

Mr. WHITMAN: Mr. Chairman, our next meeting will be taken up with the international obligations we have assumed as members of the United Nations, is that right?

The CHAIRMAN: Yes.

Mr. WHITMAN: That will be the international obligations of all nations but we will be discussing Canada's responsibility only.

The CHAIRMAN: Yes.

Hon. Mr. GOUIN: We thought it was logical to begin with what I would call the international aspect of the question. Of course as we have been appointed members of this joint committee it seems very clear that it is, first of all, under the Charter of the United Nations where there are several references to human rights and the fundamental freedoms. There is no definition, as you all know, in the charter of those human rights and fundamental freedoms. It seems that it has been taken for granted and that they were so clear or so evident that it was not necessary to define them but, at the same time, in a certain sense they may be rather vague. There are certain human rights I would take for granted like the freedom of worship, the freedom of speech, or free expression, on which we can, I would suggest, all agree at least basically. If we want to go further than that we thought it was essential to try and ascertain if there was any documentation or information which could be obtained from the United Nations. I am inclined to believe that something interesting could be found, and could be supplied to this committee through that source and it would serve, I would suggest, as a general introduction to the subject. Then of course we have to go further on. I would not say that we are limited to stop there after this first question. I would say it was an introduction to the matter.

Hon. Mr. BOUFFARD: There is no doubt, Mr. Chairman, in so far as the constitutional rights of the government of Canada is concerned you have to be aware of this. We have to know very well how far we can go. There is no doubt that very many of the fundamental rights belong to the provinces. It might be a good thing to have the provinces before the committee to see how far they want to go in conjunction with the federal government on these liberties. There would be no practical result in defining fundamental rights and freedoms of the people if we could not do anything to assure the people that they were going to have them. If we had no power except in a very few fields like the freedom of speech and freedom of the press, I am very doubtful if the federal government has anything to do with that except in a very few cases. I do not think we ought, at the present time, to try and go as far as having in mind the drafting of a bill of rights before we know exactly what we can do. I think these first two paragraphs (a) and (b) should be very well studied before we can go anywhere. I do not see any immediate advantage in looking forward to the writing down of any bill or any law in so far as those rights are concerned at the present time.

Hon. Mr. GOUIN: The idea of having the officers from the Department of Justice to appear before this committee was precisely, if I am not mistaken, to go into that constitutional question. It is a very serious question, and a very difficult question, but again we should start from the starting point which is, of course, the obligation of Canada under the Charter of the United Nations, those obligations being of an international or external character. They were assumed by what I would call the dominion authorities, or the government, or the parliament of Canada. It was quite natural to have the committee set up here to study the question of human rights and fundamental freedoms, to see what could be done, either by the dominion parliament alone, or acting through the United Nations, or again, acting in co-operation.