

ORAL QUESTION PERIOD

[English]

NATIONAL SECURITY

SECURITY CLEARANCE FOR PUBLIC SERVANTS—WITHDRAWAL OF CLEARANCE IN CASE OF PETER TREU

Mr. Ray Hnatyshyn (Saskatoon-Biggar): Mr. Speaker, in the absence of the Prime Minister and the Minister of Justice, I should like to direct my question to the Solicitor General who has over-all responsibility in the area of security and security clearance.

My question arises out of the release, after many years, of Cabinet Directive No. 35 governing security in the public service, of which the minister will be aware. The directive requires parties to be told that they are suspect and be given a chance to defend themselves. In the case of Dr. Peter Treu, he was not advised of the withdrawal of his security clearance. Why was Dr. Treu not told of the doubts of the government respecting his loyalty and his rights of review under Directive No. 35?

Hon. J.-J. Blais (Solicitor General): Mr. Speaker, as the hon. gentleman has indicated, this is a matter which touches more closely the responsibility of the Minister of Justice.

I would indicate that Cabinet Directive No. 35 which was published by the McDonald inquiry last Friday has been declassified for some time and, as was indicated in the House, is the subject of very intensive review within the government. Undoubtedly the government will be announcing its position relatively soon.

● (1415)

Mr. Hnatyshyn: Mr. Speaker, I know that the directive is in existence; the Solicitor General does not have to tell me that. I ask him, why was Dr. Treu denied the rights that were included in this particular directive? I ask him, specifically, if the matter is now under review, and since he has particular responsibility in this area, whether or not the odious provisions of section 6 of the existing directive, particularly subsection C, classifying as unreliable a person who is bound by close ties of blood or affection to persons living within the borders of foreign nations as may cause him to be subjected to intolerable pressures, will be deleted, because hundreds of thousands of Canadians are of eastern European descent or other ethnic descent and this would apply to them.

This provision has the effect of denying them the right of advancement or employment in the public service. Will that provision be removed, and will the Solicitor General undertake to give the commitment right now that it will be removed from the directive?

Mr. Blais: Mr. Speaker, the first part of the hon. gentleman's question, in effect, repeated his initial question. I indicated to him that I would take notice of the representations in that question.

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With reference to the second part of the hon. gentleman's question, it follows upon a motion under Standing Order 43 which I believe was introduced previously by the hon. member for Prince George-Peace River and gave the impression that, indeed, people of eastern European origin would in some way be deprived of access to superior posts. That is completely inaccurate. There is no question that the provision the hon. gentleman referred to is followed with the utmost discretion. It is not at all meant to be discriminatory in any way. When the question was last raised, there was an indication that that was one of the provisions being reviewed very closely indeed.

Mr. Hnatyshyn: Mr. Speaker, the reason I want this commitment from the minister is that we have had an example of the way in which the government arbitrarily deals with the Official Secrets Act, as in the case of Dr. Treu. That case is an example of a person not receiving his proper rights from this government.

I ask the minister if the government is now revising this directive. Can the minister, as a matter of principle, give a commitment and an undertaking, now, that such directive will follow the principles of natural justice, that employees will have the right to be advised of removal or denial of security clearance and will have a reasonable right to answer charges of unreliability or disloyalty? Apparently in Dr. Treu's instance this was not the case, notwithstanding the directive.

[Translation]

Mr. Blais: Mr. Speaker, of course the government is interested in protecting the interest of all Canadians, especially with regard to their civil rights, and to guarantee that those civil rights are respected through access to the courts, which is a principle we all want to fight for.

With regard to the question about Dr. Treu, the hon. member knows very well that the matter will probably go before our civil courts. I therefore should refrain from making any statement which could, no matter how little, influence the attitude of the courts.

[English]

REQUEST FOR TABLING OF "ROLE, TASKS AND METHODS OF THE RCMP SECURITY SERVICE"

Mr. Erik Nielsen (Yukon): Mr. Speaker, I have a supplementary question for the Solicitor General based on the release of the same document, a document concerning which he knows I made inquiries about in April, 1973, in a series of questions put to the government and answered by the Prime Minister. At that time it was considered against the national interest to release it, but through the courtesy of the McDonald commission we now have it.

My question is based on a letter dated February, 1976, from the head of the security service of this country to Mr. Robin Bourne in which General Dare says:

When I discussed the criteria used to investigate the Parti Québécois and its members with the Prime Minister, he stated that the Security Service of the RCMP does not have a mandate to conduct these inquiries unless they fall