

Committee Reports

We all remember the decision that was taken in 1962, for example, when the Government said that because nothing could be done with respect to alleged Nazi war criminals the RCMP should not pursue these questions. That was wrong. It is tragic that there has been but a single attempt to move in this area, and that was with respect to the extradition of Helmut Rauca in 1982.

The Minister has touched upon the question of the tensions which have been raised between ethnic communities in Canada following the establishment of this commission. My colleague, the Hon. Member for York Centre (Mr. Kaplan), has discussed the same issue. We share these concerns. Indeed, my colleague from Thunder Bay has spoken out eloquently as our official spokesperson in the area of multiculturalism on this question and the essential importance of focusing not on ethnic communities but on individuals. We must make it very clear that we are not singling out any ethnic community. There can be no collective indictments. There can be no collective guilt in this area.

At the same time we must reject one of the arguments made by these bureaucrats to whom Irwin Cotler referred, the argument of retroactivity. I am pleased that the Minister of Justice has dealt with that argument in his response and has rejected it. Murder is murder. The passage of time cannot in any way diminish the significance of these crimes. To suggest otherwise would surely betray not only those who perished in the Holocaust and those Canadians who fought the Nazis, but it would betray those who survived, as well as the families of those who died. Also, it would be a betrayal of our obligations, our international obligations, such as those undertaken in the General Assembly in 1973 where we agreed, and I would like to quote now from the Convention:

War crimes and crimes against humanity, wherever they are committed, shall be subject to investigation and the persons against whom there is evidence that they have committed such crimes shall be subject to tracing, arrest, trial and, if found guilty, to punishment.

That is our obligation, solemnly undertaken at the United Nations. It is an obligation which we must respect. It is an obligation which has been recognized by the adoption of the provisions of the Charter of Rights allowing for the trial, in Canada, of crimes against humanity.

I might say that it is particularly offensive, in the context of the discussion of retroactivity, to hear individuals within the Department of Justice in submissions to the Government suggest, as they did in 1982, that retroactivity applied to persons whose demeanour while in Canada over a lengthy period may have been exemplary might be quite controversial. That was the suggestion made by the person who chaired the interdepartmental committee looking into this question. So it is no wonder that no action was taken with respect to this question.

We know, for example, that one woman, Hermine Ryan, was recently sentenced by a West German court to life in prison for murdering at least 1,100 prisoners in Poland's Maidanek concentration camp during the Second World War.

For a while she lived in Canada. Had she not later moved to the United States, from where she was extradited in 1983, she might never have been prosecuted for these murders and for the kicks that earned her the nickname "The Mare" among prisoners.

We must not allow that to continue in Canada. There must be a forum for those who suggest that the numbers differ from those which were established by Judge Deschênes. There must be a forum for these people who bring forward evidence, a forum within the Department of Justice and the RCMP. All must be brought to justice.

We welcome the announcement of the Government that all relevant evidence will be used because, indeed, survivors are living today not only in Canada but in Europe and in the U.S.S.R. Provided evidence is taken, subject to the safeguards which were established by the Deschênes Commission, obviously, that evidence must be taken wherever it may be.

Very importantly, we welcome the announcement of the Government to amend Canadian legislation, to amend the Criminal Code to allow the bringing to justice, in Canada, with trials in Canada subject to Canadian judicial standards, of individuals who are alleged to have participated in crimes against humanity, those who have participated in war crimes. I might note that this option is one which was explicitly rejected by the previous Government. I regret that very much. It was a former Minister of Justice, Jean Chrétien, who stated:

I don't think we should start prosecution in Canada for crimes committed in European countries 35 years ago. . . . I don't see how it would be possible to do so in Canada for crimes committed in other countries.

I am pleased that the Government has recognized that, indeed, we can move forward under the appropriately amended provisions of the Criminal Code to take action here in Canada to deal with these individuals. Indeed, it is important—in fact essential—that the Government move forward quickly in this area. Members of the New Democratic Party, and I speak on behalf of my caucus, will co-operate fully with the Government in speedy passage of legislation to allow for the trial in Canada of alleged Nazi war criminals.

It has been pointed out that the biological clock is ticking, the biological clock is running out on Nazi war criminals. As Rabbi Marvin Hier of the Simon Wiesenthal Centre pointed out:

—the record of history should not read that those who committed unspeakable crimes against humanity had the final victory by depriving justice of its due course.

• (1210)

We will fully co-operate with legislation that will allow for the trial in Canada of these individuals. It is important that the necessary resources be made available to the RCMP and to the Department of Justice to carry out their task with dispatch. I was most concerned to learn that apparently as yet there have been no additional personnel attached to the Department of Justice and no new personnel hired by the Ministry to respond to the report of the Deschênes Commission. As yet, we know of