

United Nations Agreement

Mr. CASTLEDEN: Until the government has agreed to any particular line of action.

Mr. CLAXTON: That is this government acting. Once we act, that is our action, not the action of UNRRA.

Mr. CASTLEDEN: That brings me to the point I had in mind. This government acts by order in council.

Mr. CLAXTON: This government in implementing the agreement acts in virtue of the statute.

Mr. CASTLEDEN: That is this bill?

Mr. CLAXTON: Yes. In implementing the agreement the government may act by order in council, but the number of actions that will have to be taken by order in council on anything other than in connection with purchases and the like should be exceedingly few. The kind of action I envisage has to do with the purchase of supplies or the setting up of agencies to purchase supplies to make up our contribution to UNRRA, or to supply UNRRA with what it wants to buy from us. Apart from that I can hardly conceive of anything of a legislative nature having to be done in order to carry out the agreement. It is true that the government might have to grant certain rights similar to diplomatic immunity with respect to the communication of dispatches or for the travel of representatives of UNRRA. Apart from what I have said, I cannot conceive of any legislative action that would be required in Canada to carry out the agreement.

Mr. CASTLEDEN: I would feel much better if the limitations were provided in the bill.

Mr. CLAXTON: We have to look at every piece of legislation with an eye to the purpose for which it was intended, and surely there is nothing alarming about the purpose for which this agreement is intended. If I judge the course of this debate, members in every quarter of the house are anxious to see us carry out what is necessary to be done to implement the agreement, and that is all the power that is sought here. I may tell the committee that the model of this bill was the Treaty of Peace Act of 1919. This is in substantially the same terms. I also point out that UNRRA is dealing with an emergency situation, and it is not expected that it will carry on for a great number of years. It is not expected that its operations will endure for probably more than three years after hostilities cease. That, I think, would be the minimum. That is one reason why those who drafted the agreement thought it desirable to fix the director general permanently in his

[Mr. Claxton.]

office, because otherwise you could not get a man of the character that was wanted, a man of the character of ex-Governor Lehman, who was chosen by the unanimous vote of all the forty-four nations.

Mr. NOSEWORTHY: Is it not true that the only control that parliament can exercise over the administration of the legislation will be through the voting of the money that is required year by year, and that under the circumstances parliament will have very little choice but to vote the money? We certainly could not with any good grace refuse to vote our share of the money required for a purpose of this kind. Is it not also true that the governor in council is given authority up to the point where Canada's participation can be withdrawn through order in council, without the consent of parliament, as set forth in article X of the agreement?

Mr. CLAXTON: I do not think there is any possibility of Canada withdrawing. I am bound to admit that I am not competent to describe the kind of procedure that would be necessary to withdraw—whether it could be done by executive authority alone or would require the approval of parliament, I do not know. But I am fairly certain that no power given under this agreement affects whatever power the government has to withdraw from an agreement of this kind.

I submit again that I do not know of any other way of carrying out the provisions of this agreement. Parliament surely would not want to have brought before it fifteen hundred or two thousand orders dealing with the purchase of a hundred thousand bushels of wheat and various other matters of that sort. That is the kind of action that is to be taken under this power. In addition, there may be some other actions that may have to be taken, but, in so far as we can see, they will be of an administrative nature.

Mr. DIEFENBAKER: I still have not had an answer in regard to the employment of Canadians under this scheme. I do not want to refer to a subsequent section, but the parliamentary assistant for some reason does not seem to want to answer the question as to how many are going to take this course in the United States. If he does not know I will accept his answer.

Mr. CLAXTON: I have told the hon. member I do not know.

Mr. DIEFENBAKER: Will the information be furnished? I see in section 2 of the bill the following provision:

The governor in council may make such appointments . . . as appear to him to be necessary. . . .