

**Right Hon. P. E. Trudeau (Prime Minister):** Madam Speaker, you will have to allow me to answer this at a bit of length because there is confusion here also, and even in the question by the Leader of the Opposition.

The Gouzenko papers were obtained as a result of a royal commission set up by a previous administration.

**An hon. Member:** In 1948.

**Mr. Trudeau:** In 1948. It was not mine. It was not the hon. gentleman's administration. If these are the papers hon. members opposite want to have access to—

**An hon. Member:** They are public.

**Mr. Trudeau:** Now I am told they are public.

**Some hon. Members:** No.

**Mr. Trudeau:** If these are the papers they want to have access to, or see tabled in the House, this is a different matter from the convention which linked various governments. These are the papers of a royal commission. They are not classified as papers of a particular administration. They are classified as papers of a royal commission. They were classified at the time because of security reasons, and because the privacy of individuals was involved.

This matter was reviewed in 1978 because that was when the papers normally would have been released. I was not involved in that review. I did not ask that it be done. I did not follow its sequence. The decision was made. If I was informed, I was merely being informed; I was not consulted.

Since then I did learn that the reason why another ten years were added to the period during which the papers would not be released had not to do with security but had to do with privacy of individuals. Some people were named; it was perhaps not in keeping with our policy to make the papers public for fear of invading their privacy. I repeat that the former solicitor general could, just as easily as I, have asked that this matter be reviewed.

**Mr. Lawrence:** I did.

**Mr. Trudeau:** The hon. member says he did. If he did, that is probably the reason the matter is being reviewed now. Another look is being taken at it. Perhaps the Solicitor General could inform us as to dates. Maybe this other review dates from the former solicitor general; maybe not. I could not say. But if that is the case, it is being reviewed now, and we will see once again if the papers can be released without offence to the privacy of certain people who are entitled to that privacy.

Perhaps the Solicitor General can give the information I do not have. Was this review started under our administration, or was it started under the right hon. gentleman's administration? Whichever, the answer is the same. Any administration can review the question of papers which some day are to be made public. This is not a matter of a convention under which he did not have access. This is a matter of knowing if it is in the public interest to release these papers. I am informed that

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there is no question of security involved; it is another aspect of the public interest that is being looked at.

**An hon. Member:** Release them.

**Mr. Trudeau:** An hon. member says "release them." Why did he not release them?

**Some hon. Members:** Hear, hear!

### PROCEDURE AND AUTHORITY RESPECTING GOVERNMENT ACTION

**Right Hon. Joe Clark (Leader of the Opposition):** Madam Speaker, this is not the place for debate, but the reason they were not released was because the action of this Prime Minister precluded our government from having them released.

**Mr. Trudeau:** When?

**Mr. Clark:** My question is twofold. Did I understand the Prime Minister to say, and is it his position, that there is no security implication respecting any of the people whose privacy, presumably, would be protected by the failure to publish the Gouzenko papers now? In other words, has the Prime Minister satisfied himself that the only reason is a matter of privacy and not a matter of security?

Second, can the Prime Minister answer my first question as to the legislative authority which allowed a government acting under his authority, even though he claims it acted without his knowledge, to take the extraordinary step of extending by ten years the period in which this series of papers could not be released to the public of Canada?

**Right Hon. P. E. Trudeau (Prime Minister):** Madam Speaker, the right hon. member asks about legislative authority. I do not know if there is any. I believe there is, but I would have to ascertain that.

My recollection is that when I took office there was an exchange of letters with the previous administration. Then there was another between the Right Hon. Leader of the Opposition and myself. Whether this was under legislative authority or a convention, I cannot say, but certainly it is a convention which the right hon. gentleman respected, because he wrote me a letter that he was respecting the papers of previous administrations. I also wrote him a letter to that effect when I took office following him. So I really cannot answer whether it is legislative authority, whether it is just a gentleman's agreement, or what, but certainly I will find the answer.

● (1440)

I recall that when our government, in the late 1960s or early 1970s, reduced the period during which papers should be kept in the Archives incommunicado from 50 to 30 years, it was done at my initiative, and it was done after consultation with the Right Hon. John Diefenbaker and the Right Hon. Lester Pearson. So I imagine it is more of a convention than a law, Madam Speaker.