

Government Organization Act, 1970

I have promised to be brief and I should just like to mention one other aspect. Problems are being created in relation to certain international labour standards. Treaties that have been entered into by federal representatives with regard to labour conditions have been notorious for the fact that some of their terms have never been implemented because they relate to matters that fall within the accepted and acknowledged jurisdiction of the provinces. The same thing can be said about the United Nations declaration of human rights; some of these rights cannot be implemented because at the present time they come within provincial jurisdictions.

I am convinced that some time within the next 10 or 12 years negotiations will be had on an international basis on various matters. The nations of Europe are talking about this among themselves today, and I think eventually nations from behind the iron curtain will also be involved. Treaties are going to be signed relating to pollution control and the setting of standards for the environment. The United States will be taking similar action. There will have to be international agreements on setting standards.

This question, as I say, has not yet been settled constitutionally. I could make a lengthy constitutional argument here as though I were addressing the Supreme Court. I could argue that there is a good case to be made for jurisdiction resting with the federal authority, but of course I will not do that. If there are going to be international treaties executed ultimately, what power and authority will the federal government have to implement them? I suggest this will be extremely limited except under the aegis of criminal law. If this amendment is passed, it will provide some assistance to the federal negotiators.

• (2:50 p.m.)

I asked this question of the Prime Minister the other day in good faith, as we ask most of the questions we direct to the Prime Minister because we have not learned yet that it does not pay to ask questions in good faith. I asked what discussions had taken place at the federal-provincial conference in respect of pollution. When I asked the question, someone told me the minister was attending the conference to discuss this matter.

We have tried to put the amendment in terms that will strengthen the position of federal negotiators during discussions on this matter. I think there is no doubt that ultimately this jurisdiction must rest with this Parliament and this government. This is an opportunity to assert the view of this House that this should be the case. For these reasons, I intend to support the amendment.

Perhaps I will not have to go that far. When the minister returns he might say he has read the submissions of the hon. member who initiated this discussion, including those of the hon. member for Egmont, the hon. member for Skeena and possibly even the hon. member for Peace River, and because he is deeply impressed by those arguments he intends to accept the amendment. In any event, I will not hold my breath while I am waiting, but I urge the government to give consideration to this amendment.

[Mr. Baldwin.]

Mr. Drury: Mr. Chairman, I cannot help but be entertained by the hon. member who has just spoken.

Mr. Baldwin: I am glad to serve some useful function.

Mr. Drury: I should have thought that he, as a lawyer, would have appreciated the addition of this qualifying word would limit the standards and objectives the minister is to promote and to encourage. If the hon. member will read this clause he will see that this is the purpose. It is to promote and encourage standards and objectives in the field of environmental quality control. If we include the word "national" then the minister will be limited to promoting, advocating and attempting to have adopted standards other than international. Let me try a little Latin on the hon. member: *inclusio unius est exclusio alterius*.

Mr. Baldwin: Would the hon. minister add "seasonally adjusted" in Latin at the end of that?

Mr. Drury: The hon. member does not seem to understand the limit being imposed, so I presume he will not understand that the minister will not accept the amendment for the same reason. By adopting this amendment we would keep the minister out of the international field. That is what the hon. gentleman is proposing, that the minister should not be attempting to promote standards in the international field.

In view of the fact there seems to be unanimous agreement, we should perhaps let the balance of Part II stand during the absence of the minister, and proceed to the consideration of Part III.

Mr. Howard (Skeena): Mr. Chairman, there is another question that should be dealt with at the moment. Earlier, I indicated to the committee that the President of the Treasury Board in fact misled the House today when he gave the reason for the absence of the Minister of Fisheries and Forestry. I said then, and I say again, that the President of the Treasury Board knew where the Minister of Fisheries and Forestry was. He knew why he was absent and by relating to the House a reason other than the true one he, in fact, misled the House. Admittedly, that is a serious accusation but I am prepared to substantiate it if necessary. I think the minister should be afforded an opportunity to say truly why the minister is not here.

Mr. Drury: Mr. Chairman, what I did indicate on each occasion was precise. The hon. gentleman has a rather fanciful story about what the Cabinet did or did not do. He assumed that I was present at the Cabinet meeting, although he does not know.

An hon. Member: It wouldn't have made any difference, anyway.

Mr. Drury: I would not dignify this flight of fancy on his part, constructed largely out of whole cloth, by answering it in detail. As I indicated in the House this morning, I was advised that because of difficulties in making travel arrangements the Minister of Fisheries and Forestry was not present. I was advised during the