

Criminal Code

made. It seems to me in looking at the implementation of this legislation domestically that one has to consider that provision has to be made for the independent examination of allegations, apart from the police or others who may be involved directly, in order to provide those people who make such claims have an opportunity to have their claims properly heard. All too often, and most notably in instances where native people or visible minority groups make allegations of mistreatment, such allegations are left unsatisfied because we do not have the mechanisms by which such allegations may be properly heard by an independent body in which trust can be had.

I note, too, that the international convention provides that there should be compensation for victims of torture, that they should have an enforceable right of fair and adequate compensation, including the means for full rehabilitation, to the extent that that is possible. I hope that in the discussions that are to occur with the provinces the right of those who prove themselves to be victims of torture will be specifically addressed, and that they be compensated for whatever harm has been inflicted upon them.

I hope that we will have a report from governments, federal and provincial, of the extent to which those governments have met another requirement of the convention. I refer to the implementation of administrative, judicial, legislative and other measures to ensure that all who are responsible, whether they be police officers, police forces, military personnel or any others who may be involved in the arrest, detention or imprisonment of Canadian citizens, will be well-informed of the requirements of the legislation that we are discussing today, and that an active effort be made to educate them about the limits of their power and the sanctions that will be imposed upon them if they violate the legislation which we have before us. If there is any prescription for the failure of legislation of this sort, it is not to provide clear directions, a statement of clear regulations and the education of those who might be involved in situations in which torture may occur.

I am proud that Canada has exercised leadership in the area of this international covenant. But I must take note of the fact that when, in 1985, the declaration was approved by the United Nations, there was absolute unanimity within that body in favour of its adoption. However, if we look at the record revealed in reports of Amnesty International we find that 67 nations, more than one-third of the membership of the United Nations, are nations about which allegations of torture, cruelty and inhuman punishment have been made. There is within that fact a great deal of hypocrisy. Some of the nations are well known for their violations of human rights in general, for the inappropriate detention of prisoners and for cruel and inhuman punishment and torture. South Africa leads the list in that regard. Surely, El Salvador, Indonesia, Sri Lanka, Taiwan, South Korea, the U.S.S.R., Israel and Saudi Arabia provide us with a spectrum of nations that are involved in this inhumane treatment of humankind.

Thus we are drawn to another consideration with respect to Canada's implementation of its strong concern about torture.

It is to examine closely the kinds of relations this Government has with countries which have clear records of vicious treatment of their own citizens. It seems to me that torture is not that frequent in Canada; this is an empty piece of legislation unless we are able to also implement other measures that will show the world our utter contempt for those who would torture their own citizens, whether in war or in peace, whether for intimidation or because of race. So we should be looking systematically at the human rights records of the countries of the world with which our Government has relations. The Congress of the United States does it. The Americans have a complete listing, and examine human rights situations including false imprisonment, torture, and other inhumane acts. This provides a basis by which policy in respect of those governments can be directed.

• (1610)

When it comes to the provision of aid, the records of those nations should be available to us to determine in what manner, in what form, to whom, and whether we will provide aid. It is significant that we are not only unaware of what nations the Government considers it appropriate to have dealings with, but we do not know to what nations our country sells arms. In many cases that puts Canada in a position where we place guns in the hands of those who kill, maim, and torture their citizens. If we are to live up to our responsibilities in that regard, we must move beyond this legislation. Then we will have met our obligations.

When we look at those who come within our borders, whether they be diplomats such as the Ambassador from Sri Lanka or ordinary people of no particular notoriety, we should examine their records to see whether they have been involved in the imposition of torture. If that is so, we should either put them in jail or tell them to go home where they will be tried for their crimes. Only with complete involvement in ensuring that torturers will be punished will we have fulfilled our international obligations and our obligations to the consciences of Canadians.

Hon. Bob Kaplan (York Centre): Mr. Speaker, the Hon. Member for Eglinton—Lawrence (Mr. de Corneille) spoke on the Bill. He indicated our general position of support for it and our commitment to a large role by Canada in pursuing internationally the elimination of torture.

The reason I wanted to speak was that in my political career I have had fair experience in the workings of the United Nations. When the United Nations is unanimous about anything, I tend to worry. When I was first introduced to this dossier, including the Bill, I took a look at some of the details of the negotiations of the United Nations, of the treaty reached, and of the Bill now before the House. I want to say unequivocally, as did the Hon. Member for Eglinton—Lawrence, that the Bill and the debate which took place at the United Nations represent a step forward in the elimination of torture in the world.