

and get what they feel is a just decision. I think it is the final paragraph which simply states that there shall be no appeal except through Section 28 of the Federal Court Act.

Does the Hon. Member not feel that there should be an appeal to the senior courts of the land? Since we are dealing with Canadian citizens, should they not have the right to the court system as it exists in Canada as opposed to the Government of the day setting what standards of court procedures will be used to handle legitimate complaints by Canadian citizens?

I know the Hon. Member is very fair, and I think he will have an answer.

**Mr. Reid:** Madam Speaker, I had the advantage of being present while the Hon. Member opposite asked that question earlier. I do not agree with him when he says that there is no right of appeal. Compensation varies according to circumstances, the nature of the emergency, and the nature of the liability. His objection is really that there is no right of appeal to the courts. I think that is what he is talking about now.

There is a right of appeal in the legislation to a Federal Court judge, one of the senior judges of the land appointed to hear an appeal and to make an assessment. That person has the right to disallow, add to, or whatever, just as an arbitrator would do under similar circumstances.

If I might, I heard the Hon. Member say earlier that he did not have any legal training so this was rather strange to him. However, there is a trend or a movement away from the high cost court system to arbitration courts. Real estate or the expropriation of properties would be one example. They move to someone not necessarily cloaked in the great rigidity of a court room but into an informal setting where evidence can be heard in a more casual way and where they get down to the nitty-gritty of the situation much more readily and at less expense.

However, the nitty-gritty of the situation is that we have a judicially trained person to hear the appeal, and I am satisfied that we will come up with the right result.

**Mr. Svend J. Robinson (Burnaby):** Madam Speaker, the legislation currently before the House, Bill C-77, deals with issues that are of profound concern in a country which values democracy and civil liberties. Indeed, it is for that reason that my colleagues and I intend to debate in all seriousness and at the length that this legislation requires the important issues which arise from Bill C-77.

Certainly it is long, long overdue that Parliament address itself to the repeal of the War Measures Act. This repugnant piece of legislation has been the vehicle of terrible abuses of civil liberties in Canada from the date that it was first passed with a minimum of debate in 1914. I believe it was about half an hour of debate.

In fact, two of the most fundamental and Draconian instances of the abuse of the civil liberties of Canadians

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occurred under the provisions and under the authority of the War Measures Act. I say without hesitation that we welcome the long overdue repeal of the Act.

In speaking of the two very serious abuses, I refer to the internment of Canadians of Japanese origin and the confiscation of their property in the 1940s. Because of the limitation on time I will not dwell at length on the terrible violation which occurred at that time. However, it was in February, 1942 that Japanese Canadians were divested of all human rights and freedoms and were effectively branded as enemy aliens by the Government of Canada. During the seven years which followed, from 1942 to 1949, the Canadian Government forced 21,000 people of Japanese origin from their homes; confined most of them in detention camps, many in the interior of my own Province of British Columbia; sold off all their real and personal property; and forced them to scatter across Canada or, in some cases, to be shipped to Japan. Of those 21,000 Canadians over 17,000 were citizens of the country. They were claimed to be a threat to the security of our land. We know, of course, that that was false and that that treatment was motivated by political opportunism and racism.

● (1610)

Some 40 years later, Japanese Canadians, victims of this terrible abuse of their rights, are still seeking redress. They are still seeking not only an apology from the Government, from the Parliament of Canada, but they seek as well a recognition that they are entitled to individual compensation. It is not possible to quantify in all cases a wrong of this magnitude. Nevertheless, certainly the principle of individual compensation to those Canadians who are so abused, so victimized, whose dignity was assaulted in such a way, is long overdue.

I remember the Prime Minister of Canada (Mr. Mulroney), then the Leader of the Official Opposition, standing in his place on this side of the House asking former Prime Minister Trudeau why he would not accept that principle of the right of Canadians of Japanese origin to be compensated individually. Three years later that same Prime Minister and that same Government have refused to implement that principle. This is interesting, particularly in light of the recent decision of the United States Congress to provide not only for an apology but for individual compensation in the amount of \$25,000 U.S. to those who were victims. But we see a Canadian Minister saying with respect to this compensation that the people will not get it. It is right to apologize but the wrong cannot be bought by an amount of cash. "We are not talking money".

In the context of legislation that would repeal the War Measures Act, surely the Government should reconsider that decision and recognize its obligation to those who are victims of that same legislation which is now being repealed and provide for that long overdue compensation. Similarly—

[*Translation*]

Madam Speaker, there were other victims of the War Measures Act, and I am referring now to the 469 Canadian