

*Criminal Code*

As I say, the country has become a more just society because of the step being taken today, but it is almost too late because, albeit not exclusively, in the main the Bill is directed toward bringing to justice individuals responsible for some of the worst crimes committed in the history of mankind. These crimes were committed with the aid of official government policy and with the resources of the state. They were committed, with the technology that our modern civilization has created, and were directed toward the killing of innocent men, women and children.

• (1040)

Why is it necessary to bring these war criminals to justice so many years later? There are many reasons. I grew up as a member of the Jewish community, safe in Canada, but knowing of the holocaust being perpetrated in Europe and having relatives there, knowing of the unsuccessful efforts that millions made before the Second World War to come to Canada and other countries where the doors were closed. Following the war there was a long period when nothing at all was done by any of the countries which should have been interested, because of their commitment during the war and the victory for which they were responsible.

In the course of the last four or five years public opinion has finally come to recognize that the greatest crimes of all time might go unpunished, unpunished with the complicity of democratic countries that should have known better and which have a rich tradition of being committed to righting wrongs and seeing justice done. Why do we have to do it now?

Sometimes I hear people make the point that it is inevitable that people are killed in wars, and one should not make a special point of characterizing the act of war, when innocent people are killed, as one that should attract special punishment after the war is over. One hears people say that it happened, it is over, and we should try to forget and put the past behind us.

However, we must remember that the deaths we are talking about, in the overwhelming majority of cases, were not of people who were killed in the course of war. They were not people who died because their cities were bombed. They were not people who were struck by bullets straying from the valid targets of both sides in a war.

We are talking about an evil—as I think it can only be characterized—demographic policy of the Nazis which was not enforced during an actual battle. We are talking about events which took place in city after city, country after country, during the war, after a battle, after a military authority was established in each jurisdiction. There was an evil demographic policy by which people in the captive nations were rounded up and placed in concentration camps.

That is an act that could not have been done during actual fighting, but after the fighting and during the establishment of fascist governments in each of these jurisdictions. Innocent people were rounded up and systematically slaughtered, using all of the resources of the state. Hard pressed railway lines

were being diverted, and hard pressed administrators, with a losing war to continue, were taking time out of their busy schedule—if I can put it in that bizarre fashion—to kill millions and millions of innocent people who had been captured, including Ukrainians, Jews, and gypsies. People of every nationality were rounded up for slaughter. To say that this type of conduct can be forgiven after a war, because it happened in the course of a war, is unthinkable and totally unacceptable. I am pleased to see that this is recognized in the measure we are passing today with the support of all three Parties.

People also ask how one can prove cases. We can look at the Demjanjuk trial in Jerusalem. I had the opportunity three weeks ago to spend a day talking with the individuals involved in the conduct of the trial about some of the issues of evidence. In Israel, as in Canada, the highest standards of evidence continue to be applied. There must be absolute respect for the rule of law.

I am glad to note that nothing in this legislation diminishes in any way the safeguards which are available to any individual charged with any serious crime in Canada. I know that if it were otherwise it would be difficult to defend the legislation. However, now, even 43 years later, prosecution is still possible. I am looking forward with great anticipation to such trials.

I had responsibility for many aspects of the Rauca trial when it occurred. It was an extradition proceeding and I was concerned with the preparation of evidence and submission of evidence. I can assure the House that none of the safeguards of evidence that are required for any other accused person will be denied to individuals who are prosecuted under the law which is being brought forward today. It is a feature of the law which I very much commend.

Let me make one final point in this connection. One sometimes hears an argument against prosecuting war criminals because war criminals have suffered enough and have lived for decades with the full knowledge of their crime. I will refer to the case of Helmut Rauca. Helmut Rauca, who lived a few blocks from my constituency for 30 years, killed with his own actual physical involvement 15,400 people in one day. All of the evidence brought in that extradition trial related to Mr. Rauca's activities in one day.

After the city had been secured by German military forces, the Gestapo moved in, rounded up innocent people who were sleeping and waiting anxiously in their homes, took them to a central plaza in the city and shipped them to their deaths. Some argue that conduct like that must weigh heavily on an individual, and knowing that they could have been subject to prosecution all those years must have filled them with horror and remorse.

I watched the trials that have occurred over the last few years. I hope Canadians watched the Barbie trial which was widely reported here in Canada, and the Rauca trial. You do not see individuals who have suffered great remorse. Of course, we are not yet in a position to draw a conclusion in the