

Adjournment Debate

Energy Program and the logic of the situation I bring to the attention of the House.

I remind hon. members that the Mexican oil I have been talking about is the only oil purchased by direct order by the Minister of Energy, Mines and Resources. It is a curious coincidence that the oil which he chose to purchase, which was a bad deal in the beginning, receives so much taxpayers' subsidy that it is all of a sudden cheaper to refineries than Canadian crude.

Mr. Dave Dingwall (Parliamentary Secretary to Minister of Energy, Mines and Resources): First, Mr. Speaker, I take very serious objection to the hon. member's comments when he refers to the fact that the Conservative Party of Canada has great concern and compassion for the consumer in this country. I find that to be somewhat misleading.

I would like to immediately clear up one misconception contained in my hon. friend's question. The cost to Canada of the Mexican crude imported into Canada is \$3.50 less than domestic crude delivered into Montreal, not \$9. Some people believe incorrectly that the oil import compensation program provides an incentive to refiners to buy low-cost, offshore crude oil at the expense of both domestic producers and the consumers. This misconception results from a misunderstanding of the functioning of the program.

There is, without a doubt, an incentive to individual importers to minimize offshore crude costs. This is one of the basic objectives of the flat rate compensation system. However, any low-priced cargo brings down the average industry import cost and reduces, correspondingly, compensation to all importers. Therefore, on average, there is never any incentive to use imported rather than domestic oil.

The fact that crude oil is being brought in from Mexico at a considerably lower price in relation to other crude imports is a measure of the effectiveness of the state-to-state negotiations initiated in 1979 by the Government of Canada with the Mexican government at a time of great international uncertainty about foreign crude supplies.

You may recall, Mr. Speaker, that the winter of 1979 was an unsettling time for those involved in energy planning. It was the time of the Iranian revolution and oil exports from that country virtually had ceased. You may also recall the incident of a multinational oil company diverting Venezuelan crude destined for eastern Canada to another offshore market that was heavily reliant on Iranian exports.

These circumstances led the energy minister of the day to start negotiations with Mexico for crude oil, negotiations which culminated in the energy co-operation agreement. This was an important agreement for Canadians in that eastern Canada has a new, secure oil supplier on the same continent, and one which, moreover, is not a member of OPEC.

In August 1980 an agreement was signed between Canada and PEMEX for the purchase of 50,000 barrels per day. When the purchase contract was completed, the government came under considerable attack from opposition members for not signing a contract for 100,000 barrels a day.

Finally, I might point out that Mexican crude imports have not been increasing and taking over a market previously held by western Canada crude. They have been maintained at or below the 50,000 barrel level.

THE JUDICIARY—CANADIAN JUDICIAL COUNCIL REPORT ON
ACTIONS OF BRITISH COLUMBIA JUDGE—GOVERNMENT
POSITION. (B) REQUEST FOR REFERRAL OF SUBJECT TO
PARLIAMENTARY COMMITTEE

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I rise today to pursue a question which I asked of the Minister of Justice (Mr. Chrétien) on June 8 last concerning the Canadian Judicial Council's investigation into a complaint about the activity of Judge Berger in connection with the constitutional resolution and certain remarks he made on that resolution, and subsequently on the accord which was signed by the Prime Minister (Mr. Trudeau) and his ministers.

● (2220)

As a very brief background, Mr. Speaker, I would note that Mr. Justice Thomas Berger spoke out following the signing of the Constitutional Accord in November of 1981. What he indicated was that in his view there had been a very significant betrayal of the very important aboriginal rights in a section of the Constitution, as well as a removal of the veto powers of the Province of Quebec.

I would note as well that Judge Berger had spoken out in support of the constitutional resolution on a number of occasions, including the report of the Canadian Bar Association in September of 1981. There was no complaint, I might note, at any point about his speaking out in support of the constitutional resolution.

Judge Berger stated, and I quote now from Judge Berger's letter of April 1982:

I believe that a judge has the right—a duty, in fact, to speak out on an appropriate occasion, on questions of human rights and fundamental freedoms, particularly minority rights. Parliament and the legislatures represent majorities; they are not always mindful of the interests of minorities.

And how true that has proven to be, historically, Mr. Speaker. Judge Berger has noted, as have others, that we are in a situation in which perhaps a judge would have been criticized in the late 1940s had he spoken out against the internment of Canadians of Japanese origin, even though it is certainly recognized today that that constitutes a black mark on Canadian history. Would that there had been a few judges with the courage to speak out at that time on that important question.

In response to Judge Berger's remarks and his criticism, Mr. Speaker, Mr. Justice George Addy of the federal court of Canada filed a complaint in which he indicated that he believed that Judge Berger's remarks were worse than a judge sleeping with prostitutes or drunk drivers. Mr. Speaker, that absurd statement speaks for itself, surely? What is far more serious is that shortly after that statement the Prime Minister urged the judicial council to get involved in this matter. He stated, and I quote: