

Legal Assistance

What are the types of offences we are talking about here? We do not have to go back too far to find instances of Americans being guilty of offences in the United States who came to Canada and when, fortunately, we said that we were not prepared to turn our backs on those Americans, but rather we welcomed them. They were Americans who did not want to participate in fighting an immoral war in Vietnam. They came to Canada in large numbers. In doing so, they were breaking American laws.

Under the provisions of this treaty, and particularly this legislation, the Canadian Government would be involved. The Canadian police forces and the RCMP would be involved in helping authorities in the United States bring those people before American courts. I do not believe we should be involved in that type of thing. I do not believe we should be involved in a situation in which Americans who are seeking to assist refugees fleeing from Central America should be subject to investigation by Canadian authorities working hand in hand with the FBI. I do not believe that Americans who are seeking to peacefully protest American policy in Central America, and who subsequently may come to Canada, should be subject to investigation by Canadian authorities at the instance of the American police.

Last week in a hospital in Walnut Creek, California, I visited a very courageous and dedicated young man named Brian Willson. He is a veteran of the war in Vietnam. He realizes the immorality of that war, and has dedicated his life to doing what he can to ensure that the United States does not participate in other immoral, unjust military actions. Along with a number of other American men and women, Brian Willson peacefully demonstrated outside the Concord naval weapons base, in Concord, California. They gave notice to the naval authorities that they intended to peacefully erect a banner and stand by that banner on the train tracks which were transporting weapons to Central America, which ultimately may very well have been used by the Contras in their murderous attacks on civilians in Nicaragua.

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Brian Willson was run down by a naval train carrying weapons as he peacefully demonstrated. He lost both legs and fractured his skull. In engaging in that act of peaceful civil disobedience he did break American law.

I do not want Canada to be helping the United States authorities prosecute the Brian Willsons of the United States should they come to Canada. I do not want to see Canada assisting the FBI in ferreting out refugees who are fleeing from Central America and who seek sanctuary in Canada. I do not believe that Canadian law should be used in a manner that would subvert all of the finest traditions and principles of Canadian justice. I do not believe that Canadian law should be used to assist in the gathering of evidence in a manner that may indeed involve serious invasions of the privacy of Canadians.

Under this law there will be access to a wide-ranging array of information. A most important point is that this legislation does not just deal with the United States, but would allow the Canadian Government to enter into similar treaties or agreements with any other country in the world. The Government does not even have to come back to Parliament to do so. Once the Cabinet decides it wants to enter into such an agreement, it merely passes an Order in Council, and that is it.

What if this Government of Canada or a future Government decided it wanted to pass a similar agreement with say a brutal military junta similar to the one governing Chile today? Such an agreement could facilitate the very serious abuse of the rights of Chileans who have sought refuge in Canada from that bloody dictatorship. We know already that Canada's CSIS is co-operating in a shameful way with the Chilean intelligence agency, the CNI.

I do not want to be responsible for the passage of a piece of legislation that ultimately could lead to Canada co-operating with military regimes in Chile or elsewhere, co-operating with police forces against citizens who have sought refuge in this country. Fifteen Chilean are possibly subject to the death penalty as a result of certain allegations. Those trials have taken place under a system of military justice which denies all of the basic rights accorded under any sensible and decent system of justice. If one of those people were to show up in Canada, I would hope that Canada would not co-operate in the manner envisaged by this legislation in sending these people back.

This Bill is wrong in principle because of the possible dangers it poses, not just to Canadians but to people from other countries who may seek refuge in Canada and who may have committed acts recognized as offences in those jurisdictions, but by no means offences that we may want to involve ourselves with in Canada.

Obviously when we are talking about co-operation respecting offences involving organized crime, that is another question and Canada should extend its fullest possible co-operation in those areas. But this legislation, Mr. Speaker, is dangerous because it has the potential to go far, far beyond that.

Because of the reasons I have outlined, because of the failure of the Government to stand up for Canadians—and before adopting this legislation we should insist upon the Americans taking their obligations seriously concerning the victims of the CIA brainwashing experiments and the McCarran-Walter Act—and because of serious concerns about the substance of this legislation and the potential of very grave abuse of civil liberties in Canada, we in the New Democratic Party are strongly opposed to this Bill and will be opposing it in principle. The Government should go back to the drawing-board, go back to the Americans and insist on justice.

Mr. Skelly: Are there any questions or comments, Mr. Speaker?