

*Business of the House***BUSINESS OF THE HOUSE**

## WEEKLY STATEMENT

**Hon. Herb Gray (Windsor West):** Mr. Speaker, I have a question for the Government House Leader. Will he give us a statement of the government business he intends to call for this afternoon and for the next week?

**Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council):** Most certainly, Mr. Speaker. This afternoon we will proceed with Bill C-41, amendments to the Judges Act, followed by Bill C-28, amendments to the Criminal Code, followed by C-2, which is Canagrex, and Bill C-37, which will depend upon the arrangements we can make with the spokesmen for the opposition Parties. On Bill C-37 we are subject to negotiation. That should take us to the end of the week.

My understanding is that arrangements were made to call Bill C-41 first, the Judges Act, and then Bill C-28, the torture Bill.

**Mr. Kaplan:** I had been expecting Bill C-28, Mr. Speaker.

**Mr. Mazankowski:** Mr. Speaker, the arrangements have been made for Bill C-28 to be called first. Perhaps we could make that change.

● (1510)

**Mr. Deputy Speaker:** Is it the wish of the Deputy Prime Minister (Mr. Mazankowski) to have this matter referred not to a legislative committee but to Committee of the Whole?

**Mr. Mazankowski:** Yes, an understanding has been reached with both opposition Parties.

**Mr. Kaplan:** Mr. Speaker, in light of the confusion opposite, I might say that I have given notice of an amendment which I would like to make at the proper time and I would like to make a speech on the Bill, and so would one of my colleagues. We do not require that the Bill be referred to a committee other than the Committee of the Whole after second reading. I hope that is of some help.

**Mr. Robinson:** Mr. Speaker, we agree as well that the Bill in question can be debated at second reading. My colleague, the Hon. Member for Windsor—Walkerville (Mr. McCurdy), will be speaking to this legislation briefly and then it will be dealt with in Committee of the Whole. That is the understanding that has been reached.

**GOVERNMENT ORDERS**

[Translation]

**CRIMINAL CODE**

## MEASURE TO AMEND

**Hon. Don Mazankowski (for the Minister of Justice and Attorney General of Canada):** moved that Bill C-28, an Act to amend the Criminal Code (torture), be read the second time and, by unanimous consent, referred to Committee of the Whole.

**Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada):** Mr. Speaker, state-inflicted torture has been a fact of life since ancient time. Torture is not a recent phenomenon, nor is it limited to a political system, a regime, a culture, a religion, or a specific geographical region. A good many societies have resorted to torture with a view to obtaining information, meting out punishment, and discouraging opposition to power wielding authorities.

The connection between law and torture has been an evolving process. In earlier times, throughout the world, torture was not prohibited by legislation. Laws covering certain forms of torture were passed gradually in only a few states: some laws banned torture, others created such general offences as acts of violence or intimidation. And yet some societies continued to consider torture as being an acceptable form of interrogation or punishment. Nowadays a number of governments and human rights organizations severely criticize and denounce torture. Many states specifically prohibit torture or similar treatments in their constitution, and many international conventions condemn and prohibit it as well.

In this respect I should like to remind Hon. Members of the House that our Constitution prohibits the use of torture. Canadian Charter of Rights and Freedoms Section 12 states that "everyone has the right not to be subjected to any cruel and unusual treatment or punishment".

And yet, despite these denunciations on a national scale, several international human rights groups do have information to the effect that torture is still a common practice in many states, at the instigation of their leaders or with their expressed or tacit approval. Torture is all the more insidious that it is practiced by state authorities against their own people—the very people they are expected to protect. People in certain parts of the world still believe that torture is acceptable in some cases, to the extent that sometimes it makes it possible to reach other objectives.

The present campaign against torture is being conducted on several fronts. At the international level, negotiations are taking place and conventions and other instruments are being signed to oblige member states to take the necessary steps to prevent torture. At the national level, individual states are criminalizing torture and providing better training for police officers, prison staff and military personnel. Furthermore,