

*Statement by Ministers*

the difficulties, it has taken the required action to address this problem which has cast its shadow on Canada for far too long.

To ensure that any war criminals who might be found in Canada were brought to justice, the precise scope of the problem had to be measured and an appropriate approach to its resolution developed. On February 7, 1985, the Commission of Inquiry on War Criminals, with the Hon. Mr. Justice Jules Deschênes as commissioner, was established with a mandate to address these questions. The report on the commission of inquiry was transmitted to the Government on December 30, 1986. It was my privilege to have tabled that portion of the report recommended for publication by the commission. That part of the report discusses generally the scope and nature of the problem of war criminals in Canada and sets out the findings and recommendations of the commission. It also contains general outlines of the commission's treatment of 822 individual cases.

• (1110)

There is an additional part of the report in which the commission discusses 29 cases. The commission originally felt that the seriousness of the allegations and the possible availability of evidence merited special attention. The commission recommended that this part of its report entitled "Part II, Confidential", not be released. We agree with this recommendation.

Before turning to the findings and recommendations of the commission, there is one preliminary matter which is important to note. When the commission's report was submitted to the Government, it was apparent that the level of detail set out in the portion of the proposed public report which deals with individual cases might allow the identification of many of the individuals concerned. Because the commission found the allegations against most of the individuals to be unfounded and in other cases recommended further investigation, the Government decided that changes were necessary to protect the privacy and reputations of all the individuals concerned. This concern was discussed with Mr. Justice Deschênes. Following this consultation, many specific place names, dates and some details in this portion of the report were made more general in order to protect against the identification of individuals. Mr. Justice Deschênes has expressed his agreement that the changes made in no way affect the substance or the integrity of the report. He has also provided an explanatory note to this effect which has been included in the report.

I would like to take a moment to discuss the findings of the report. I am pleased to say that the report represents a substantial clearing of the air with respect to war criminals. We are no longer confronted with an undefined problem with no solution in sight. Rather, it is now apparent that the problem of war criminals is not as extensive as had been feared. Nevertheless, it is apparent that action is required and that a resolution of this problem can be found within our system of justice.

The work of the commission of inquiry has cleared away much of the mystery and speculation which has characterized previous discussions of war criminals in Canada. It has provided a basis upon which the Government can act to carry out necessary investigations and resolve specific legal issues. While the commission's work has identified a number of instances in which individuals suspected of war crimes are or have been in Canada, it appears that the scope of this problem has been considerably exaggerated by some. There are and have been far fewer suspected war criminals in Canada than suggested. Many persons against whom suspicions were voiced are no longer living. There is no evidence that Dr. Josef Mengele ever entered or applied to enter Canada. The charges of war crimes against the so-called Galicia Division said to have committed atrocities were found not to be substantiated, and allegations against many, many individuals have been found groundless or otherwise dismissed.

While pointing out that the history of Canada's approach to the question could have been more active and aggressive, the report indicates that Canadian actions with respect to the pursuit of war criminals in the period following World War II were not substantially different from those of other western countries. There is little doubt that the practices over the past 40 years could have been even more effective in preventing the entry of suspected war criminals into Canada and their attaining of citizenship here. However, it is also clear from the report that there was no action or policy on the part of the Government of Canada or of Canadian officials to aid or assist known or suspected war criminals in entering Canada nor to conceal or protect their presence in any way.

Of approximately 880 individuals investigated by the commission, the large majority of cases have been found to be unsubstantiated. The commission recommends that over 600 cases be closed immediately. The commission did find that 21 persons suspected of possible complicity in war crimes were in Canada but left for another country and 86 such persons died in Canada. Three hundred and forty-one individuals on the suspect list never came to Canada. In 154 cases, the commission could find no prima facie evidence of war crimes.

The number of individuals in Canada against whom there remain outstanding allegations of possible involvement in war crimes has, as a consequence of the commission's efforts, declined very substantially from the previously suggested thousands to far smaller numbers.

*[Translation]*

However, in the time available to him, Mr. Justice Deschênes was not able to complete his investigations in every case. Consequently, some cases remain open. Of these cases, almost all require further investigation before any decision concerning possible action can be taken. Some of the cases involve possible fraud or non-disclosure of an individual's background at the time of entry into Canada or when applying for citizenship. In turn, some of these reveal no evidence of personal participation in criminal acts directly harmful to others.