aid and development NGOs receive public funding for their work abroad.

After hundreds of hours of meetings and glowing evaluations, four years of funding was approved for KAIROS but someone hastily wrote the word "not" before the word "approved". With literally the stroke of a pen, the aid effectiveness agenda of the minister has lost all credibility.

Can the minister tell Canadians when she first knew that the Prime Minister's Office had deselected KAIROS?

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, I have a responsibility that I have been honoured to have been given by the Prime Minister. Our cabinet and our government work together.

What we want to do as a government and a party is to make sure that our international assistance is making a difference in developing countries. That means getting results for people who are living in poverty. That means actually making a difference, seeing results and making sure we are having an impact.

With the leadership that we have shown on maternal and child health, we will see a difference. We have garnered the support of all—

**The Speaker:** The hon. member for Niagara West—Glanbrook.

#### NORTH KOREA

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, Canadians are concerned by North Korea's ongoing reckless and aggressive behaviour, including the sinking of the South Korean naval ship *Cheonan* in March.

We are also deeply disturbed by the ongoing human rights violations and overall humanitarian situation in North Korea.

Earlier today the Minister of Foreign Affairs announced new sanctions and diplomatic actions against the North Korean regime.

Could the minister elaborate on the actions our government is taking with respect to North Korea?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, this morning we were pleased to announce that the government has adopted a controlled engagement policy toward North Korea, limiting our bilateral contact with that regime to certain topics of Canadian interest, such as regional security concerns and human rights.

In addition, Canada will impose tough new sanctions that will target the Government of North Korea while allowing humanitarian assistance to still reach the North Korean people.

These measures will send a strong message to the North Korean government that its acts of aggression will not be tolerated by this government.

### TAXATION

Hon. Helena Guergis (Simcoe—Grey, Ind. Cons.): Mr. Speaker, volunteer firefighters are critical in protecting lives and providing fire safety in small communities like Simcoe—Grey.

On average, each volunteer gives 443 hours of service, the equivalent of 60 workdays a year. Small communities are under severe financial stress. Replacing these volunteers with paid staff is not an option. One solution proposed by firefighters across the country is for a tax credit to help offset their personal costs.

Will the government stand up for our brave volunteer firefighters with a \$3,000 non-refundable tax credit to help address the problems of retention and recruitment?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, emergency service volunteers do receive a \$1,000 tax exemption for amounts received for their duties, and that includes emergency firefighters, of course.

That said, we listen to the concerns of volunteer firefighters across the country and take them under review.

**●** (1505)

#### **BUSINESS OF THE HOUSE**

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, there are two specific points I want to raise in anticipation of the work going on this week and the balance leading into next week. The first question I would like to put again, I think it is the second or third time, to the government House leader is, can he inform the House and Canadians when he intends to bring the government's second budget implementation bill to the floor of the House of Commons to have it debated to give opportunity to all members of the House of Commons to respond to the government's priorities going forward?

The second question, more specifically, simply is, when is the government intending to bring the next opposition day to the floor of the House of Commons?

Hon. John Baird (Leader of the Government in the House of Commons, CPC): Mr. Speaker, certainly in the course of my comments I will answer both of those questions. We will continue debate today on Bill C-49, the preventing human smugglers from abusing Canada's immigration system act.

Tomorrow we will call Bill C-36, the consumer product safety bill. Since it was only reported back from committee today, we will need to adopt a special order, which I will propose after my statement. This is a bill that will help protect children, help protect families, and I think it speaks incredibly well of all four political parties that they put politics aside and are seeking speedy passage of the bill. So I would like to thank everyone in all parties for their support on this important initiative. It is a good day for Parliament.

On Monday, we will continue debate on Bill C-47, the second budget implementation bill. I know the member opposite has been waiting for this and I hope he will have the opportunity to speak to this important piece of legislation.

That would be followed by Bill C-49, the preventing human smugglers from abusing Canada's immigration system act; Bill S-2, regarding the sex offenders registry; Bill S-3, the tax conventions; Bill C-41, strengthening military justice; Bill C-48, the protecting Canadians by ending sentence discounts for multiple murders act; Bill C-29, safeguarding Canadians' personal information; and Bill C-30, on the Supreme Court of Canada decision in R. v. Shoker.

On Tuesday, we will call Bill C-32, copyright modernization. At the conclusion of debate on the bill, we will call Bill C-48, protecting Canadians by ending sentence discounts for multiple murders. Following Bill C-48, we will return to the list for Monday, starting with the budget implementation act, which again speaks to one of the member's questions.

On Tuesday evening we will have a take note debate on honouring our veterans and I will be moving the appropriate motion in a few minutes. I think it again speaks well that we are having a take note debate. I know the member for Vancouver East joined members of the Liberal Party, the Bloc Québécois and the Conservative Party in supporting this.

Thursday shall be an allotted day for the New Democratic Party, an opposition day as requested by the House leader for the official opposition.

Therefore, consultations have taken place among the parties and I am pleased to move:

That a take-note debate on the subject of the courageous contribution and service to Canada by Canada's Veterans take place pursuant to Standing Order 53.1, on Tuesday, November 2, 2010.

**The Speaker:** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Speaker: I declare the motion carried.

(Motion agreed to)

BILL C-36

Hon. John Baird (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I do have a second motion, as I mentioned earlier. There have been discussions among the parties and I think you will find there is unanimous consent of the House to adopt the following motion. I move:

That, notwithstanding any Standing Order or usual practice of the House, Bill C-36, An Act respecting the safety of consumer products, be deemed concurred in at report stage and, when a Member from each recognized political party has spoken to the

#### Points of Order

motion for third reading of Bill C-36, or when no Member rises to speak, the Bill be deemed read a third time and passed.

(1510)

**The Speaker:** Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

**The Speaker:** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Speaker: I declare the motion carried.

(Motion agreed to)

\* \* \*

[Translation]

#### POINTS OF ORDER

ORAL QUESTIONS

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, during question period, my colleague from Winnipeg South Centre asked a question of the Minister of Citizenship, Immigration and Multiculturalism. I understand that the minister wants his place in the sun and wants to leave a legacy, but he said something completely wrong. He said that the Liberal government at the time did absolutely nothing for Manitoba, and he tried to take credit for the skilled worker program between the governments of Canada and Manitoba.

Not only did the Liberal government initiate that program, but yours truly signed it, Mr. Speaker.

I would like the minister to make amends, acknowledge that he made a mistake, and apologize.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I think that is a matter of debate. It is not a point of order.

[English]

**The Speaker:** Order. The minister knows he has to speak from his seat in the House.

Hon. Jason Kenney: Sorry, Mr. Speaker.

[Translation]

I think that is a matter of debate. It is not a point of order. That said, the member does not know what he is talking about. We were not talking about the skilled immigrant worker program; we were talking about the provincial nominee program. This government has increased the size of the program tenfold. Manitoba in particular is grateful for the great strides that have been made in immigration as a result of the leadership of this government, and particularly the leadership of my predecessor, the Minister of Human Resources and Skills Development.

**Hon. Denis Coderre:** Mr. Speaker, that is what I was talking about, provincial nominees. We started with 10,000, and that was done by a Liberal government. So we will do our homework together.

### Points of Order

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I want to express my disappointment to you. When the Leader of the Government in the House of Commons was appointed by the Prime Minister, he told us he was mandated to restore a certain decorum to this House. For the past two days he has been doing exactly the opposite. He is the troublemaker causing all this disorder. I think he is being totally irresponsible. He is causing trouble by making misrepresentations about associations that do not exist.

For the past two days, the Leader of the Government in the House of Commons has been suggesting that the hon. member for Sherbrooke attended a meeting of the RRQ, the Réseau de Résistance du Québécois, which is absolutely not true. Today—this is extremely offensive—he tried to make a connection between a statement about the FLQ by this network, to which the hon. member for Sherbrooke does not belong, and that we agreed and that we condone what the FLQ did during the October crisis, which is false. I have taken the opportunity, in this House, to make a statement to reiterate the importance of the letter signed by René Lévesque in the *Journal de Montréal*, expressing the sadness felt by all Quebeckers.

I find this outrageous, especially since the only video he made reference to was filmed during a march to honour the memory of the Patriotes of 1837-38. That is a statutory holiday in Quebec. A motion was moved in this House to recognize the importance of this event in the history of Canada and Quebec. Activities are organized in a number of Quebec's cities to celebrate this holiday. I am calling on the Leader of the Government in the House of Commons to apologize and I would ask you, Mr. Speaker, to ensure that this does not happen again.

I can understand that yesterday perhaps the Leader of the Government in the House of Commons slipped back into his former role as minister of transport, but now that he has greater responsibilities, he should understand, once he is reined in, that what he is suggesting is not true, that the association between the hon. member for Sherbrooke and the Réseau de Résistance du Ouébécois is false. He should behave himself.

I am calling on the Leader of the Government in the House of Commons to apologize and I am asking you, Mr. Speaker, to ensure that this does not happen again.

**●** (1515)

[English]

Hon. John Baird (Leader of the Government in the House of Commons, CPC): Mr. Speaker, let me say at the outset that I have great respect for the hon. member for Joliette and his impressive work on behalf of his party. I would like to go over the issue as he has raised it because I think it is an important one.

I will say at the outset that the Bloc Québécois repeatedly, over the past two and a half weeks, has tried to imply a criminal association, with organized crime, with criminal activity, with the Mafia, with the Hell's Angels, to a number of members of the public, including one member of the House, a minister of the government. If the hon. member wants to talk about associations and connections, I think it is only fair that, as we say in English, what is good for the goose is good for the gander.

I will state what I said. I quoted a newspaper article, and I have it here. I raised questions yesterday and quoted a newspaper article by the well-respected journalist Denis Lessard, which appeared in *La Presse* on October 19. He spoke of how the hon. member for Sherbrooke, whom I believe to be an honourable person, attended an event that was organized by members of the FLQ.

I did not say organized by the FLQ or on behalf of the FLQ. As a matter of fact, there are a number of members of the RRQ, which is really the neo-FLQ. The RRQ's constitution, its manifesto, states that it aims to rehabilitate the combatants of the Front de libération du Ouébec.

I would be pleased to table this in the House. The hon. member opposite is advertised as a speaker at an event put on by the RRQ. I am happy to table that in the House. He has participated in events organized by the RRQ in the past. I am pleased to table a photo and a link to YouTube where he is addressing.

In fairness to the hon. member for Joliette, it is, as he said, la marche des patriotes le 24 mai, which is organized by the RRQ, I am told. I am very happy to table these two documents in the House.

[Translation]

Mr. Pierre Paquette: Mr. Speaker, I have before me the comments made by Leader of the Government in the House of Commons. I would first like to point out that the march to commemorate the 1837-1838 Patriot uprising takes place on National Patriots Day, a statutory holiday in Quebec. I do not see anything subversive in that. Our member for Sherbrooke attended the march, which is completely legitimate. That has nothing to do with the statements made by the Leader of the Government yesterday and today. The office of the member for Sherbrooke tried to correct the error in Denis Lessard's article.

I would remind the members that the Leader of the Government in the House of Commons asked the following question: "Mr. Speaker, the question is clear: did the Bloc leader approve of one of his Bloc members attending a cocktail party organized by the FLQ? Yes or no?" That has nothing to do with what we are discussing. That is completely false. I would like him to apologize to the hon. member for Sherbrooke and the leader of the Bloc Québécois.

[English]

**Hon. John Baird:** Mr. Speaker, I am fully pleased to correct the record that it was not on October 2 that the hon. member for Sherbrooke attended an event organized by the RRQ. It was in fact on May 24.

[Translation]

**Mr. Pierre Paquette:** Mr. Speaker, May 24 is National Patriots Day, which is celebrated everywhere. There are even people here in Ottawa who celebrate it. Frankly, it is completely ridiculous and, I believe, a false association.

[English]

**Hon. John Baird:** Mr. Speaker, I say with great respect to the hon. member for Joliette, and I do have regard for him as a parliamentarian, that he talks about association. I am talking about an association

I seek to remind the Bloc members that they have talked about associations, that somehow someone had dinner or had a drink at a restaurant owned by so-and-so, who once met so-and-so or sat beside so-and-so on a bus once. He has said that about association.

I would like to say very clearly that I make no suggestion that the marche des patriotes is somehow subversive or anything of the kind. What I did say are the facts. I am told that march was organized by the RRQ. This is a quote. The RRQ's aim is "to rehabilitate the combatants of the Front de libération du Québec". I think that is regrettable.

### **●** (1520)

### [Translation]

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, this is just sad and pathetic. Perhaps the minister is feeling cornered and is trying to create a distraction because he feels trapped by the detailed and provable questions asked by the member for Terrebonne—Blainville and the Bloc Québécois leader.

I responded to his question clearly yesterday, No, I did not go to the meeting he referred to. I was not there. And I found out that Denis Lessard was not there either.

How can he say that I was there when I was not? I could swear on the Bible.

The Leader of the Government in the House of Commons is being intellectually dishonest. He is doing the work of the RCMP, which hunts for terrorists in a patriots' march.

It is unacceptable to say such things in the House, things which are not proven and that he is unable to prove. Earlier, I watched a video that someone filmed of the May 24 Marche des Patriotes on YouTube. No subversive speeches were made.

The leader needs to apologize and check his sources. This shows a total lack of responsibility, professionalism and even honesty on his part.

#### [English]

**Hon. John Baird:** Mr. Speaker, I chose my words very carefully. I have stood in the House and corrected the date, October 2, with the date of May 24.

The member opposite says it is pathetic. He says the government obviously must be very uncomfortable. I suggest, in all fairness to the member for Sherbrooke, who I know to be an hon. person, that if he does not like some unfair associations, perhaps they should look at the strategy and the really regrettable and deplorable attacks made against the Minister of Natural Resources.

### [Translation]

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, I do not think that fingers should be pointed at me just because I am asking questions. I would ask you to call the member to order. I will not stand for this.

**The Speaker:** I did not see or hear anything. The problem here is that there is obviously a disagreement over the response given by the minister to a question asked during question period.

### Points of Order

As all of the hon, members know, the Speaker has no authority over the content of answers given by a minister or parliamentary secretary in response to a question asked during question period.

[English]

I note that there is a motion currently under study before the committee on procedure and House affairs dealing with question period. If members wish to have a discussion in the committee about the content of questions or answers and giving the Speaker some authority in respect of either, they can have that discussion in the committee and come back with recommendations to the House.

The disagreement in the House today centres on facts, which are not within the jurisdiction of the speaker. They arose out of question period, where it was suggested the answer was inappropriate, but over which the Speaker has no authority.

Accordingly, I think the matter is not one I am able to deal with as a procedural matter in this House at this time. I suggest we leave the issue.

### **●** (1525)

#### [Translation]

The hon. member for Ottawa—Orléans wants to raise a point of order about this.

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Mr. Speaker, this is another point of order. It would appear that the Bloc Québécois members are asking you to apply a double standard. During her cut-and-dried statement moments ago, the member for Terrebonne—Blainville provided an excellent example of that double standard.

About 15 minutes ago, the opposition members criticized the Minister of Citizenship, Immigration and Multiculturalism for not being at his seat when he spoke in the House. He was a few feet away from his seat. There was a point of order, and he was obliged to return to his seat.

Then, when she made her statement, the member for Terrebonne—Blainville was about 10 seats away from her assigned seat, but that was okay. The Bloc members are always trying to get away with a double standard in the House. They are always so self-righteous. Just now, we even heard threats of a witch hunt to find people in the party whose views are not politically correct.

**Hon. Denis Coderre (Bourassa, Lib.):** Mr. Speaker, I do not want to get involved in their debate, but I have an important request to make of the government House leader.

I understand that debates can get heated, but on behalf of Pierre Laporte's family members, who do not appreciate the incident being used as a diversionary political tactic or for any other purpose, I would ask members of the House not to play politics with the memory of Pierre Laporte. His family and his children have suffered enough.

**Ms. Diane Bourgeois:** Mr. Speaker, first I would like to apologize for losing my temper a few moments ago. However, I would also like to add that I will never, ever allow a member opposite to point his or her finger at me because I asked a question that the member did not like. I call that intimidation and making a threat.

No, I was not in my seat. However, I will not be intimidated and threatened in that way just because I am a woman. Earlier, the member, whose riding I do not know and who was seated beside the parliamentary leader, wagged his finger at me and said that I would not be asking any more such questions. I will not tolerate that.

Mr. Speaker, henceforth, I am asking you to provide some protection for female members of Parliament here in this House.

**The Speaker:** I am not quite sure. The problem is that such things happen from time to time in the House. I have seen it often over the years that I have spent here and other members have also witnessed it. This must not happen all the time, but it does happen from time to time.

I believe we had a discussion this afternoon. I suggested some things that can be done to somewhat resolve these problems and I encourage discussions about this matter at the Standing Committee on Procedure and House Affairs. All members are certainly entitled to attend these meetings and to make suggestions to the committee members.

### **GOVERNMENT ORDERS**

[Translation]

# PREVENTING HUMAN SMUGGLERS FROM ABUSING CANADA'S IMMIGRATION SYSTEM ACT

The House resumed consideration of the motion that Bill C-49, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act, be read the second time and referred to a committee.

**The Speaker:** The hon. member for Papineau had the floor before question period, and he has about seven minutes left for questions and comments.

Since there are no questions, we will resume debate. The hon. member for Abbotsford.

**●** (1530)

[English]

**Mr. Ed Fast (Abbotsford, CPC):** Mr. Speaker, it is great to get back to matters of substance.

It is an honour to have the opportunity to rise today in support of Bill C-49, an act to prevent human smugglers from abusing Canada's immigration system.

Canada has a history and a tradition of welcoming immigrants who wish to start a new life here. On a per capita basis, we now welcome more newcomers than any other country, nearly a quarter of a million last year alone.

Through the Balanced Refugee Reform Act, introduced by our Conservative government, we have committed to resettle 2,500 more refugees living in refugee camps and urban slums. This is a source of pride for our country and a reflection of the generosity of our nation. It is part of our national character.

Unfortunately, Canada's immigration system and our generosity have become a target for human smuggling operations. The arrival of the MV Sun Sea and the Ocean Lady in a period of less than 12 months clearly demonstrated that human smuggling networks are extending their reach to our borders. Our intelligence indicates that these voyages, organized by criminal syndicates, will continue.

This form of illegal commercial migration is dangerous and exploitive by nature. The journey of these migrants is treacherous, and every year people around the world die in human smuggling operations.

The ringleaders of these smuggling operations are ruthless profiteers. They are vile, despicable criminals who consider their passengers to be little more than cargo. Those profiteers cause misery and suffering, and risk the lives of those they purport to be helping. Human smugglers and those on board their vessels also provide financial support to dangerous international criminal networks.

Many who use these types of smuggling networks are economic migrants. When they use this unlawful behaviour to arrive on our shores and then claim to be asylum seekers, they abuse our country's generosity.

These operations are unfair to those seeking to come to Canada by legal means. Millions of people around the world aspire to come to our great country, and it is gross unfairness to allow others to jump the queue through illegal means and co-opt those who use legal means to come to Canada.

Those who use illegal means take up space and resources in our immigration system, which should be focused on those who have applied to immigrate legally. They deprive true refugees of the opportunity to be granted protection in this great country of ours. When genuine refugees use these illicit networks to get to Canada, they put themselves and their families at risk.

If we do not take strong action now, more vessels will arrive in Canada and more lives will be put at risk. We cannot just stand by and allow these exploitive operations to continue. We must act now.

We must act to avoid a two-tiered immigration system: one tier for legal immigrants who wait patiently in the queue for the privilege of coming to Canada; and a second tier for illegal migrants and queue-jumpers who pay human smugglers to get them to the front of the line

Canadians have reacted strongly to these unwelcome arrivals. More than 50% of Canadians polled agreed that this type of migration is unacceptable. These events have put at risk public support for immigration in general and refugees in particular.

We are a generous country. We welcome immigrants and refugees from around the world. I would hate to see our national support for that program decline because illegal migrants and smugglers are abusing the system.

We need to maintain public confidence in our immigration and refugee system, since immigration will soon become the source of all our labour-force growth and a critical part of our economic growth.

#### **●** (1535)

The legislation before us will help prevent abuse of Canada's immigration system and goodwill. It will help us prevent human smuggling operations. It will provide disincentives to would-be migrants, so that they do not place themselves at the mercy of human smugglers on these treacherous ocean journeys.

I would like to outline how this legislation will do just that. First, the law before us proposes to introduce mandatory detention for up to one year. This will allow for determination of identity, admissibility, and illegal activity. As I am sure most members of this House are aware, people who arrive on these vessels often do not have proper documentation, whether by design or not.

We do not know who they are or whether they might have been involved in criminal or terrorist activities. We as a government need to have time to confirm their identities. This becomes particularly difficult in the case of mass arrivals, as we have recently experienced, when hundreds of people arrive at the same time without the proper paperwork.

As we are now learning, some of the migrants onboard the Sun Sea have already claimed refugee status in other countries such as the United Kingdom, and have already been found not to be in need of protection.

Detention will allow us to verify and confirm the identities of these individuals. This way we can determine whether they are admissible to Canada, or whether they are, or have ever been, involved in illegal activity.

That is fair and reasonable, and Canadians agree with us. Our main priority is to protect the safety and security of Canadians. We need to know who these people are before they are released into our Canadian communities. This is the least that Canadians can expect of their government, and we are delivering on that expectation.

Second, this legislation aims to introduce several disincentives to stop those who are tempted to use this perilous form of migration. A key disincentive is that those who arrive as a result of a designated smuggling event will not be able to apply for permanent residency for a period of at least five years. This applies whether they are found to be in need of protection or not.

During that five-year period, persons found to be in need of protection would be restricted from travelling outside Canada and would be unable to apply for permanent residence to Canada through other means. As a result, they would not be eligible to sponsor family members into Canada or to become Canadian citizens during that time.

For those who received protected-person status, reporting requirements would be put in place. This will allow our government to be able to initiate proceedings before the Immigration and Refugee Board to remove their protected-person status if there is evidence that the individual no longer needs protection. This would apply, for example, if the individual returns to his country of origin or if conditions in that country change.

If someone is able to return safely from a holiday to his country of origin, the country that he claims to be fleeing, then he is clearly not in genuine need of Canada's protection. In such cases, the existing

### Government Orders

legislation would allow the Minister of Citizenship, Immigration and Multiculturalism to make an application to the Refugee Protection Division for a cessation of the individual's protected-person status.

These legislative amendments would ensure that while an individual is subject to a cessation application, his application for permanent residence would be suspended and would not be processed until a decision is made on the minister's application. If the Refugee Protection Division upholds the minister's decision and the application for cessation, the individual would be removed from Canada.

An individual would be allowed to apply for permanent residence only after five years, if he is determined to be in further need of protection. This means that people in this category could apply for permanent residence only if no cessation proceedings had been initiated as a result of changed country conditions, or if they had not returned to their country of origin, or if the minister's application for cessation was not positively decided by the IRB.

#### **●** (1540)

If there is evidence that the protected-person status was obtained fraudulently, if, for example, an individual has directly or indirectly misrepresented or withheld material facts relevant to his situation, then the Minister of Public Safety would be able to apply to the Refugee Protection Division of the IRB to revoke the individual's refugee protection status. If the original decision is cancelled and no other grounds for protection remain, the individual would be removed from Canada.

Once in force, the bill would also eliminate access to the Refugee Appeal Division for people who want to review a negative decision on their claim. While they would still be able to ask the Federal Court to review a decision, they would not benefit from an automatic stay of removal from Canada while their application was being considered.

These measures that our government has proposed are firm but reasonable. They are exactly what Canadians have been calling for. They would maintain our Conservative government's goal of faster protection for those who truly need it and faster removal of those who do not. This will be achieved through the balanced refugee reform act, the bill before us today.

To further discourage individuals from coming to Canada as part of a smuggling operation, we are also taking measures to ensure that these individuals have access to fewer Canadian benefits. Canadians enjoy health services that are among the best and most generous in the world.

Currently, asylum seekers, resettled refugees, failed asylum seekers awaiting removal, detained individuals, and victims of trafficking are all provided with temporary health care coverage through the interim federal health program.

Under the changes we are proposing, the scope of services provided under the IFH program would be reduced for those who arrive in Canada illegally by way of human smuggling. They would receive only basic coverage, including medically necessary care and the immigration medical exams that refugee claimants must take upon their arrival in order to ensure that they do not pose a risk to public health or safety.

We need to ensure that illegal migrants are not receiving health coverage that is more generous than that offered to hard-working Canadians.

Canada is a fair, generous and welcoming country for those who want to work for a better life, but our generosity should not make us a target for criminal activities such as smuggling operations. In order to avoid becoming a target, we must remove the incentives for people seeking to come here by way of human smuggling.

These measures before us today are right. They are fair. And they are necessary. We know that Canadians agree with us. Poll after poll shows that Canadians want firm action taken on human smuggling, on cheating the system.

Cultural groups across the country have endorsed our measures. The Peel Tamil Community Centre stated that it was "pleased to see the government taking action to deter human smugglers who charge victims enormous sums of money". The Taiwanese Canadian Association of Toronto said, "We need to know the identities of these individuals before they are released into Canadian society. That's why we also support the mandatory detention of illegal migrants who use human smugglers".

Our government is committed to protecting the integrity of our immigration and refugee system. We are committed to upholding our laws. We are committed to protecting the safety and security of Canadians.

Taken together, the changes we have proposed will help safeguard our fair and generous immigration system. Moreover, they will help ensure that Canada is not an easy target for criminal organizations involved in human smuggling.

As I mentioned before, this legislation has won the support of virtually all key stakeholders. The legislation has resonated with Canadians at large. In fact, recent polls show that 60% of Canadians want to send ships back without allowing them to land on our shores. Yet we know that as a compassionate country we have to leave room for legitimate refugees. It is the abuse of the system that we object to.

Canada is a compassionate country, but because we are compassionate and generous, there are people around the world who will abuse that generosity, and Canadians do not tolerate abuse. In fact, I am shocked to hear the opposition parties in this House actually criticizing and opposing this bill. It is very clear that they are still not listening to Canadians.

We have consulted broadly with Canadians on this bill and we know that Canadians support it. My invitation to the opposition parties is to join us in doing the right thing for Canada.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, the hon. member knows that I come from a riding that is one of the most ethnically diverse ridings in all of Canada.

One of the things I heard loud and clear this past summer was that people wanted us to stand up for Canada once and for all. People wanted to ensure that our immigration system and our refugee protection system put Canadian interests first. They wanted to ensure that the people who needed help were getting help but they did not want us to see our system and our generosity abused.

I wonder if the hon. member received the same type of reaction in his riding that I received in my riding, not just from Canadians who have been in this country for many years, but also from new Canadians who came to me and said that we needed to do something about this, that we needed to ensure that people are not abused and people are not taken advantage of by human smugglers.

I wonder what reaction the people in his riding had over the summer. I wonder if he could, in some way, explain to me and to this House how any of the members of the opposition could possibly, at this point in time, be contemplating going against what I think are the wishes of most Canadians, certainly the wishes of the people in my riding, to finally, once and for all, put Canada first when we are talking about immigration and refugee protection.

**Mr. Ed Fast:** Mr. Speaker, I, like my colleague, come from a riding that is very diverse. In fact, I believe the city of Abbotsford is the fifth most diverse community in Canada on a per capita basis.

Do members know where the support for this legislation is the strongest? It is in the immigrant communities. They understand because got to Canada by following the law. They are law-abiding citizens. They do it right.

What they object to are the human smugglers around the world who see Canada as a soft touch and then have people pay them, in some cases, \$50,000 per person to smuggle them into the country and essentially, by extension, jump the queue that many other immigrants are prepared to legally immigrate to Canada through.

It is disgraceful that we would have opposition parties in this House actually opposing these kinds of reforms. It is so puzzling to me that the opposition parties, the Liberals, the NDP and the Bloc, still are not listening to what Canadians are saying.

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, I have a question for my colleague.

It confuses me when I hear certain things from the opposition on occasion. This bill deals with both sides of the equation: the smugglers and those who are taking advantage of the situation. I relate it to those who are thieves. A thief will steal something and sell it to somebody else. Those persons who have those stolen goods are still breaking the law by having stolen goods.

Why is it important that this bill deals with both the smugglers and those who are being smuggled? If he could possibly answer that question, I would really appreciate it.

• (1550)

**Mr. Ed Fast:** Mr. Speaker, my Conservative colleague from Burlington is a great MP who gets the issue, unlike members of the opposition parties who continue to whine, criticize and oppose what Canadians are demanding we do.

He is right. It is a matter of balance. First, we are going after the smugglers themselves because they are part of international criminal organizations. They earn millions upon millions of dollars every year on the backs of the human suffering of others. We are targeting them and imposing much tougher penalties on them if they do arrive in Canada. We are also working with international authorities to interdict them before they ever leave their countries of origin. We are working very hard with our domestic and international authorities to ensure we go after human smugglers before they ever get here.

Second, we are also going after the customers because many of the customers are actually illegal migrants. They are coming to Canada for purposes other than true refugee reasons. They are coming here because they may be economic migrants or they may be escaping criminal or terrorist activity elsewhere.

This is a balanced bill because it goes after the human smugglers and their customers.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, given my colleague's experience in law, his extensive international experience and the different cultures that he interacts with on a regular basis, would having a law that appears to clamp down on human smuggling enforced increase or decrease the interest of qualified people who would like to immigrate to our great country?

**Mr. Ed Fast:** Mr. Speaker, my colleague has touched on the key element of this bill, and that has to do with the integrity and credibility of our refugee system in Canada.

If legitimate immigrants and refugees from around the world think that if they use legal means to get to Canada to make a new life here that they will be in a long lineup and others will be jumping the queue by cheating, then they will be discouraged. Those very people who are prepared to be law-abiding will not come to Canada and we will be stuck with those who abuse the system.

In Canada we want immigrants and refugees who are in need of genuine protection. We want them to be here in Canada, build new lives for themselves and become law-abiding citizens. This bill would ensure that the credibility and integrity of our refugee system is maintained.

[Translation]

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, unlike my colleagues from Oak Ridges—Markham and Abbotsford, the riding I represent is not known for the number of immigrants it welcomes, or for being ethnically diverse. On the contrary, Lévis—Bellechasse is a typical region in Quebec. The people are proud and happy to welcome immigrants, but they are against organized crime groups that smuggle migrants in ahead of everyone else and, even worse, exploit them.

I have a quote from Antoine Malek, the president of the Association of the Coptic Orthodox Community:

It is time for Canada to send a clear signal to the world to discourage and fight human smuggling. That is why the Coptic community supports new federal legislation to protect human life, Canada's security and the integrity of Canada's immigration policy as a whole.

My question for the member is clear: will this bill allow us to preserve the integrity of our immigration system by preventing the entry of illegal immigrants, and by ensuring that organized crime groups do not bring people to Canada illegally?

• (1555

[English]

**Mr. Ed Fast:** Mr. Speaker, I am actually the son of an immigrant. My mother came to Canada through legal means after the second world war and, boy, was she grateful for the opportunity to come to this country. My mother and father are law-abiding citizens who worked hard to build a life for themselves and to provide us children with an education knowing that Canada was a country that gave their children so much opportunity.

However, that opportunity is dependent upon the rule of law and the assumption that every Canadian citizen and permanent resident will follow the law and be a law-abiding citizen.

This legislation is absolutely critical to ensuring that tradition carries on in Canada, that the refugee system has credibility and integrity.

**Mr. Robert Oliphant (Don Valley West, Lib.):** Mr. Speaker, my question is much simpler than the tough questions put to him by his own caucus colleagues.

Could the hon. member tell me how many refugee claimants he has met with, how long has he talked to them, how many sponsored refugees has he called as friends and how well does he know them?

**Mr. Ed Fast:** Mr. Speaker, it would take me hours to regale the Liberal member with all the individuals I have met with over the years who have been refugees and who have been immigrants There are some 30,000 immigrants in my riding alone.

What we need to focus in on is collaborating within the House.

I have a question for that member. Why will he not support this legislation that is demanded by Canadians? Polls show that over 60% of Canadians want our government to get tough on human smuggling. We are doing that. Why is that member not on side?

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I am very pleased to speak to Bill C-49 today.

During question period today, the member for Winnipeg South Centre asked a question about the nominee program in Manitoba. This has been a very successful program, developed under the auspices of the NDP under former premier Gary Doer's leadership in 1999. In fact, the program became so successful that the province of Nova Scotia approached Manitoba to study how to replicate it. I hope and believe Nova Scotia has a similarly successful program at this time.

In answering the question, the minister made the point that Manitoba's population represented 10% of the population of Canada and that Manitoba received 30% of the nominees under the program. He pointed out that while the Liberals were in power, Manitoba only received 2,000 nominees per year. Under the Conservatives, it gets 10,000 per year. We like to think that the 10,000 we get in Manitoba each year is a result of the initiatives of the Gary Doer NDP government, which proved to be so successful.

I also want to point out that the Minister of Immigration has provided some of the only true leadership we have seen from his government in the last five years. In June he brought all parties in Parliament onside with an agreement on Bill C-11 to take care of the mess in the immigration system, which had developed over the years.

The argument rages still in the House as to whether the mess was in fact left by the Liberals or created by the Conservatives. The NDP has stayed out of that fight. They can continue to fight it out as to who is ultimately responsible, but the fact is it is a mess. As I said, the minister was able to get all party agreement in June to make big improvements to the immigration system.

What the minister did is something the government should replicate. There is a schizophrenia in the government. It seems to be incapable of going back to the last long period of minority government, the Lester B. Pearson years in the sixties, when we got a new flag, we amalgamated the armed forces, we brought in medicare and a lot of other things. The Conservatives have literally wasted five full years trying to fight its way through Parliament with no real effect.

However, there is one good example with the minister getting all parties together and getting a new immigration act in place. The government should be doing more of that. Instead, what has it done? The Conservatives have done some polling, and we are very clear about that. They keep mentioning the 65% public support for Bill C-49.

The bill is not being promoted by the Minister of Immigration. It is being promoted by the Minister of Public Safety. Once again, the Minister of Public Safety trumps the Minister of Immigration and the polling of the Conservative Party. The appeal to public sentiment is the overriding concern behind this bill.

We feel we should give some time for Bill C-11 to be implemented in the country. It was only passed in June. It has not had time to do what it has been designed to do. Now the government is trying to amend the bill before it even has its current legislation in place.

### **●** (1600)

It is interesting to note that Bill C-49 has 12 clauses that deal with refugees. Only five clauses actually deal with smugglers. I think all parties in the House agree that human smuggling is a very bad thing and that it is a criminal enterprise. In fact, the government points out that it is a criminal enterprise that spans the globe, that human smugglers facilitate for a profit individuals entering Canada illegally. The figure of \$50,000 is being mentioned.

Our party is totally opposed to this. We think the government should take measures to root out these smugglers. We know the smugglers are not here. The smugglers are in foreign jurisdictions. Therefore, the government has to bring in legislation to deal directly with an effort to get at these people in other countries. It has indicated it is dealing with that issue through diplomatic means and policing means. It is going to have to deal with the police in Thailand, in Southeast Asia and other countries around the world.

It has also been pointed out that there already is a life sentence under the immigration laws of the country for smugglers. Therefore, what is this all about? Why is the government bringing in a new bill with a graduated penalty system and minimum sentences when we already have a life sentence for people involved in this kind of activity, if they are caught.

By charging large sums of money for transportation, human smugglers have been making a lucrative business out of facilitating illegal migration around the world, often counselling smuggled persons to claim asylum in the country in which they are smuggled. Human smuggling can take place in many forms, including by boat.

Once again, as has been pointed out by many members, the government is making a separation as to how people arrive in Canada. It will deal with people who arrive by boat differently than people who arrive by airplane.

In terms of human smuggling undermining Canada's security, large scale arrivals make it difficult to properly investigate whether those who arrive, including the smugglers themselves, could pose a risk to Canada on the basis of either criminality or national security. The public security minister made pronouncements about criminals and terrorists, speaking about the recent arrival of the boat, stirring up public sentiment against them. The people who are brought in will be investigated. That is the whole idea behind what we are doing right now.

In addition, the government wants to give the Minister of Public Safety more powers. I do not know if that is such a good idea. In the short term perhaps with the current situation it might seem like the popular thing to do, because 65% of the people are against acceptance of the people on these boats. However, if we were to take it two or three years down the line and a boat load of people from another country showed up, perhaps the polling then would show that 65% were in favour of the people staying. What is the minister going to do? What is the point of having an immigration department in the first place if the minister is going to be overriding it and making decisions along the way? That measure may be wise in the short run, but may not be wise in the long run.

## **●** (1605)

The government also wants to make it easier to prosecute human smugglers, but it has to catch them in the first place and they have to be caught overseas. Foreign governments have to be involved in the process as well.

I believe the government already knows who these smugglers are. The minister has indicated there are three or four groups at least in Sri Lanka that were previously involved in other criminal activities. These groups have now transferred their activities over to human smuggling. Half the battle is knowing who the enemy is.

The bottom line is we should be enforcing our existing laws as opposed to dreaming up new laws to become more popular with the public.

The government also wants to introduce mandatory minimum prison sentences on convicted smugglers. It wants to hold the owners and operators of the ships to account for the use of their ships in human smuggling operations. The government is ensuring the safety and security of our streets and communities by establishing, and this is a good one, the mandatory detention of participants for up to a year or until a positive decision by the Immigration and Refugee Board, whichever comes sooner, in order to allow for the determination of the identity, admissibility and illegal activity of a participant.

We have some experience with Australia. My colleague from B.C. indicated earlier that he thought there were probably 20,000 refugees in the Australian system. I recognize it is a little warmer in Australia than here, but where will Australia put these people?

The government has announced that it will spend \$9 billion on new prisons in the country. Will the government use these prisons as detention centres? Is it the government's intention to put people into detention centres? That is one of the initiatives in the bill.

The government hopes to reduce the attraction of coming to Canada by way of illegal human smuggling by doing several other things. It is going to prevent those who come to Canada from applying for permanent resident status for a period of five years.

I may be running out of time quicker than I anticipated so I do not know if I will have time to get to all the studies that have been done.

Studies done in England show that most immigrants do not have a clue of the rules of the country to which they go. They go to that country regardless of the rules. Are we expecting smugglers to start reading the new rules? What is the government going to do? Is it going to send the smugglers a list of the new rules and all the regulations that are promulgated through the bill?

The government is going to hold a refugee back from permanent resident status for a period of five years should that individual successfully obtain refugee status. The individual will be prevented from sponsoring family members for five years. I will have a lot to say about that at a later point.

The government is trying to reduce the attraction of coming to Canada by way of illegal human smuggling operations by ensuring the health benefits participants receive are not more generous than those received by the Canadian public.

The government is enhancing the ability to terminate the protected person status of those who return to their country of origin for a vacation or demonstrate in other ways that they are not in legitimate need of Canadian protection.

Another point raised by other speakers was whether the bill would survive a charter challenge.

The government is planning to detect and deter human smuggling overseas through the appointment of a special adviser on human smuggling and illegal migration. That may be a good idea. I do not know who that will be and what he or she might do, but hopefully there will be a way of monitoring or getting some sort of report from this individual as to progress being made. We would not want to add onto a bureaucracy that produces very little results.

#### • (1610)

In terms of increasing the presence overseas through operational activities, diplomatic outreach, partnership with other affected nations and engagement with multilateral bodies, anything that can

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track down the smugglers and put them in jail is probably a good idea. I indicated that we already have life sentences for smugglers. If we apply life sentences and put them in jail, the House will have our full agreement on that, but the preponderance of the bill actually deals with the migrants themselves and that is what the government is looking at.

Bill C-49 is called the "preventing human smugglers from abusing Canada's immigration system act", but it is really basically an act to attack and punish refugees. As I indicated before, we would rather attack the criminals, the traffickers, the smugglers, and not the victims. The bill will concentrate absolute power in the hands of the minister to decide which refugees will be subject to these measures, with no clear definition of irregular arrival. It can apply to any group of refugees, immigrants or visitors.

Also, as I have indicated, Parliament already approved a strong and balanced refugee law a few months ago. The Conservatives should basically concentrate on enforcing Bill C-11, the law we have right now, and allow genuine refugees to stay and deport the bogus ones as quickly as possible. We are fully in agreement with that. Once again, we were part of the development group behind Bill C-11 in the first place.

We have also long called for the refugee determination process to be sped up, because it has taken too long in the past, and increased RCMP resources and secure immigration status of trafficked and smuggled victims so that they can testify against the real criminals. That was a concern that was indicated as well, that even if we do catch the smugglers, what are the realistic chances that witnesses would be willing to testify against them? We need to make sure that we have RCMP resources and proper safeguards to make sure that when we do catch these people, the witnesses are able to testify against them to put them away for those long sentences.

Our members have indicated that the bill will hurt legitimate refugees and those people who help them. It will prevent refugees from bringing their spouses and children to Canada for at least seven years, and women and children will be detained for at least one year, repeating the previous sad history of punishing and interning refugees and their children.

Bill C-49 is basically very deeply unfair to refugees because it fails to honour obligations under Canadian and international law, and other speakers have mentioned that. It deprives individual cases from the independent review that justice requires. It will involve huge costs and unnecessary detention. We talked about the \$9 billion in prisons that the government will have sprouting up across the country over the next little while. It will do nothing to prevent human smuggling. More laws will not catch the smugglers who are overseas. Mandatory minimum sentences will not deter them.

Under the Immigration and Refugee Protection Act, smuggling is already punishable by life imprisonment and mandatory minimums have been shown not to work as deterrents. If we already have the possibility of life imprisonment, then how much further do we want to go in this area?

I recognize that my time is up and I would be willing to answer questions from members.

#### **●** (1615)

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I appreciate the hon. member from the NDP's speech, but it is completely naive to think that smugglers would not read the new rules. Does he think that smugglers and thieves, criminals, do not understand why they come to Canada, that they just pick Canada because it is on the map? They know what our present rules and regulations are regarding refugee status and how they can get away with smuggling human beings here. They know what the rules are. They know what is available to them.

It is important for us to send the message through this bill, to make changes that would make the mass immigration of refugees much more difficult so that we are not a solution for the customers they are smuggling here.

The member is upset about the potential one-year detention when they arrive here. We deport 14,000 people a year. We have about another 10,000 or 15,000 people who we do not even know where they are. They were refused refugee status and they are out on the lam. Why would we allow people coming to Canada in boatloads to be on the lam for a year until they get approval? We need to stop this now.

**Mr. Jim Maloway:** Mr. Speaker, I appreciate that the member is very excited about his bill. The fact of the matter is that we are certainly determined to track down the smugglers. That is the real problem here. However, we do not believe that we should be punishing the migrants in the process. Let us put whatever efforts we can into tracking down these smugglers.

I already indicated several times that we have the availability of life sentences under the current legislation. Let us put some effort into finding the smugglers.

I have given the government credit. It has made some initiatives to deal with foreign governments and it has appointed a special adviser on human smuggling and illegal migration. Let us give this system some time. The problem did not just develop yesterday.

Australia has been dealing with this problem for several years. It has had detention systems and they do not work. The migrants keep coming.

The government, once again, wants to do something that does not work.

#### • (1620)

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, somewhat in response to the last question and answer, I wonder if the hon. member knows whether these smugglers actually ever come on these boats. Do they come and have a sign on them that says, "I'm the smuggler"? Or is it more likely that they are actually somewhere in a third country, operating an odious business that takes advantage of vulnerable people?

I am questioning whether this act could actually help track down those smugglers or do anything with them, really.

Mr. Jim Maloway: Mr. Speaker, I invite the member to read the minister's speech on this subject. I thought I heard him say that they knew where the smugglers were or who the smugglers were, that there were three or four organized criminal gangs from Sri Lanka

that had been involved in the drug trade and in arms deals and whatnot in the past, and now that the war has more or less come to and end they have decided to embark on human smuggling. So if they know who the people are, it should be a simple matter of having our police forces, and so on, talk to the foreign governments and try to do something about it from that end.

Clearly, the problem is over there. That is where the boats are being bought. That is where the boats are. They are recruiting the people over there. The money is being flushed through bank accounts in these foreign countries. So it is incumbent upon these countries to help us catch these smugglers. The government itself has indicated that it is going to appoint a special adviser on human smuggling and it is going to increase the presence overseas through operational activities, diplomatic outreach, partnership with other affected nations, and all those other great things that would catch these smugglers. So I invite them to get out there and catch them.

In the meantime, we have Bill C-11, which we put together through a co-operation of all of the parties in this House. Let us get it implemented and let us deal with the backlog in the immigration system.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the member for Elmwood—Transcona touched on a point that I would like him to address.

In the recent Auditor General's report, the Department of Immigration came under serious criticism from her. A couple of points she specifically raised was that in many cases the department itself had no standards for service delivery, it had no comprehensive way to monitor performance, and out of 35 different service areas, only four had service targets. In addition, they provided no consistent way to communicate with clients who were waiting.

On the one hand, we have this bill that is before the House, but on the other hand we know that there are serious problems within the department itself. Again, this is not about the employees in that department. I would argue that they do not have the tools and resources they need to adequately do the job.

I wonder if the member could comment specifically on the problems within the department itself in terms of quality and service standards.

**Mr. Jim Maloway:** Mr. Speaker, clearly the Auditor General has a unique way of investigating and determining what is or is not going on in government departments. None of those observations would surprise me in the least.

We had a system that was broken under the Liberals and was not appreciably improved under the Conservatives until the last little while when the current minister was able to get all the parties in this Parliament together and come up with a big success. Trying to get four parties in this House to agree on anything is almost impossible, but he did the impossible. He got everybody together. Everybody here was reasonably happy.

I listened to all the self-congratulatory messages here in June and I was really impressed. I thought it was too bad that we could not do this again. This is what we did collectively in this House through the auspices of Bill C-11.

I do not know why we do not just leave it there and work on this smuggling issue separately through law enforcement and the procedures currently in place. Again, we have life sentences for smugglers.

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, my question for the member is, why do they not listen to Canadians? Why are they blindly going ahead and not listening to Canadians?

Canadians do want to have this problem solved. It was one of the major things I heard this summer. Canadians were not happy.

Canadians also said to the NDP, Bloc, and Liberal coalition, "no" to a carbon tax. Now they are trying to sneak through the carbon tax, through a litigation bill also known as Bill C-469, a Trojan Horse that wants to bring a carbon tax on every Canadian. It is a job-killing tax.

I would like to know from the member why they do not listen to Canadians. Why do they try to do things sneakingly? The message from Canadians is clear. Why are they not listening to Canadians?

• (1625)

Mr. Jim Maloway: Mr. Speaker, we are listening to Canadians.

Canadians told us they wanted to make this minority government work. The minority government surely is not listening to what Canadians want.

We have agreed with all the parties in this House to pass Bill C-11, which cleans up the problems in the immigration system right now. We have already indicated that we want to do something about smugglers, and there are already life sentences under current laws for smugglers.

Let us get the government out there and catch the smugglers first and give them their life sentences. We are right behind any initiative to do that.

[Translation]

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, thank you for the opportunity to say a few words today about this bill, which is important to the people of Lévis, Bellechasse and Les Etchemins.

As we all know, the Prime Minister recently attended a citizenship ceremony to welcome new Canadian citizens. Every year, Canada welcomes thousands of immigrants and refugees who benefit from one of the fairest and most generous refugee protection systems in the world. The government and all Canadians are proud of this system, which demonstrates our country's generosity.

Nevertheless, we are currently facing a very serious problem that threatens the safety and security of our communities and the integrity of our generous immigration system. In August, the MV Sun Sea arrived in Canada illegally less than a year after another vessel, the Ocean Lady also arrived illegally. The fact that two ships reached Canada's shores within 12 months of each other clearly shows that human smuggling rings are getting more interested in Canada because they think they can exploit our immigration system and make money from it.

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Canada willingly welcomes people who patiently wait their turn to come live here in our country and benefit from the many advantages of Canadian citizenship. They want to contribute to Canadian society and they want their descendants to do so as well. For hundreds of years, strong, brave people from around the world have contributed to our great country's prosperity and culture and continue to do so. In my case, it all began five generations ago when people from Ireland arrived. Quebeckers welcomed them. They became a part of the society and made their contribution to it.

However, the government has made it clear that it will not tolerate any exploitation of the Canadian immigration system, whether by human smugglers or outlaws trying to make money. That is why our minister recently introduced the preventing human smugglers from abusing Canada's immigration system bill.

The government has three objectives with this legislation. The first is to make it easier to prosecute human smugglers. Second, it imposes a mandatory minimum sentence on convicted human smugglers. Third, it holds ship owners and operators accountable for the use of their ships in human smuggling operations. This bill gets to the root of the problem of smugglers and illegal immigrants. It also sends a clear message to these organized crime gangs that Canada's border is not a sieve and that illegal immigrants are not welcome here.

The government is also taking measures to ensure the safety and security of our neighbourhoods and communities. Anyone involved in human smuggling operations will be held for up to one year to allow for the determination of identity, admissibility and the illegal nature of the activity, if applicable.

The government is using this law to make it less attractive to come to Canada through illegal human smuggling operations. We have rights and responsibilities.

Under this legislation, anyone involved in a human smuggling operation will not be able to apply for permanent resident status for five years, if they succeed in obtaining refugee status. They will not receive health benefits that are more generous than those received by the Canadian public. It will also be easier to revoke someone's refugee status if they return to their country of origin for a vacation or if they demonstrate in other ways that they are not legitimately in need of Canada's protection.

**•** (1630)

Individuals who arrive in Canada as a result of human smuggling will not be allowed to sponsor family members for a period of five years.

The government is also appointing a special advisor on human smuggling and illegal immigration who will coordinate a whole-government response to human smuggling.

Are these measures tough? Yes, absolutely. They have to be tough in order to make human smugglers and fraudsters think twice before they try to commit these crimes against Canadians.

However, these measures are also fair, fair to those who legitimately and legally wait or plan to wait in line for a better life in Canada. They are also fair for all Canadians and Canadian taxpayers who rightfully expect that our borders and shores are protected and secure and our generous systems, including immigration, are protected from abuse.

These measures will enhance our ability to crack down on those who engage in human smuggling and try to exploit Canada's immigration system. They will strengthen our ability to protect Canadians from criminal or terrorist threats and they will respect our international obligations to provide assistance to those legitimate refugees who need our protection and help to start a new and better life, while tackling international crime and human smugglers.

The people of my riding and all Canadians want tough but fair measures to stop those who would abuse our generosity from illegally becoming part of Canadian society. We know that threats exist and that we must remain vigilant. That is why the government is taking concrete action today to ensure the safety of Canadians.

Benjamin Perrin, an expert on human trafficking, gave a talk here in Ottawa yesterday. He explained how the migrants who come here are exploited by human smugglers and by members of organized crime right here in Canada. This is one way to tackle the crimes being committed.

This measure is supported not only by the people of Lévis—Bellechasse and Les Etchemins, but also by several ethnic communities.

[English]

"Canada is a generous country with an immigration system that treats both immigrants and refugees very well. However there are those who are not willing to wait their turns in line and criminals who would profit from this. Instead they want to jump the immigration queue and make their way to Canada through any means available to them, often bypassing several hospitable countries and travelling halfway around the world to land on our shores.

"These individuals pay criminals to be smuggled to Canada where they can claim refugee status, in effect putting themselves at the front of the line illegally. We believe that the criminal activities of the smugglers should be prosecuted to the full extent of Canadian and international law. As a result of this human smuggling, honest and legal would-be immigrants who are waiting patiently and anxiously in the queue are penalized, while the smuggled refugees' claims are processed.

"The criminal enterprise that is human smuggling is an abuse of both Canada's generosity and the honesty of all the other immigration applicants. We are pleased that the government has sent a clear message that it will not be tolerated and we welcome the introduction of legislation preventing human smugglers from in effect creating an unfair, two-tier immigration system, one for the impatient rich and the other for the honest applicant". This long quote is from Michael Deakin-Macey. He is a past president of the board of directors of the Victoria Immigrant and Refugee Centre Society. It summarizes very well the spirit of this committee, and I am appalled today to see that members of the opposition are not willing to move this bill forward to second reading, to send it to committee, because this is a bill that Canada needs to be protected against the illegal smuggling that goes on around the world.

I would be more than happy to answer questions. I hope that we will get some support from the opposition because Canadians are calling for this bill.

**•** (1635)

[Translation]

The Acting Speaker (Mr. Barry Devolin): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Trinity—Spadina, Citizenship and Immigration; the hon. member for St. John's South—Mount Pearl, G8 and G20 Summits.

[English]

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, it was truly a pleasure listening to the speech of the hon. member who seems to have a true passion for real refugee claimants, a true passion to fight those who would seek to take advantage of the people who really need our help in society and to crack down on human smugglers. I know that his constituents are very lucky to have him fighting on their behalf each and every day in the House.

What is really troubling me through this whole debate is hearing the members of the opposition. The NDP member consistently talks about the 25-year penalty that is in place, but we all know on this side of the House what a 25-year penalty for the NDP and the Liberals is. Twenty-five years is a 15-year faint hope clause. It is time served, which brings it down even further. There is good behaviour. So by the time it is all done, we would actually owe the criminals some time. We also know that last week, when we were debating another issue, they told us we should treat criminals like kids because the poor criminals have had so much trouble in their lives.

How can members opposite not support a bill that would crack down on human smugglers?

 $[\mathit{Translation}]$ 

Mr. Steven Blaney: Mr. Speaker, I want to thank the hon. member for Oak Ridges—Markham for his question and for the work he has done for immigration in this country. I want him to know I am proud that he is part of our government, which wants to pass a bill to put an end to illegal immigration and to attack the root of the child trafficking problem.

Unfortunately, it is a problem that we have already dealt with here in the House. It is not surprising to see that the Bloc is opposing human smuggling today, because they voted against Bill C-268, to impose minimum sentences for criminals found guilty of human trafficking. We get the picture. I think it is deplorable that the Quebec MPs are opposing measures that Quebeckers want. These measures are wanted because we have one of the most generous immigration systems in the world. They are currently in the process of creating a two-tier system: one system for illegal immigrants and another system for people who wait their turn. Our message is that there is only one way to enter the country and that is through an honest and transparent process. That is what this bill aims to achieve.

**●** (1640)

[English]

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, being an immigrant I am very much interested in immigration and this legislation, Bill C-49. I think the government is taking the absolute right step by bringing this kind of legislation, which would not only deter smugglers but would also give a strong message to potential refugee claimants that they will be dealt with by tougher action. At the same time, it would also give the government some encouragement to decide and determine those cases of potential refugee claimants within that one-year period when those claimants will be kept in custody.

Would my colleague agree that this will give an urgent message to those potential refugee claimants that it will not be as easy as it was to go through the smuggling process and jump the queue?

[Translation]

**Mr. Steven Blaney:** Mr. Speaker, I would like to acknowledge and thank my colleague from Calgary Northeast for his excellent question. I would first like to tell him that not only do the people of Lévis—Bellechasse give their full support to this bill, but so do the ethnic communities.

For the reason given by my colleague, it is important to avoid a two-tiered immigration system where illegal immigrants and organized crime jump the queue and move ahead of honest applicants. That is at the heart of this bill and it is the reason why we would like the opposition to adopt the same position as the people of Lévis—Bellechasse, the people of Calgary and the people of ethnic communities. I have a quote I would like to read.

Human smugglers make our immigration system less fair for legal immigrants. We believe that the government should have the tools it needs to ensure that our immigration system is fair.

Who said that? Nader Abou Chacra, president of the Canadian Druze Society.

It is evident that ethnic communities are asking us to strengthen our immigration system so that these communities can integrate and welcome immigrants who arrive legally, and not by the illegal means that we want to eliminate with the bill before us.

Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ): Mr. Speaker, is the member aware that the bill violates various treaties and also the Charter of Rights and Freedoms, the 1951 refugee convention, and the Convention on the Rights of the Child?

### Government Orders

How can he say that this bill, which violates three conventions and treaties, will become a law that Canada can enforce internationally when we do not enforce the other laws?

**Mr. Steven Blaney:** Mr. Speaker, I thank my colleague opposite for his question. Fundamental human rights are being violated with illegal immigration. We have seen women and children come here as slaves, which is the worst violation of human rights. These people lose all of their rights. They come to our country without ID, they live illegally, they are at the mercy of organized crime groups, and they are exploited here.

The member has a chance to support a bill that will make a difference and put an end to this violation of the fundamental rights of people who come to our country and to the scourge that threatens to destroy our immigration system.

I urge the member opposite to follow the lead of the Lebanese Islamic Centre, which said:

We have noticed that smugglers are targeting Canada. That is why we support these amendments. We must make it easier to press charges against these criminals who profit from vulnerable individuals, and we must deter anyone who would consider committing this crime by imposing mandatory jail time and minimum prison sentences on smugglers.

We are moving forward.

**●** (1645)

[English]

Mr. Tim Uppal (Edmonton—Sherwood Park, CPC): Mr. Speaker, I am pleased to hear the hon. member speak to the bill and I fully agree with him that we need to stop this human smuggling. It is a loophole for illegal immigrants to come and, frankly, to jump the queue. This is something that always upsets new Canadians who have immigrated to Canada through the proper channels in order to experience everything that is Canada. When my parents came over to Canada, they went through a process and were very pleased to go through that process in a legal way.

Why does the member think the previous government did not address this issue? This is not a new issue. This is not something that just happened because of the previous ship that landed on our shores. This issue has been around in Canada for a long time. It is something that needed to be addressed and I am pleased that this government is addressing it.

Why does the member feel that the previous government ignored this?

[Translation]

The Acting Speaker (Mr. Barry Devolin): The hon. member for Lévis—Bellechasse for a brief answer.

**Mr. Steven Blaney:** Mr. Speaker, I want to thank my colleague for his excellent question.

I am pleased to be part of a government that gets the job done. In this specific case, that is precisely what we are doing with a critical issue. Not only are we acting on this human smuggling matter, but we are also acting on the entire immigration issue. We see our minister accomplishing long-awaited and necessary tasks.

I have here a quote, again from a representative of an ethnic community. This time, it is the Arab and Syrian community of Montreal, which says:

Human smuggling is a lucrative enterprise that generates huge profits for the merciless criminals who organize these trips. The very nature of illegal migration means that anyone could be tempted to come to Canada. It also means that we run the risk that terrorists may be on board these ships bound for Canada.

It is not surprising that the previous government did nothing at the time, because today it has the chance to take action and it is opposing this bill.

[English]

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, it is a privilege to speak today to this bill at second reading.

The concerns of Canadians have been well expressed by members of the Conservative government. They have echoed the concerns that I have heard from many people in my riding and across the country as people have raised concerns about people arriving on Canada's shores in very vulnerable conditions.

Obviously the arrival this summer of the *Sun Sea*, carrying almost 500 Tamil refugee claimants from Sri Lanka, raised concerns. It raised concerns across the political spectrum. Those on the more left side of spectrum felt that someone was taking advantage of refugee claimants by charging exorbitant amounts of money and placing their very lives in danger for a second or third time as they were placed on vessels that were not seaworthy. They were designed to actually travel between Sri Lanka and India but made an across-theocean voyage to Canada.

There was also a concern that this was the second ship. The previous ship, the *Ocean Lady*, also came to the shores of Canada with refugee claimants on it. That began to raise concerns in Canada that something was going wrong, that something was out of control.

I congratulate the government for resisting some of the urges that some Canadians had to actually stop the ships mid-course in the ocean. The government made a wise decision, actually followed the law on this and exercised great concern for the administration of justice and for the law.

However, that began a discussion around the sort of law that Canadians wanted. Canadians were expressing concern, even outrage and, at times, misunderstanding about what was going on. There was a misunderstanding about immigration versus refugee law. I know that all hon. members in this chamber know that there is a difference between immigrants and refugees and that there is a further difference between refugee claimants and refugees themselves, or convention refugees as declared. That discussion has been sort of muddied by government ministers who have taken the opportunities, perhaps unwittingly, to muddy the waters for Canadians. I wanted to spend a few minutes clarifying what we are talking about here.

First, we are talking about people who are not immigrants, who have not stood in queues up to six or seven years, as people who have come to Canada often have, and who are not coming for economic reasons or as part of family sponsorship or family reunification programs. These are also not convention refugees who have been sponsored by the government, by the church or by other groups into Canada. We know that.

These are vulnerable individuals whose lives may have been at risk and who are seeking asylum in a country that has honoured asylum seekers with fair and just processes for decades. That is who these people are.

We all know that Sri Lanka has come through over two decades of civil war that has had atrocities on all sides. After every war, there are people whose lives continue to be at risk and some of them take desperate measures. That is what has happened with the two most recent vessels. They have been loaded with people who have claimed that their lives are in danger and they are seeking asylum in Canada.

Canada has a long history of having signed onto international conventions and treaties that dictate how we will deal with those asylum seekers. They are given fair and transparent judicial processes. They are allowed to be heard on a case-by-case refugee determination process.

As the hon, member from the New Democrat caucus said earlier, we have a process whereby the refugee determination has been too slow in the past but we were able to reach an accord in this House called Bill C-11 which changes some of those refugee determination processes and are meant to speed them up.

My fear is that we already have the Minister of Public Safety expressing a lack of confidence in the Minister of Citizenship, Immigration and Multiculturalism and his fine work on Bill C-11. We on this side of the House were kind of confused when we listened to the discussions on what sort of a law would deal with this problem of smugglers.

**●** (1650)

Let there be no doubt that no one on this side of the House, nor, I believe, on the other side of the House, condones human smuggling. I will give everyone the benefit of the doubt. I do not believe anyone wants to put a vulnerable person at a greater vulnerable level. We do not want people making money off this exercise. We do not want to risk lives a second or third time. We want to ensure a fair and just immigration system, including a refugee determination system, that works. Everyone in the House agrees on that.

However, the Minister of Public Safety, who presented this legislation that does not seem to honour those things which we as Canadians have stood up for decades for, has started to shift the language on this. We hear members, although I think they are making an honest mistake, talking about queue-jumping. There are no quotas and no queues when it comes to refugee determination. We have no standards that we follow.

As a western country and as a democracy, we believe in the rule of law. Every person who comes to this country, whether by car, by foot, by canoe, by sea vessel, by airplane, by helicopter, no matter how they arrive or in what numbers they arrive, one, two or three people, whether they are children, youth, adults or seniors, every person is allowed a fair refugee determination process.

Is that system working? Obviously it is not. We introduced Bill C-11 because there were problems and it was taking too long. However, I believe some of those problems came from the fact that the government strangled the system by starving it of resources. The previous Liberal government left 15,000 people in that system and that number has now gone up to 60,000 people. This is a problem. We are hoping that Bill C-11 and the attendant resources that are required will streamline the process to ensure fairness and transparency and ensure those who are not bona fide refugees are sent home in a timely manner. We agree with that.

On this side of the House, we do not believe there are two kinds of Canadians: new Canadians and old Canadians. We are not surprised, as I keep hearing from my hon. colleagues across the aisle, that new Canadians have this concern too. We are all Canadians, whether we have been here one generation, two generations or three generations. We want to ensure that the system of justice, the system of refugee determination and the immigration system are fair, transparent and just, and we will work for that.

This particular legislation does raise some concerns for me in very specific ways. We absolutely want to tackle the problem of human smuggling. Would this bill actually do that or are there already, as previous members have said, pieces of legislation in place with life sentences if someone is actually caught doing this? Is there anything new in this legislation that would actually ensure that those who are committing the heinous act of smuggling human beings for profit into this country will be caught and punished? It is simply not in this legislation. There are too many problems.

Bill C-49 is not an effective piece of legislation nor is it a good piece of legislation. The government will need to find ways to improve this legislation to ensure that it actually addresses the real problem of human smuggling.

This bill would actually punish refugee claimants even after they have gone through a process of determination. It would create two kinds of refugees by splitting them into two classes, which is simply not right. We do not do that in Canada.

The government thinks that by somehow deterring refugees from seeking a safe way out of their country, they will not try to do this. Every piece of research has said that the laws of the land that people are going to do not determine whether or not they will try to get there. They are simply trying to get away from the threat against their life. That is the problem with this legislation. It is as though the government thinks, for example, that the Tamils living in Sri Lanka will look at this and decide not to get on the ship because of the things that could possibly happen to them.

#### • (1655)

Whatever can happen in Canada will never be as bad as what goes on for them in camps, in bushes, on beaches and in places where they try to eke out their very survival. Nothing that we can do will

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stop them from trying to get to safety. That is the human instinct. That is what is in the core of our bodies, our spirits. It is in our DNA. We want to survive.

That means for this to be effective, we have to do two or three different things. We have to look at truly effective ways to stop the smugglers. Yes, we want strong deterrents against the smugglers. Yes, we want to be assured that smugglers will face at least mandatory minimum sentences, with which I do not normally agree. However, this is such a horrible crime that we should look at that. Let us open our door to dealing with smugglers that way.

However, we have to go to the source of the problem. Once we have dealt with that, we have to look at human beings as human beings. The reality is these vulnerable human beings are vulnerable because of the failures of a particular national government or because of the international community's misunderstanding or failure to act to protect them.

The war has ended in Sri Lanka, but the violence and danger continues. The lives of people continue to be at risk. Canada is failing, the government is failing to ensure that we are in Sri Lanka, offering a democratic, institutional way of responding to how to live with a linguistic and religious minority in their midst and how to build civil society to protect minorities. Canada has not done that. We have abdicated our responsibility internationally.

We have also failed to work with the United Nations and other countries in refugee determination in Sri Lanka, in Thailand and in places where Tamils have sought refuge. We have to ensure that the United Nations has the resources, the staff, the personnel and the ability to get into a country and ensure that refugees are determined there.

Therefore, we have to stop the problem at the source. We have to stop it by building international human rights, by working cooperatively with other countries, by engaging internationally, by restoring our reputation, which has been so greatly damaged in the last four years by the government. We have to find a way to involve ourselves in these countries in real and meaningful ways and stop our tokenism.

The second thing we have to do is beef up the United Nations to ensure that we work in a partnership to do refugee determination there.

There are 43 million forcibly displaced persons in the world, and it is a horrible life. People seeking asylum are potential victims. They are not worthy of being further victimized in any way, as I believe the legislation may be doing. We have to find a way to fix this. We have to take out some of the basic problems in the legislation.

The question I continue to have is on these so-called irregular events. On some kind of an irregular immigration of inter-migration event, the minister seems to have too much power to designate. It seems to be far too open and far too flexible. This is one of the things at which the House has to look. We have to understand where we are then from that point on discriminating and causing two classes of refugee claimants and then, further, once determined, two classes of refugees. This law cannot discriminate against people because of where they have come from or how they have come to Canada. We have to absolutely take a step back and take a second look at the legislation.

Arbitrary detention, as the hon. member had said earlier, has not worked in Australia. Not only has civil society risen up against it, but every group that looks at this problem says that it is not working. It is not a deterrent. It is simply an infringement upon human rights.

Bill C-49 makes no exceptions for women who may be pregnant or children who arrive on the shores of our land. We have to look at this as a protection for the most vulnerable, including women and children.

### **●** (1700)

The Supreme Court of Canada said that we would have to review lengthy periods of detention under the charter. Bill C-49 has to deal exactly with that. Arbitrary detention is already prohibited under international law, notably by the International Covenant on Civil and Political Rights.

Bill C-49 is dangerously close to denying any right of equal access to justice. It is blocking a sense of integration as well. That is where I really want to go in these last few minutes.

Once refugees have been determined to be refugees, they then become part of Canadian society. They are landed here and they begin to integrate into our society. They begin to learn the language and seek employment. They build families, they are part of neighbourhoods and they are part of communities. They are our friends. They are part of the structure and the very fabric of Canada.

Bill C-49 breaks that down. It blocks family reunification. It denies the right to travel. It does not look at the fact that the world changes. Someone may be determined a refugee, but that country's regime may change drastically and the conditions in that country may change. The legislation does not give the required flexibility to ensure that the people who integrate into our society are part of who we are, part of where we need to go, part of what we need to do.

The mere suspicion that something is wrong is not good enough for a minister to deny human rights. A fair and just country is what we are building. It is what we continue to work on and all legislation needs to be examined from that vantage point. Who is being hurt? Who is being helped? How is our country being built?

This legislation seems shy on actually dealing with the problem of human smuggling and heavy-handed when it comes to the victims of those smugglers. This is no time for Canada to re-victimize vulnerable people. This is no time for Canada to create two classes of refugees. This is no time for Canada to break Canada apart into different kinds of people. A Canadian is a Canadian is a Canadian. A refugee is a refugee is a refugee. A claimant is a claimant is a claimant. Canada is built on that. It is built on the rule of law that

ensures that justice and transparency are built into the fabric of every piece of law that we pass in the House.

Canada has made mistakes when boats have landed on our shores before. I hope I do not need to remind a single person in the House of 1939 when the Government of Canada made a mistake. We turned back the *S.S. St. Louis* and we let hundreds of people go back to a country where their lives were very much at risk and their safety was at stake. This was not the first time it had happened.

In 1939 the S.S. St. Louis, filled with hundreds of refugees fleeing from the Nazis, sought asylum in Canada. At that time, the government sought to discredit them as well and warned that if the S.S. St. Louis were permitted to dock, more Jews in Europe might follow. Would that they had. Would that we had opened up our eyes, our minds and our hearts because we could have saved more lives.

We had not learned the lesson in 1914 from the *Komagata Maru*. We did not learn it in 1939. We are learning slowly. This legislation dangerously turns back the clock on these issues.

Canada needs to remember that we are a place of justice and fairness. We will punish the smugglers strongly. We will learn to accept the refugee claimants and give them justice.

#### • (1705

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Madam Speaker, it has been difficult listening to the opposition today. The Liberal members in particular have been flip-flopping so badly on this. The reason they are flip-flopping back and forth is because they know their position does not mesh with the position of Canadians. It does not mesh with the position of refugee claimants.

In their own little way they are trying to convince millions of Canadians, who expressed their opinions over the summer, that they are wrong. They have tied themselves into this pretzel, flip-flopping back and forth, which is something we see constantly from the Liberals. They have no idea what position they need to take on a certain day. They always believe their position is better than the position of Canadians, that Canadians do not know what they are talking about.

The reality in this situation is that Canadians and immigrants to our country have spoken. They have said that this is unacceptable, that for once and for all Canada needs to stand up to these human smugglers, jail them, seize their ships and ensure that we put all of our resources into ensuring the people who need our help get our help. The bill does that. We do not need to do what the Liberals and their coalition partners are suggesting, and that is looking at these human smugglers, treating them with kid gloves and trying to figure out what in their childhood went wrong that turned them into human smugglers.

I just wish for once the opposition coalition, which is fronted by the Leader of the Opposition but led by two failed—

The Acting Speaker (Ms. Denise Savoie): Order, please. The hon. member for Don Valley West.

**Mr. Robert Oliphant:** Madam Speaker, the hon. member may want to check the blues after this. At the beginning, he talked about Canadians and immigrants. In my Canada immigrants who are citizens are Canadians. We are one.

Canadians have spoken on this and we have heard them. Canadians want tough and effective laws that will actually work against smuggling. Canadians are not anti-newcomers.

The Canadians I know, and I have talked to them from coast to coast, are not anti-newcomers. They want to be ensured that the government will effectively deal with those who are smuggling humans

Canadians did make a mistake in 1914. I hope the hon. member knows that. Canadians did make a mistake in 1939. I do not know whether the Conservatives know that. I cannot tell today.

No one is flip-flopping on this side of the House. That side of the House is not aware that we made mistakes. We turned away people and they died. We will not do that from this side of the House.

(1710)

Mr. Tony Martin (Sault Ste. Marie, NDP): Madam Speaker, I liked the way the member laid this out in terms of a humanitarian challenge, confronting not only us but the whole world, as we try to bring peace and stability. Lack of peace and stability anywhere is a threat to everyone else. What we do here, we have to be very thoughtful about. We have to think it through. We have to be deep and reflective in our response.

What I have seen in this place over the last six to 12 months is an attempt to deal with some very real challenges in the world in a very sort of knee-jerk reaction, throw a big net out, capture everyone and then we will sort it out later somehow, perhaps.

There are ways to deal with some of the real challenges that are inherent in the smuggling of refugees. As the member for Toronto Centre said today, a lot of the issues we are wanting to deal with we can actually deal with if we were willing to go and work with the people and the government of Sri Lanka because that is really where the problem is. Apparently there are three or four gangs that developed after the war. They are organizing this money-making scheme to smuggle refugees into other countries.

Perhaps the member would like to respond to that for me.

**Mr. Robert Oliphant:** Madam Speaker, I thank the hon. member for Sault Ste. Marie because I can tell he understands that Canadians are smart. Canadians are compassionate. Canadians understand these situations and need to be led not by fear, not by slogans, not by misunderstanding—

The Acting Speaker (Ms. Denise Savoie): Order. Order, please. I regret to interrupt the hon. member. I believe this is a debate and differences of opinion, but I do not think it merits laughing at comments made that are not intended in that way. I would ask for some respect for the hon. member who is speaking.

The hon. member for Don Valley West.

**Mr. Robert Oliphant:** Thank you, Madam Speaker. I repeat, we know that Canadians are smart. We know that they are compassionate. We know that they want to understand these issues and they want to be led with a sense of hopefulness and a sense that we will

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effectively deal with the problems in the world and compassionately deal with those who are the victims. That is what Canadians are about. They are not led by slogans. They are not led by easy answers. They are not led by someone who promises them something and delivers nothing.

We have problems in our refugee system, in our immigration system. Read the Auditor General's report. There are problems in the immigration system that is being led by the government. We were trying to fix the refugee determination system with Bill C-11, an honest attempt from all sides of the House to fix that. We are attempting to do that. We also are calling upon the government to look at our international relationships, to actually build them and build the kind of world where we stop the need for a refugee determination system here.

[Translation]

Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ): Madam Speaker, I have a question for my colleague, who said that this bill will hurt immigration rather than help it. I was also surprised when I saw Bill C-49. I thought that on the other side of the House it would be called the "Tamil bill". Their bills always address specific events.

I would like the member to talk a bit more about the punitive aspects of this bill.

[English]

**Mr. Robert Oliphant:** Madam Speaker, I, too, am surprised that the Conservatives have not come up with a smarter, snappier little title that actually tries to further confuse the issue, because let us be real; this is about Tamils. This bill is about keeping out a certain group of people. The Conservatives were very clear; before the boat even landed they were already decrying that these were probably terrorists, that these people were going to come into our country to cause trouble.

The Tamil people who live in my riding are Canadians who are building this country with me and they are concerned about sisters and brothers in that country where they are a minority that is persecuted. I think the hon. member is absolutely correct by saying that we have to look at this problem with a broader lens and a lens that punishes the people who are meant to be punished and actually cares for the people who need to be cared for. Punish the smugglers. Care for the vulnerable.

**●** (1715)

Mr. Richard Harris (Cariboo—Prince George, CPC): Madam Speaker, I would first like to thank the Liberal opposition members for leaving the new Conservative government a 750,000-file backlog because of their ineptitude in running the immigration system.

I have to make this comment. The member for Don Valley West is trying to draw a comparison between this latest ship that came over, run by human smugglers, and the 1939 *St. Louis* and the *Komagata Maru*. For him to do that is very deceiving. It is misrepresenting the facts between the ships we are talking about now and the two incidents, one in 1939 and one in 1914. He should be ashamed of himself for trying to draw that conclusion.

**The Acting Speaker (Ms. Denise Savoie):** Order. I must give the hon. member for Don Valley West equal time to respond.

Mr. Robert Oliphant (Don Valley West, Lib.): Madam Speaker, I find that outrageous for two reasons. Once again the government side is confusing immigrants with refugees. They do not understand that the 750,000 are immigrants. Immigrants begins with an "i"; refugees begins with an "r". These are two different bills, two different ways of looking at the world, two different systems. One is about conventional refugees and claimants and the other is about an immigration system that the Conservative government does not know how to fix.

The Acting Speaker (Ms. Denise Savoie): Order, order. The time has run out for this member's speech and period of questions and comments.

Resuming debate, the hon. member for Oak Ridges—Markham.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Madam Speaker, I can assure the hon. member that this is a government that truly understands how the immigration system should work. It truly understands what Canadians look for in an immigration system.

When we took over, we saw a waiting list of one million people. If that is what the Liberals are claiming was a successful immigration system under their watch, I can certainly assure the member that people to whom I am talking in Canada's most diverse riding certainly do not agree with that assessment. What they are saying to me is that the system under the previous administration was a catastrophe and they are certainly happy that this government, this Minister of Immigration and the Prime Minister, stepped in to fix the mess that was left behind by the Liberal government after 13 years of terrible rule.

Let me say this. We do not need any lessons from the Liberal Party or any of the members opposite on how to deal fairly with refugees and with immigration matters.

However, getting back to this bill specifically, I welcome the opportunity to rise in support of Bill C-49, the preventing human smugglers from abusing Canada's immigration system act. I am sure hon. members will agree that human smuggling is among the most loathsome of criminal endeavours, and judging from the comments on news websites, the letters on the pages of newspapers, and the calls to talk radio shows, Canadians definitely feel the same way. Some have suggested that Canadians' reaction to the recent arrivals of the smuggling ships was somehow improper, ungenerous, inhuman or worse. I do not believe anything could be further from the truth.

Canada's international reputation for generosity, as a place of refuge and welcome to newcomers, is definitely a source of pride for all Canadians, but no one wants our generosity to be abused, and most certainly, Canadians do not want unscrupulous operators to line their pockets from the desperation of the downtrodden and the generosity of the Canadian immigration system. That is why Canadians are angry and that is why our government has acted.

As an editorial in the *Calgary Herald* put it a few days after the *Sun Sea* docked in Esquimalt:

[I]t's not that Canada has lost its tolerance for refugees. What we've lost is our tolerance for refugee smugglers.

The bill makes it clear that Canada and Canadians do not and will not tolerate human smuggling. In fact, this bill makes it even more clear. Canada has always been a strong and visible supporter of international efforts to fight human smuggling. Our signature on the UN Convention against Transnational Organized Crime and its Protocol against the Smuggling of Migrants by Land, Sea and Air demonstrates our commitment to be part of the solution. Bill C-49 reinforces that commitment. It would allow law enforcement officials additional tools to investigate and to prosecute individuals who organize, engage in and profit from human smuggling.

As hon, members are aware, existing laws are very narrow in terms of the activities that can be prosecuted in this regard. The Crown must prove that the accused knew that the people being smuggled did not have the documents needed to enter Canada. This bill would change that. The amendments our government is proposing would broaden the application of the law so that it will be easier to prosecute human smugglers.

That sends a message to would-be smugglers. Bill C-49 underscores that message with mandatory minimum penalties for anyone convicted of human smuggling. Depending on the circumstances of the offence, these mandatory sentences would range up to a minimum of 10 years for the most grievous offences, such as those involving organized crime and endangering the lives of smuggled persons.

Similarly, this bill will increase the penalties for violations of the Marine Transportation Security Act, such as refusing to comply with a ministerial directive to leave Canadian waters or providing false or misleading information to officials. Individuals, for example, would be liable to fines of as much as \$200,000 on indictment, up from the current \$10,000. Individuals convicted on indictment for failure to file a pre-arrival information report would be liable to a maximum penalty of one year of imprisonment or a \$75,000 fine, or both.

These changes would deliver a strong, clear message. It is a message that must be delivered before the next MV *Sun Sea* sails for our shores, and that risk is very real.

**●** (1720)

The bill would deter human smugglers from mounting such ventures. Indeed, we must do more than simply express our distaste for human smugglers as the opposition have been wanting to do today.

There is also the simple, yet profound, matter of exercising our right as a sovereign nation to protect our borders.

Canada has the right to decide who enters this country, and there is no question that Canada is very generous in that regard. At the same time, we have an obligation and we are committed to protecting the safety and security of Canadians. We have to be certain that the individuals claiming refugee status in Canada are not war criminals or a danger to Canadians.

The existing rules allow a foreign national or permanent resident entering Canada to be detained if an immigration officer considers their detention necessary in order to carry out a proper examination, to make sure that the person is who they say they are and that there is nothing in their background that would make them inadmissible to Canada.

Detentions of this kind must be reviewed by the Immigration and Refugee Board within 48 hours, again within seven days, and if necessary, within every 30 days after that. This system works well most of the time; however, it is not designed to deal with hundreds of people arriving en masse at one location, as was the case with the *Sun Sea*.

Instead of concentrating on the investigations that are so vital to public safety, border officers find themselves devoting hour after precious hour to preparing for these numerous detention reviews. That is why Bill C-49 would give the Minister of Public Safety the authority to designate anyone who arrives at our border in circumstances such as the *Sun Sea* as an irregular arrival.

As an irregular arrival, individuals would be detained until the Immigration and Refugee Board determines that they are legitimate refugees. If they are still detained after one year, their detention would be reviewed at an IRB hearing that would decide whether detention should continue. Subsequent hearings, if necessary, would follow at six-month intervals. Where exceptional circumstances exist, the minister would have the authority to order early release.

Other changes in this bill would require designated arrivals to wait a minimum of five years before they could apply for permanent resident status in Canada or sponsor family members who come to our country. Designated arrivals would also not be able to access the supplemental benefits under the interim health plan, which provides benefits more generous than those available to Canadians. This is only fair. People who push to the front of the line should not be rewarded.

The changes that we are proposing in this bill would enhance the safety and security of Canadians and protect the integrity of our immigration system. Every successful incident of human smuggling encourages more people to try to take advantage of Canada's generosity, to cut in front of those who have followed the rules, who have filed papers, who have filed proper papers and waited patiently for the opportunity to begin a new life in Canada.

Canada needs immigrants. We cannot afford to allow criminal acts to discourage the newcomers to our country. We cannot afford to allow human smugglers and queue jumpers to undermine the public support of our immigration system. That is one of the reasons I am urging all members to support this bill.

Let me just say this. The hon. members across, the Liberal Party in particular, like to wrap themselves in the cloak of a generous party, as people who care about refugees and immigrants. We have heard constantly today, speaker after speaker and the critic talking about the Tamils. I do not have to remind the hon. member that it was a Conservative government in 1984 that began to open the door to Tamil refugees in this country.

I represent the riding of Oak Ridges—Markham, which is home to a large diaspora of Sri Lankans, both Tamil and Ceylonese people.

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We have been working together to try to find solutions to the problems that they have back at home. What we consistently hear from the Liberal Party are these great platitudes of what we should accomplish, but they never have solutions to the problems.

Here they have an opportunity to vote for a solution, to put an end to human smuggling in this country, and what are they doing? They are wrapping themselves up like pretzels. They are flip-flopping. What they are doing is ignoring what Canadians want.

I just hope that by the time we get this debate completed they will actually see the light, they might listen to what Canadians want, they might read the hundreds of emails and letters and listen to the phone calls, and the opposition coalition might for once listen to Canadians and vote the right way.

**●** (1725)

**Mr. Mike Wallace (Burlington, CPC):** Madam Speaker, I appreciate my colleague's discussion. He has been here all day asking questions and talking about this very important bill.

I just want to say that my in-laws are of Italian descent and my mother-in-law came here on a boat. I can say that when that happened earlier this summer in Vancouver, the first call I got was from my in-laws asking what we were going to do about this issue, and this bill addresses that issue.

I want to thank them for that call and I want to thank my colleague for his presentation today.

I would like to know, as the hon. member talked about the Liberal side flipping and flopping, if at any time today the Liberals indicated whether they were supportive of this bill going to committee so that they can actually have a discussion.

The Liberals claim they have all these people who are opposed and know all these groups that are opposed. Well, if we went to committee with it, we would be able to study the issue and have a discussion at committee.

Can the member tell me if the Liberal Party indicated whether it would be supporting this bill or not, based on his time here this afternoon?

**Mr. Paul Calandra:** Madam Speaker, I have been here all day, but I have been having trouble following the Liberal position on this. On this particular bill, they seem to be flip-flopping more quickly than they have on some of the other things that they have flipped and flopped over.

My parents too came from Italy, through Pier 21. They worked very hard and they built a spectacular life here in Canada. They have a son in Parliament. That is the type of Canada we built. We built the type of Canada that encourages immigration to this country and that respects those who need our help. We have always been a very generous country.

To answer the hon. member's question directly, I have no idea where the Liberals stand on this. I have no idea where they stand on anything, to be honest. I know one thing for sure. They will always stand on the opposite side of where Canadians stand, and that is a true shame. They are working with their opposition coalition here to subvert the wishes of Canadians.

#### Private Members' Business

What Canadians really want is an immigration system, a refugee system, that respects those who come to this country, work hard and build a better life for themselves. That is what this side wants. That is why we are building a better immigration system. That is why we reformed the immigration system. That is why the immigration backlog has been reduced. That is why we are opening up our arms to those who come to this country and who need our assistance.

I think about what happened in Haiti and the quick response this government had to the people of Haiti. The opposition is suggesting that we should forget emergencies and we should look at other instances.

I think it is about time the Liberals did what is right, paid attention to what Canadians want and voted in favour of this bill. Let us get it to committee and make it better.

#### **•** (1730)

The Acting Speaker (Ms. Denise Savoie): When this debate resumes, the hon. member will have two minutes of comments and questions. As it is 5:30, the House will now proceed to the consideration of private members' bills as listed on today's order paper.

### PRIVATE MEMBERS' BUSINESS

[English]

### ALZHEIMER'S DISEASE

### Mr. James Rajotte (Edmonton-Leduc, CPC) moved:

That, in the opinion of the House, the government should continue to address the rising financial and human costs of Alzheimer's disease and other forms of dementia in Canada by ensuring, now and in the future, that its programs and policy development related to this issue continue to recognize: (a) the right to dignity and compassion of patients stricken by such conditions; (b) the emotional and psychological toll on family members and friends of patients afflicted by such conditions; (c) the increasing costs imposed on public health systems by the treatment of such conditions; and (d) the role played by such civil organizations as the Alzheimer Society of Canada and Neurological Health Charities Canada in furthering our understanding of the impacts of Alzheimer's disease and other forms of dementia.

He said: Madam Speaker, it is truly an honour today to stand in the House and address the very serious topic of Alzheimer's disease and what we can do about it, not only in this Parliament but across the country.

I do want to state at the outset that I am not an expert on this issue. That is not why I am addressing this topic here today. I am addressing it because it deserves a discussion in this Parliament. It deserves a national discussion. All of those people who are suffering from this disease, and all of those people who are suffering with people with this disease, deserve to have a national discussion on this topic in this chamber.

I do want to outline a bit of the current situation in Canada. At this time, approximately 500,000 Canadians have some form of dementia. More than 60% have Alzheimer's disease, which is the most common form of dementia in Canada. It is becoming a much more noticeable issue. There is not a Canadian I have spoken to who has not had some personal contact with this disease, be it through a

friend or a family member. We do therefore need to address this issue. We need to sustain our focus on it.

There has been increasing awareness in society and in the media as well. I would point to a recent *Globe and Mail* series, which I thought was very well done. I would certainly like to commend the newspaper for raising awareness and for generating discussion on this issue.

We need to have this discussion now to plan for the future and to develop an approach to what will be one of the biggest challenges facing us as human beings and as a country in the years ahead. This is an issue that demands attention from society in general and from parliamentarians in particular.

The reality is clear. Individuals with dementia are not the only ones affected by these conditions. Dementia places a long-term burden on those who care for them, on family, on friends, on our public health care system and on society in general, and they must all be addressed.

The Alzheimer Society estimates that the total economic burden of Alzheimer's and other dementias in Canada today is approximately \$15 billion per year. The emotional and the psychological costs to patients and their families are immense but, as we all know, they are very difficult to quantify. However, all of us have spoken to people who have talked of the challenges of facing this disease.

The fact is that demographic trends will contribute to the scale of the challenges we will face in coming years. As our population ages and individuals live longer, an epidemic of Alzheimer's disease and related dementias is poised to overwhelm our health care system.

Without new policies, breakthroughs or interventions, it is projected that by 2038, more than one million Canadians will have some form of dementia, which is more than double what we have today. The annual costs will rise from \$15 billion today to a staggering estimated \$153 billion by 2038. Demand for long-term care will increase tenfold from today.

In light of these startling figures we need to foster a national discussion. We must work with the provinces and territories that obviously provide health care services. We must develop a very comprehensive approach to confront this issue.

What has been done thus far? Through the Canadian Institutes of Health Research, our government has invested more than \$176 million in research on Alzheimer's disease in recent years, spending approximately \$22.7 million in 2009-10 alone.

The government is also working with Canada's major neurological charities. I would like to commend all of these charities for their work. They have committed to providing \$15 million for a four-year population study of Canadians affected by neurological conditions. This study will help us better prepare to meet the needs of Canadians affected by these conditions.

In partnership with like-minded countries around the world, the Canadian Institutes of Health Research has also developed an international collaborative research strategy for Alzheimer's disease. It will help enhance relations between Canadian scientists and Alzheimer researchers around the world. I want to commend the action taken in this area.

Canadians have access to compassionate care benefits under the employment insurance system. The CPP and QPP also pay disability, survivor and children's benefits to those who qualify. The Income Tax Act also provides for a caregiver amount tax credit, a tax credit for infirm dependents and a medical expenses tax credit.

While these are all steps in the right direction, a continued focus is required to learn more about the implications of dementia for Canadian society and to develop appropriate responses.

• (1735)

What can be done, therefore?

First, in the area of research, to address the challenges that these conditions present, we do need some new approaches.

Alzheimer's and many other dementias are irreversible. There is no known cure at this time. However, through biomedical, clinical, quality of life, health services and knowledge translation research, we can develop new and more effective responses.

In this regard, we should continue to support the work of such excellent organizations as the Alzheimer Society of Canada and the Neurological Health Charities Canada, and I do want to commend them for their work. We should also continue to support post-secondary institutions that are partnering on research, such as the University of Toronto's Centre for Research in Neurodegenerative Diseases, McGill University's Centre for Studies in Aging and the University of Alberta's Centre for Alzheimer and Neurodegenerative Research

The second area of what can be done is prevention. Prevention obviously is the least costly and best approach.

It is estimated that a 50% increase in level of activity by Canadians over 65 years would result in substantial reductions in the incidence of Alzheimer's and other dementias. Reducing the number of people diagnosed would ease the burden, obviously, on family members, friends, long-term care facilities, community care services and informal caregivers. The potential benefits from investing in research are, therefore, extraordinary. If we can delay the onset of Alzheimer's and related dementias by only two years, the CIHR estimates we will reduce the cumulative costs over the next 30 years by \$219 billion and reduce the number of new cases in Canada by more than 400,000 people.

The third thing in terms of what we can do is, I would suggest, the most important from a human point of view. It is support for patients and their families.

With demand for long-term care projected to outpace the availability of space, more and more care will be provided informally in the home. The number of hours of home care provided by Canadians is expected to more than triple by 2038.

We need to ensure that there are programs and services in place, therefore, to support caregivers. Possibilities could include better access to information and educational resources, the creation of new financial supports for patients and caregivers, and continued support for non-profit groups that provide assistance.

Almost every member here today can point to a friend or a family member who has been directly affected by Alzheimer's and related

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dementias. Whether they know a patient or someone providing care for a patient, one does not have to look far to see the impacts of these conditions

In time, the situation will only become more urgent. That is why it is vitally important that these issues be brought to the forefront today.

The Alzheimer Society released a study earlier this year, which was very aptly titled "Rising Tide". I encourage all members to read that report. It is an excellent report. I would also encourage them to read the report entitled "A Brain Strategy for Canada", by the Neurological Health Charities. Both of these documents are excellent foundational documents, which we can build on in this chamber.

Inaction will result in the overwhelming of our public health systems. It will only mean that families will continue to struggle to keep their heads above the rising waters, as demand for private care increases dramatically. That is why we do need to act now. That is exactly what the Alzheimer Society is asking of all of us as parliamentarians.

I therefore call upon all members of this House in all four parties to support this motion and I welcome their questions at this time.

**●** (1740)

[Translation]

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Madam Speaker, I have a question for the member from Edmonton—Leduc. In his motion, he referred to programs and policies that the federal government should implement, according to specific criteria, to combat Alzheimer's disease.

In referring to these programs and policies, is the member talking only about those that the government can implement in matters under the legislative authority of the Parliament of Canada?

**Mr. James Rajotte:** Madam Speaker, I thank my colleague for his question.

[English]

I understand that the Bloc Québécois will be bringing forward an amendment that would ensure that the motion itself applies to the jurisdiction under the Parliament of Canada itself. I welcome that amendment. In fact, that was certainly the intent of the motion when I drafted it. So, I certainly welcome that amendment and I would certainly support it in the House.

It is obviously my intention that we work with the provinces, which have the primary responsibility in terms of delivering health care to the citizens of Canada.

Mr. Alan Tonks (York South—Weston, Lib.): Madam Speaker, I thank the member for bringing this motion forward. He is so right when he says that Alzheimer's and early dementia is touching the lives of so many in our communities.

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He made mention of the Alzheimer's Society's report, "Rising Tide". In that report, as I recall, there is an emphasis on what non-profit groups and what caregivers can provide outside of the institutional environment. We all know that there is a point where institutional care will be a part of the total care delivery system, but there is also the incentive that can be given to caregivers and non-profit organizations.

Does his bill include the analysis out of "Rising Tide" of looking at incentives through our taxation system that would provide the family members of people with Alzheimer's to continue to give care within the family environment? Are there incentives for assistance in that?

Mr. James Rajotte: Madam Speaker, the motion is very broad, so it certainly includes that topic within the motion itself. I would point to the escalating costs imposed on the public health system for the treatment of such conditions and also in terns of the leading role played by civil organizations such as the Alzheimer's Society of Canada.

I would also point out that the motion is broad enough to include that. I think the member is absolutely right. More and more people with Alzheimer's, at least in the early stages, are being cared for at home. It is not only an increasing financial cost but it is also an increasing human cost on family members and on friends, which is something that we need to look at. It is something that both of the reports I mentioned from the Alzheimer's Society and from the neurological centres have looked at and are encouraging us to look at further in terms of how we address those human and financial costs incurred by family members and friends.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, the Alzheimer's Society suggests a number of ways to slow the number of cases of Alzheimer's and dementia, and one of them is to promote healthier lifestyles. including encouraging people over 65 to increase their physical activity levels.

I wonder if we should be looking at the English medical system to look at the way it pays doctors over there. It pays doctors based on the doctors getting patients to live better lifestyles. For example, if a doctor gets a patient to stop smoking for example, he gets paid on that basis for that outcome.

In this case, maybe we should pay doctors for getting people on healthier lifestyles and, if they get results, it should help us out.

**●** (1745)

Mr. James Rajotte: Madam Speaker, that was a big question. I have to say that that is within the gambit of the provincial governments. If I delved into that issue I would worry about losing the support of the Bloc. I think it is a valid public policy debate that should occur within all provinces in terms of whether they ought to do that.

I would point out that in the Alzheimer's report it does talked about intervention one, prevention by increasing physical activity. I would recommend that all members look at what is in the report "Rising Tide" because it is an excellent case study and should be encouraged for members, especially for those approaching age 65.

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, he was 80 years old and they had been married for 60 years. He kept his

promise to her. He installed a hospital bed in their living room and for seven years he was her sole caregiver, bathing her, feeding her and carrying her upstairs to the washroom.

In another family, she was just 50 years old. Initially she made 20 mistakes playing cards in an evening. Then she showed poor coordination and clumsiness making a cup of tea. The doctor put it down to stress despite the fact that her mother was diagnosed at age 50 with Alzheimer's disease. Peripheral vision problems and general confusion meant that she was no longer allowed to drive. She had overwhelming frustration and fear.

The brain is the most vital organ in the human body. It makes our heart pump and our lungs breathe. It is the physical structure that makes us human and allows us to experience art, love, poetry and science. If the brain does not work properly, every aspect of life may be compromised.

One in three, or 10 million Canadians will be affected by a neurological or psychiatric disease, disorder or injury at some point in their lives. There are no cures for ALS, MS, Alzheimer's and Parkinson's and no effective treatments that consistently slow or stop the course of these devastating neuro-degenerative diseases.

Statistics are neat, tidy and do not show the reality of those living with these diseases, people like my cousin who gradually lost the ability to walk, to work, to interact with her family and friends, people across this country who live with MS and who have the courage to battle their disease every day and to take on a new fight, the fight for the liberation treatment.

These diseases put a significant burden on Canadian families. My 70-year-old aunt is at her daughter's house at 6:30 a.m. to feed her, get her granddaughter off to school, ensure that the daily caregivers come to bathe her daughter, feed her and, at the end of a long day, put her to bed.

I came to Parliament to fight for neurological disease, to fight to end suffering through more research for treatment, more support for caregivers and more awareness. I was therefore pleased to receive all party support to form a neurological subcommittee and delighted that the leader of our party committed to a national brain strategy to help lessen the social and economic impacts on people affected by brain conditions.

Alzheimer's disease is an irreversible and progressive brain disorder that slowly destroys memory and thinking skills. Symptoms usually appear after age 60. Many scientists now believe damage to the brain may begin decades earlier. Thankfully, doctors are now able to start treatments earlier, slowing the loss of brain cells and the progression of debilitating physical and mental impairments.

Some 500,000 Canadians have Alzheimer's disease or a related dementia, 71,000 of those are under the age of 65, with women accounting for 72% of all cases. There are currently at least 2.85 million Canadians providing care for a family member with long-term health problems. According to a Health Canada study, 25% of caregivers have had their employment situation affected by their caregiving responsibilities and about 40% of them face long-term financial pressures as a result.

This is an important motion and I thank the hon. member for bringing it to the House. We need all members pushing for investments in Alzheimer's disease and related dementias, as we have an aging population, an increased risk of dementia and rising human and economic costs.

I will quote from my April 13 speech regarding Bill C-9, an act to implement certain provisions of the budget. It reads:

Where is the help now for our seniors in the budget?

Where is the investment in our aging population? We have a federal government that has hardly uttered the word "health" for the last four years. Yet, worldwide there is concern that the baby boomers are retiring and entering their high demand period for health care. In Canada there will be 7.5 million people over the age of 65 by 2025. Population aging has tremendous implications for Canada, where most elderly people would not be able to meet more than a small fraction of the cost of the health care they incur. The average hospital stay in Canada costs \$7,000 and does not take into account emergency or cardiac care.

#### (1750)

Today, someone in Canada develops dementia every five minutes. This will change to one new case every two minutes in 30 years. In 30 years the prevalence of dementia in Canada will more than double, with the costs increasing tenfold if no changes are made. This means the total cost associated with this mind-robbing disease could reach \$153 billion by 2038, up from the \$15 billion a year today.

The Alzheimer Society of Canada suggests four key ways to slow the growth in cases of Alzheimer's and dementia: promote healthier lifestyles including encouraging people over age 65 to increase their physical activity levels; add system navigators to guide families through the complex health care system; invest in support and education for caregivers; and combine risk reduction strategies to delay the onset of dementia by two years, particularly through the discovery of new treatments.

If we could merely slow the onset of dementia by two years for each affected Canadian, we would see a return on investment of 15,000% over a 30 year research effort. One of the biggest challenges we face, therefore, is how to best prevent and postpone disease and to maintain the health, independence and mobility of an aging population.

Every day, hundreds of thousands of Canadians experience the difficult reality of Alzheimer's disease. Those living with the disease want to be seen, want to be heard and should never have to face this disease alone. Those caring for a loved one face overwhelming emotional and physical demands and require real supports. We must see the person, not the illness. No one ever wants to be a patient, but rather a vibrant, contributing member of society.

### As one woman said:

It has not ended my life. I am still a very viable human being, as are others with the same diagnosis. Certainly I grieved the onset of this disease, but after talking with the local Alzheimer Society rep, I now attend an early-stage support group and feel good about volunteering for the organization. Once again I am allowed to feel useful.

We must strive to ease the burden of every individual struggling to recall a spouse's name, every person unable to recognize a child's face and every family member or friend who brings them comfort and care. We must seek hope for all families struggling with Alzheimer's disease. We must renew our commitment to research

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that is improving treatments for this illness and may one day prevent it entirely. We must leave no avenue unexplored.

It is fundamentally important to make sound fiscal decisions. As President Obama said, "The answers to our problems don't lie beyond our reach".

We absolutely have the opportunity to change the course of Alzheimer's disease now. Today we have a variety of disease-modifying treatments, but shrinking investment in Alzheimer research threatens breakthroughs. Investing in research to end Alzheimer's is one of the most sensible decisions the government can make. It not only saves lives but also saves money by reducing the burden on health care.

Finally, we must commit to a national brain strategy for Canada, working with the provinces and the territories. Our party has committed to this, with a focus on key pillars such as awareness and education, prevention, treatment and support, caregiver support, research and income security.

#### (1755)

**Ms. Megan Leslie (Halifax, NDP):** Madam Speaker, I am pleased to have the opportunity to speak to Motion No. 574, a motion respecting Alzheimer's, from the member for Edmonton—Leduc

This debate offers us the chance to look at the specific challenges facing individuals with Alzheimer's as well as the family and friends who love and care for them. It also gives us the opportunity to open up the debate and discuss larger challenges that exist within Canada with respect to long-term community care and home care, disease prevention, healthy living, health education, and poverty, just to name a few. They are all connected.

The challenges that Alzheimer's brings to so many lives are really a microcosm of the challenges throughout our entire system, like the rising cost of medication, the need for national standards for access to care, the need for processes that allow for the sharing of best practices, and the need to help families with the emotional and financial weight of caregiving.

I have experienced this weight myself. My mother was a psychiatric nurse at a nursing home and also a single mother. I spent a good deal of my childhood in a nursing home. I have seen families deal with Alzheimer's and dementia first-hand. I have seen the different ways it affects families as well as the people with Alzheimer's and dementia. And I have seen the range of responses to what was happening to them and their loved ones.

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Moreover, my grandmother had Alzheimer's. In the early stages of her disease, I was the primary caregiver living with her. It is only recently that I have come to an understanding of the stress that I was under, and that my mother and uncle were under. This stress we did not fully understand at the time.

This greater understanding that we now have of our own health very much includes brain diseases like Alzheimer's. These diseases were traditionally stigmatized and hidden from view. With this motion, we have the chance to rid ourselves of our fear of discussing aging and the way that it affects our minds and bodies. The motion also gives us the opportunity to confront the difficulties that come with caring for people who are losing control over their minds, their memories, their freedom, and their relationships.

I think this motion calls for some important things. It calls for the recognition of the patient's right to dignity, the emotional and psychological toll that Alzheimer's takes on family members, and the increasing cost pressure on the health systems providing treatment and care. It also draws attention to the roles of societal organizations that are tackling Alzheimer's head-on. Alzheimer's is a serious and devastating disease that puts an incredible strain on families, relationships, and a patient's sense of self.

The statistics are staggering and there is a gender lens we need to consider. One in six women and one in ten men who reach the age of 55 can expect to develop Alzheimer's in their lifetime. This was a staggering number for me when I read that statistic.

These numbers mean that we need swift and comprehensive action to address Alzheimer's in Canada, especially with our aging population, which some call the "grey tsunami". We need to have a pan-Canadian framework that brings together all levels of government: federal, provincial, territorial, and first nations. Bring all levels together with a common goal of improving the responsiveness of our system with respect to diagnosis, provision of services, long-term care strategies, and the sharing of best practices.

Federal leadership is needed. The government is obligated under the Canada Health Act to ensure the universality of care, national standards, and best practices across the country for all areas of health care. We need to address not only Alzheimer's, but all the brain diseases that affect so many people in every corner of Canada.

While I support this motion's focus on Alzheimer's, we need to expand the scope to include other brain-related diseases. Alzheimer's is just one of a number of brain diseases. There are others, like ALS and Parkinson's. All of these diseases have similar effects on the lives of patients and their families: increased emotional and psychological burdens, increased financial burdens, the loss of mobility, and the loss of freedom.

### • (1800)

Because of these similarities, I think that brain diseases can be addressed as a group, with allowances made for the differences among them. I am sure that differences exist, but we have a common goal to better the lives of Canadians.

While this is a private member's motion brought forward by the member for Edmonton—Leduc to address a problem that he recognizes in his community, that we recognize in our communities, I think that this motion showcases the Conservatives' piecemeal

approach to health. We need action. We need a national strategy to deal with the issue of Alzheimer's and other brain diseases.

Alzheimer's cannot be discussed in a vacuum. Adequately addressing the inherent issues necessitates a larger discussion of our system as a tool for caring for our friends, families, and neighbours. As long as economic and social injustices are permitted to exist in Canada, the health of Canadians will continue to suffer and families will continue to tread on difficult financial and emotional ground.

Providing dignity for patients, as this motion calls for, will not happen as long as the government continues to work against true universality of care across the country. Dignity will not come if they abdicate their role under the Canada Health Act.

We will see true dignity established only when we have pan-Canadian standards for care, including long-term care, home care, community care, and palliative care. A suite a care options that individuals and families can take advantage of will recognize issues of dignity, differences in circumstance, and various familial capabilities.

By creating stability and fluidity of care and service, a comprehensive strategy would address the emotional and psychological toll that brain diseases take on family members .

A care strategy would also reduce cost pressure on the system. More long-term care beds would mean fewer people taking up acute care beds: many of them could be in long-term care at a quarter of the cost. A national strategy for addressing brain diseases would lead to cost savings and would better the lives of Canadians.

Alzheimer's affects families generally, but it is important to mention that Alzheimer's exacts a particularly large toll on women. Women are statistically more likely to develop Alzheimer's, and women are more often tasked with taking care of relatives who need living assistance because of Alzheimer's and other health conditions. If we took gender equality seriously in this House, we would already have a strong caregiving strategy and a strong Alzheimer's strategy.

This motion is well-intentioned and I support it. It is respectful of the issues facing families affected by Alzheimer's. Nevertheless, I would like to see action by the government to address the daily needs of those living with Alzheimer's and those caring for loved ones with Alzheimer's and other brain diseases.

We need to bring together the different levels of government. While I continue to hope for real government action on brain diseases, I will be happy to vote in favour of this motion on Alzheimer's, and I look forward to its being brought forward in the House for a vote.

### [Translation]

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Madam Speaker, following the publication of the World Alzheimer Report by Alzheimer's Disease International on September 21, the member for Edmonton—Leduc moved the current motion. This report paints a startling picture of how much Alzheimer's disease costs health care systems.

I would first like to mention some statistics. According to this report, there are 35.6 million people in world with Alzheimer's and other dementia and 120,000 in Quebec alone. The number of people affected worldwide will balloon to 65.7 million in 2030 and 115.4 million in 2050. In terms of financial impact, the global cost of dementia will exceed 1% of the world's GDP, or \$604 billion U.S., in 2010.

The motion being discussed today deals with the growing costs faced by public health systems in order to treat these issues. It is clear that the aging population and Alzheimer's have significant economic impact. But above and beyond the costs, I feel that the little known, often underestimated human and social impacts are even more important.

Isolation, exclusion and loss of independence are the factors that must guide and inspire government policies. It is also a question of the right to dignity and compassion as well as the emotional and psychological burdens that these issues cause for family and loved ones.

These people need all the compassion and support the government can give them through its policies and programs. The loss of memory and autonomy, changes in behaviour and communication methods: thousands of lives are turned upside down by Alzheimer's and other forms of dementia. The difficulties associated with these kinds of illnesses are tremendous, not only for the people who have the disease, but also for their family caregivers, friends and loved ones who provide continuous care.

According to the Canadian Medical Association, 80% of all home care provided to seniors is provided by unpaid family caregivers. It has also been proven that the more incapacitated the patient is, the higher the risk of stress for the caregiver. That is why the Bloc Québécois believes that tax credits for family caregivers must be improved and the eligibility criteria must be relaxed.

Considering our aging population and the tremendous pressure this will put on families and on the health care system, we need to adequately recognize the support being provided by these brave, determined men and women who dedicate so much time and energy to caring for their loved ones who are ill.

Improving the guaranteed income supplement would be another good way to recognize that the poorest seniors stricken with this condition have a right to dignity.

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The mere mention of Alzheimer's disease is frightening, and I am sure my colleagues will agree that, sooner or later, we will all have to deal with it directly or indirectly.

According to a report by a committee of experts responsible for developing Quebec's Alzheimer's plan, one in five baby boomers will develop this disease. Committee chair Dr. Howard Bergman identified seven priority actions to guide the Government of Quebec in developing its national Alzheimer's plan.

Before going into more detail, I would like to reassure my colleagues who heard me say "a national plan". When the Bloc Québécois talks about a national plan, we are talking about the Quebec nation, which, through its National Assembly, has the power and responsibility to develop care and care delivery plans for Ouebeckers.

Dr. Bergman identified seven priority actions to mobilize all Alzheimer's-related sectors. The purpose of these seven actions is to promote synergy to better meet the needs of and support loved ones, families and, of course, those with the disease. Without going into too much detail, I would like to list some of these actions.

One of the first actions is to raise awareness and mobilize. Public organizations, such as the Federation of Quebec Alzheimer Societies, often undertake this role. I would like to take this opportunity to congratulate all of the people, volunteers and employees alike, who work to make things easier for those with the disease and their families. These people deserve our deepest admiration.

Another action identified by Dr. Bergman is to provide access to personalized, coordinated assessment and treatment services for people with Alzheimer's and their family or informal caregivers. If the federal government wants to address the rising costs to health care systems of treating these diseases, as indicated in the motion, the best way to enable Quebec and the provinces to handle these rising costs is obviously to correct the fiscal imbalance.

That would provide Quebec and the provinces with stable funding, thereby enabling them to improve services to the public and ensure that their citizens receive adequate health care.

#### • (1805

At this point, I would like to thank the hon. member for Edmonton—Leduc. When I asked him if he believed that this motion placed government actions within the context of the Canadian Parliament's legislative jurisdiction, he invited me to move an amendment to his motion to clarify that aspect. I thank him for that.

### I therefore move:

That the motion be amended by adding after the words "the government" the following: ", with regard to matters under the Parliament of Canada's legislative jurisdiction,".

#### ● (1810)

The Acting Speaker (Ms. Denise Savoie): It is my duty to inform hon, members that pursuant to Standing Order 93(3) no amendment may be proposed to a private member's motion or to the motion for second reading of a private member's bill unless the sponsor of the item indicates his or her consent.

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[English]

Therefore, I ask the hon. member for Edmonton—Leduc whether he consents to the amendment being moved.

[Translation]

Mr. James Rajotte (Edmonton—Leduc, CPC): Madam Speaker, I absolutely agree.

[English]

The Acting Speaker (Ms. Denise Savoie): The amendment is therefore in order.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, I am pleased to speak to the motion put forward by the member for Edmonton—Leduc. Motion No. 574 states:

That, in the opinion of the House, the government should continue to address the rising financial and human costs of Alzheimer's disease and other forms of dementia in Canada by ensuring, now and in the future, that its programs and policy development related to this issue continue to recognize: (a) the right to dignity and compassion of patients stricken by such conditions; (b) the emotional and psychological toll on family members and friends of patients afflicted by such conditions; (c) the increasing costs imposed on public health systems by the treatment of such conditions; and (d) the role played by such civil organizations as the Alzheimer Society of Canada and Neurological Health Charities Canada in furthering our understanding of the impacts of Alzheimer's disease and other forms of dementia.

It is important for members of the House to debate motions such as this one given that this is an important disease and one that is increasing in severity as the population ages. Members have suggested a number of interesting solutions in terms of dealing with the rising cost of medications, help for the families of people with Alzheimer's, and the whole issue of whether tax credits could be improved.

I have constituents in my riding who have Alzheimer's disease. In one specific case the husband has the disease. The wife always tells me how important it is for Manitoba home care to provide her with service once a week. It allows her to go out to do the shopping and the other things she has to do. She is tied to her husband the rest of the week because she never knows whether he will wander away when she is not around. This situation has put her under a lot of stress.

On January 4 of this year the Alzheimer Society of Ontario produced a report, to which other members have made reference in various debates in the House. The suggestion is that the rising tide of dementia is projected to cost Canadians \$872 billion over the next 30 years. Clearly this is a problem that is ballooning and is something that we have to deal with as best we can.

The report released by the Alzheimer Society to mark Alzheimer's Awareness Month revealed alarming new statistics about the projected economic and social costs of dementia in Canada. The report, "Rising Tide: The Impact of Dementia on Canadian Society" says that if nothing changes, the prevalence of dementia will more than double in 30 years with the cost increasing tenfold. It goes on to say that today in Canada every five minutes someone develops dementia. In 30 years it will be one new case every two minutes.

The principal spokesman said:

If nothing changes, this sharp increase in the number of people living with dementia will mean that by 2038, the total costs associated with dementia will reach

\$153 billion a year. This amounts to a massive cumulative total of \$872 billion over this 30-year period.

#### (1815)

Recognizing the urgent need to start turning the tide of dementia, the new report also outlines a series of potential interventions that could help minimize the impact of the disease. For example, one of the four proposed interventions looks at the benefits of delaying the onset of dementia in people by just two years, with a potential cost savings of \$219 billion over the 30-year period.

Hope lies in making changes today that will lessen dementia's crippling effect on Canadian families, the health care system and the economy. More than ever research is a critical contributor to this change.

I want to say that the member for Etobicoke North has made several speeches on this health issue and others. Her speech is well worth reading. I heard her tonight actually quote herself which is not something we normally recommend but in her case I accept it. She made such a good speech initially that it bears repeating. Every point in it is very important to the debate that we are involved in here.

The spokesman for the Alzheimer Society also said:

With an increased investment in research, we will learn more about prevention, possibly even discover a treatment to delay the onset of the disease and reduce its impact substantially.

Other findings from "Rising Tide" include pressure on the health care system. In 2008 more than 103,700 people developed dementia and by 2038, 257,000 new cases per year are expected. That will mean extreme pressure on families. The hours of care delivered by unpaid family members are expected to more than triple, increasing from 231 million hours in 2008 to 756 million hours by 2038.

I mentioned my friend in Winnipeg. There are dozens of people in this situation who are tied to their homes and their loved ones and are unable to get away. That is why we have to look at home care programs. Manitoba has one of the first home care programs in the country and it is an excellent program. I do not know what the situation is with respect to home care across the country.

I want to mention the whole issue of changing the way doctors are compensated. In the 1970s the Manitoba health minister in the Schreyer government looked at Minneapolis, Minnesota which had a different system of paying doctors. It was known as the "capitation system", where there were a number of doctors in a given area and all of the patients from that area had to go to those doctors. People lost their choice in doctors but certain doctors would take care of an area.

As an improvement over that, in Europe doctors are paid on a similar basis to that type of capitation system. They are paid for the outcomes. Smoking is the easiest example to understand. If the doctor is able to get a patient to quit smoking, then he or she is paid on that basis.

On this basis the doctor would look at the symptoms for Alzheimer's for example and realize that if someone is around 65 years of age and the doctor can develop an exercise program to get that person to lead a better lifestyle, then the doctor's compensation would be based on that as opposed to the system that we currently have which I think we can all agree needs some improvement. Even doctors themselves would probably agree that it is time to take a look at a better system.

The member indicates that it is a provincial matter. Not exactly. The federal government has a large role to play in the area of health care. It is incumbent upon the federal government to get the provinces together and start discussing this whole issue about how we can better change the compensation system for the doctors so that they have a system where they can anticipate what may be wrong with the patient and develop a lifestyle change.

For example, if a person has diabetes, we know that diet is a big part of the rehabilitation program, but how many doctors actually put people on a proper diet and then follow up on it? From the patients I know who have diabetes, the doctor simply prescribes a bunch of medication and lets the person continue eating cheeseburgers and hamburgers which the person should not be eating. There is not that interest nor the incentive for the doctor to take care of the entire situation.

#### • (1820)

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Madam Speaker, I am grateful for the opportunity to speak today on this motion and, in particular, to talk about some of the good work being done by the government to address this health issue.

With the aging of the population, more people will develop Alzheimer's disease or related dementia. The number of Canadians afflicted is expected to rise substantially over the next 30 years, with the aging of the baby boomer population and the health needs that go along with it.

I am firmly of the view that it is through investments and research that we can unlock the potential to lessen the burden of Alzheimer's and dementia, not just on individuals and families, but also on the health system.

Let me offer one example. It has been estimated that delaying the onset of Alzheimer's and dementia by only two years would reduce its cumulative costs over the next 30 years by an estimated \$219 billion. Delaying onset by two years would reduce the number of cases in Canada by 410,000.

That is the promise. However, we will see that promise realized only through research breakthroughs. That is why I am proud to say that through the Canadian Institutes of Health Research, the government has invested over \$88 million in research into the causes, treatments and potential cures for Alzheimer's disease and related dementia since 2006, including \$22.7 million in 2009 and 2010 alone.

Through these investments, Canadian researchers in this field are recognized around the world for their excellence. Federal research funding facilitates their efforts in discovering ways to prevent, diagnose and treat this devastating illness.

Our investments include CIHR's commitment of \$2.5 million over five years for the Canadian Dementia Knowledge Translation Network, which will share information about dementia with a wide range of players in our health care system. What is more, CIHR is investing \$30 million in the Canadian Longitudinal Study on Aging, investigating neuropsychological, social and economic issues of Canadians aged 45 to 85 over the next 20 years.

### Private Members' Business

CIHR, like many funding organizations worldwide, has recognized there is a global imperative to act on the rising tide of Alzheimer's disease and related dementia. That is why it has recently established the international collaborative research strategy for Alzheimer's disease. The international strategy will encourage scientific collaborations between researchers in Canada and other researchers around the world.

The objective is to establish joint funding partnerships, which will address the growing national and international issue. This international strategy recognizes that presently treatment that follows a diagnosis of Alzheimer's or dementia occurs too late in the course of the underlying disease after permanent damage to brain cells has already occurred.

Therefore, the international strategy's research agenda will focus on the early events in Alzheimer's and dementia. In doing so, experts will examine research problems that are biomedical and clinical as related to health services. Social, cultural and environmental influences on population health will also be examined. The goal is to identify the disease early so that measures can be put in place to delay its onset.

CIHR is working closely with the Alzheimer's Society of Canada in putting together this international strategy. Our government has already signed several international agreements and funding initiatives with France, the U.K. and Germany, which will work with us to combat this global health problem.

Additional partnerships are being developed with China, Belgium and the U.S. All of this work and leadership on behalf of our government will be a huge asset to the provinces and territories in the delivery of their health care system.

The motion asks for the recognition of the important role played by civil society organizations, such as the Alzheimer's Society of Canada, in advancing our understanding of Alzheimer's and dementia. In addition to the partnerships mentioned above, I am pleased to note that CIHR is working closely with the Alzheimer's Society of Canada through its Institute of Aging.

A program called the cognitive impairment in aging partnership has invested \$32 million to date in linking researchers and key stakeholders to advance strategic research and knowledge translation on cognitive impairment and dementia.

#### • (1825)

With investments in world-class research excellence, Canada has built a number of distinct global advantages: an excellent track record in Alzheimer's and dementia research; a reputation for high impact research; and CIHR's strong reputation for partnership and innovation in health research.

Canada is fortunate to be an ideal site for clinical trials and large population-based studies such as the Canadian longitudinal study on aging. Our expertise and resources will enable us to be poised to develop a better understanding of the risk factors around Alzheimer's and dementia, particularly regarding genetics, nutrition and lifestyle.

### Adjournment Proceedings

I expect the future will bring promising developments in early diagnosis with new findings in genomics, diagnostic biomarkers, brain imaging and psychological and cognitive testing. I am hopeful that these findings will lead to new approaches in early intervention with therapeutic clinical trials with a focus on prevention.

We will learn how the control of blood pressure and cholesterol, exercise, nutrition, mental stimulation and aspects of our social environment can impact on this disease. Our goal is to prevent and mitigate the toll of Alzheimer's and dementia on individuals and society by leveraging our track record in research and galvanizing the Canadian research community by building partnerships with users of research knowledge and mobilizing coordinated and innovative international research efforts.

I am confident that we will make substantial progress to this goal. I would like to thank the member for Edmonton—Leduc for his hard work in bringing this forward today.

[Translation]

The Acting Speaker (Ms. Denise Savoie): The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

### ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

**●** (1830)

[English]

### CITIZENSHIP AND IMMIGRATION

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Madam Speaker, I want to raise the question of the unfairness surrounding the whole notion of getting a visitor visa.

I know the tourism minister recently went to China to say how wonderful it was that we finally received the designation so more tourists could come from China to Toronto. That would definitely help our tourism industry. It is good for our economy and for our culture.

What we have not examined is the fact that 20% of those people who apply for visitor visas get turned down. When members of Parliament ask the visa office why they have been turned down, they are often given a standard form letter along the lines that their economic ties to the home country are not sufficient. What does that mean?

A few months ago, through Standing Order 43, I asked the Minister of Citizenship, Immigration and Multiculturalism what precise criteria was needed at each of the visa offices around the globe to qualify visitors and allow them to get tourist visa approval.

I received a very interesting response, and that was there really were no specific criteria. There are no specific guidelines as to how much money people need to be making, what kind of job they need, what kind of property they need to have in their home land, how many family members need to be there. None of that is written down. There are no set rules.

How does one define economic ties? My constituents feel this is very strange. They have told me they have friends whose parents are making x dollars and that they are making the same amount or even more. They ask me why one set of parents can come to Canada to visit but theirs cannot?

How would I ever answer that question? We do not know the criteria. We do not know what the dollar amount is that people need in their bank account or what their salary needs to be to qualify as rich enough to come to Canada as a visitor.

I created a Facebook group called "Fairness for Visitor Visa". I captured quite a large number of stories of people who were unable to bring their relatives or friends to Canada.

Allow me to read one or two of the stories. One of them is from Havva Seydaii. She says:

"My mother-in-law was denied a visitor's visa for the second time to come attend her son's (my husband) graduation from Ryerson University even though we provided all documents to prove she would not stay permanently in Canada. We even had a letter signed by a notary public. The really strange thing is that she visited Canada before in 1999 and returned to her home country, Turkey within 2 months, clearly indicating that she has no desire to stay here. My husband and I are both Canadian citizens and could sponsor her if we wanted to but she does not want to live in Canada and just needs a visitor's visa. It is obvious that the visa approval process is flawed and unfair. It causes people—

**The Acting Speaker (Ms. Denise Savoie):** Order, please. I regret to interrupt the hon. member, but her time is up. I would ask the hon. parliamentary secretary to respond.

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Madam Speaker, I do appreciate and thank the hon. member for Trinity—Spadina for her question.

Admissibility decisions on applications to enter or remain in Canada can have a significant impact on the ministry's ability to ensure that immigration benefits Canada's economic, social and cultural development, while continuing to protect the health, safety and security of Canadians.

Our visa officers are our first line of defence in protecting Canada's interests, and frankly, they deserve better than the criticism that my hon. colleague has directed towards them.

My colleague has suggested that the visa officers work with "no clear criteria, guidelines or standards for entry" and that their decisions are arbitrary. This is simply not true. The grounds for inadmissibility of foreign nationals seeking to come to Canada are clearly outlined in sections 34 to 42 of the Immigration and Refugee Protection Act, which I would be happy to provide to the hon.

These sections outline grounds that include national security, including raising money for terrorist organizations, war crimes or organized crime. It is true that these inadmissibility provisions in the IRPA are currently being reviewed. In fact, Citizenship and Immigration Canada reviews its policies periodically in order to ensure that they provide officials with the tools necessary to maintain the integrity of Canada's immigration system.

The objectives of this admissibility review are to assess whether the provisions in IRPA continue to meet Canadian needs, identify any gaps, recommend necessary updates to policy and operational guidelines, or in fact, recommend amendments to legislation or any associated regulations that are dependent upon that legislation. An admissibility working group has been established involving CIC, Canada Border Services Agency and the Canadian Security Intelligence Service, that is examining ways to streamline security screenings.

In the short term, our ministry has distributed a message to field officers that the refusal letter is reviewed by the immigration program manager for any cases being considered for a refusal under sections 34 or 35.

I would conclude by adding that Canada has the highest regard for India, and each year we welcome more than 130,000 Indians either on a temporary or on a permanent basis.

#### (1835)

**Ms. Olivia Chow:** Madam Speaker, my constituents believe their basic rights of uniting with loved ones have been violated.

Another of my constituents, Marco Moya, said that she just had a baby and she wants her mother to come and meet her newborn granddaughter. Surely we cannot say that these elderly ladies, mothers and grandmothers, are terrorists and will hurt our country. That is absurd. So what is the possible reason for denying them? Is it because of her income, or is it because of the duration of her stay? No, in this case they said it was because the officer was not satisfied that her ties in Venezuela are strong enough.

It is not her fault that my constituent, Marco Moya, is the only child and there are no other children back home, but the mother is the primary caregiver of the grandmother. So there is absolutely no reason for this wonderful mother to be denied entry into Canada.

The Acting Speaker (Ms. Denise Savoie): The hon. parliamentary secretary.

Mr. Rick Dykstra: Madam Speaker, I want to reiterate that these decisions are not made on an arbitrary basis. Decisions on applications can actually affect Canada's ability to ensure that they benefit our economic, social and cultural development while protecting the health, safety and security of Canadians.

Visa officers are our first line of defence in protecting Canada's interests. It is not true as suggested that they work with "no clear criteria, guidelines or standards for entry" or that decisions are arbitrary.

Let me answer the question that the hon. member for Trinity—Spadina just asked again. What is it? The grounds for inadmissibility for foreign nationals are outlined in sections 34 to 42 of the Immigration and Refugee Protection Act. These grounds include

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national security, raising money for terrorist organizations, war crimes or organized crime, just to name a few of what is included in terms of these grounds for admissibility and non-admissibility.

CIC reviews its policies periodically. This is to assess whether provisions in IRPA continue to meet Canadian needs, identify gaps, and recommend necessary updates to policy and operational guidelines or amendments—

The Acting Speaker (Ms. Denise Savoie): The hon. member for St. John's South—Mount Pearl.

#### G8 AND G20 SUMMITS

**Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.):** Madam Speaker, on September 27, I asked why this government had not released about 85% of the spending details on the G8 and G20 summits.

To date, the Conservatives have disclosed only about \$200 million of the costs associated with the summits. Now, about one month later, nothing really has changed. Despite the public safety minister's assurances that the government is prepared to release the cost of the summit, we have not received any new information.

In fact, after several meetings on the G8 and G20 summits at the public safety and government operations committees, we have learned that the government really does not know the final costs.

We have been told by the Conservatives that they will wait for the receipts to come in before telling taxpayers the total cost. Are they telling us that they have no real budget assumptions, no tracking of the costs, the overruns, or the matching of those expenses? I find this hard to believe.

Ward Elcock, the Privacy Council Coordinator of the G8 and G20 summits, told the members of the government operations committee, of which I am one, that "until you actually have a plan, you don't know precisely what the cost will be".

The G8 and G20 summits are over with. I am sure they had a good plan in place. What we need to know is whether or not they actually knew the expenditures, the budget, and the associated costs. Surely they must have had some idea of what they were budgeting, how they were budgeting, and on what they were spending the money, on a go-forward basis.

We know that the Prime Minister's own department, the Privy Council Office, had the final oversight. They are the ones taking all the budgets and doing the integrated review. They have the sign-off on all the expenses and decision-making.

They signed off on \$4.1 million to rent a quarry near Huntsville. They signed off on \$27.5 million to rent, convert, and dismantle a building in Barrie. And they signed off on \$334,000 for sunscreen, hand sanitizer, and bug spray.

I am sure that those expenses have been allocated, noted, and that someone is doing some cost comparison on them. I am sure the Prime Minister is not just handing out blank cheques on these costs.

### Adjournment Proceedings

This morning in the government operations committee we heard from the Chief Superintendent Alphonse MacNeil, the commander of the Integrated Security Unit in Barrie, Ontario. Superintendent MacNeil was quite clear. He said that if an event is done in one place instead of two, the costs will be lower.

That makes good common sense to me. The question becomes, why did the Conservatives decide to host it in two different locations? I think we are going to get some information on that over time, but the Conservatives made some political decisions to host this in two locations.

The other interesting point we should note is how late they were in telling the security people involved in this, the RCMP and the Integrated Security Unit, when the G20 would be held in Toronto. They did not know until just a few months before. In December 2009, they were told the G20 was going to be held in Toronto. They had to scramble. In scrambling, they probably spent money hand over fist to become prepared for a G20 summit that was going to be held in June.

First, why did we not know that we were going to be hosting the G20 summit? Why did Canada not plan to host the G20? Why did Canada not put forward a good process to ensure that the integrated security had time enough to plan properly?

Second, the costs associated with the G20 and G8 summits must be known by someone within government. They must have some details. We have some, about \$200-million worth. Now we need to know the rest.

### **●** (1840)

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Madam Speaker, I was at part of the same committee meeting that she was at this morning. The irony is that I heard some definite numbers from the Chief Superintendent of the RCMP, including on the issue she spoke about of \$2 million for a quarry. It was \$141,000, which is a long way from what she said.

If my friend will recall, a few months ago, the supplementary estimates that were presented to the House did in fact give a global number for the security costs and the cost of the summits.

I think my colleagues on the other side have become so wrapped up and have been so outlandish in some of their comments with respect to the costs that they have lost sight of what the real costs were. We have been hearing those numbers.

The minister has been open and transparent about the costs. We heard again today, as we heard a day ago from the Chief Superintendent of the RCMP, that the RCMP anticipate that its costs will come in a little less or maybe a lot less than what it initially thought the costs for the RCMP would be.

However, with all due respect, there were 21,000 security personnel involved in the two summits, which was a showcase for Canada. Canadians had an opportunity to show Canada to the rest of the world. Great things happened there.

I believe that if my friend were patient, she would understand that some of those security partners are going through a process where they are submitting their invoices for payment. She would not want the Government of Canada to pay, nor would she want to be in the House to think that we were paying for things that had not been submitted in invoices or audited as to actual costs.

There was very tight control over the whole cost structure of the summits. Not only did she hear today from the RCMP Chief Superintendent, she heard from CSIS and the OPP, one of our security partners.

If my friends would just wait a little bit longer they will get all of the accurate costs because the bills will be in and audited and are due by December 1. I think she will be very pleased and happy about what Canada was able to accomplish.

#### (1845)

**Ms. Siobhan Coady:** Madam Speaker, yes, I was at committee this morning and my colleague did attend part of that meeting. However, if he had stayed to listen a little further, my colleague from the Liberal Party pointed out that we had received the information on the \$4.1 million on the quarry from the order paper responses that we received out of a request from another colleague from the Liberal Party who was asking questions about the expenditures. It is clear in the order paper responses that it cost \$4.1 million for a quarry. However, let us not quibble about \$4.1 million when we are talking about over \$1 billion.

When the member asked me to be patient and asked me to wait until December, maybe January or February to find out those expenses, that is all fine, well and good, but the people of Canada are waiting for an explanation on how over \$1 billion of their taxpayer dollars could be spent over 72 hours.

In allocating that amount of money, how in the name of goodness was the government not able to budget for it?

**Mr. Dave MacKenzie:** Madam Speaker, with all due respect, I think the number is actually less than \$1 billion. I know that members opposite keep using some figure of over \$1 billion. I believe it is less but I also believe that it will be considerably less when it is all finished.

The real issue is the scope and magnitude of the security operation associated with hosting these two major international summits is unprecedented. This government ensured that the security experts had the resources available to them to develop and implement the security plan that was required to protect the visiting heads of state, Canadians and international guests that attended the summit.

We owe a debt of gratitude to those security people for the wonderful job that they accomplished.

#### [Translation]

The Acting Speaker (Ms. Denise Savoie): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:49 p.m.)

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