

Mr. WERSHOF: Yes, sir.

Senator POULIOT: But as long as it is given under his authority it may be given by anyone else under him?

Mr. WERSHOF: No, sir, the composition of a Canadian delegation to the United Nations is decided by the Government, but in any event it is the Secretary of State for External Affairs who signs the credentials of the delegation.

Senator CROLL: It is a special passport?

Mr. WERSHOF: First, the Secretary of State signs the credentials of the delegation. Then as a consequence our passport office issues diplomatic or special passports for that trip.

Senator POULIOT: I want to know what signature is on it.

Mr. WERSHOF: I will do my best to answer. There are different signatures. There is the Secretary of State for External Affairs. If any difficulty arises, we would go to the office of the Secretary General of the United Nations and he would give us a paper if there were any doubt about it. Then we would get a certificate at that point from the United Nations.

Senator BLOIS: That is what happens. We had experience of this when we were down there. I was there on three occasions. We were told that if there were any questions of traffic violations—not that I broke any law—we were to take whatever form or document the police gave us and turn it over to the United States ambassador to the United Nations. We were told never to argue but to take the document. We were always to take it to the secretary of our delegation and then it went to the United States ambassador to the United Nations. We had no problems.

The CHAIRMAN: I asked a question about customs. Do these immunities extend to customs laws? Just what are the duties of Canadian customs officials in regard to persons travelling on diplomatic passports or what we know in Canada as special passports?

Mr. WERSHOF: I will do my best to explain. It is a very complex affair.

The CHAIRMAN: If it is too complex, do not worry about it.

Senator CROLL: They just do not examine the baggage, that is all.

Senator BLOIS: In the case of a diplomatic passport or special passport they told me they were not necessarily entitled to do it, but often they allow it. On the diplomatic passport, they told us, we were by law granted immunity without going through baggage, but with the special passport it was different. That is what they did in the customs, but I do not know about the legal side of it.

Mr. WERSHOF: What the senator says is perfectly correct. What the customs people in different countries are required to do by international agreement is one thing; what they do in practice is something else again. In practice they may not bother opening baggage of many foreign functionaries who come with an impressive passport. That does not mean they may not open the baggage.

As far as the law goes in Canada, looking at the convention, one of the privileges under Article 4 says: "The same immunities in respect to personal baggage as are accorded to diplomatic envoys"; but even that is not as clear in international law as it might be. What happens to an ambassador might be a good deal more than he could claim in international law.

Senator CROLL: I move the adoption of the report.

On motion of Senator Croll, seconded by Senator Haig, report adopted. The committee adjourned.