

The Emergencies Act will be subject to the Canadian Charter of Rights and Freedoms and the Canadian Bill of Rights. It will be consistent with the 1967 United Nations International Covenant on Civil and Political Rights.

The proposed legislation includes fully safeguarded and appropriately limited exceptional powers to deal with four types of national emergency. It ensures that the exceptional powers granted by Parliament will be no more than what is needed for a specific emergency. It provides for Parliament to review and, if necessary, revoke emergency powers introduced under the Act.

In addition, it contains provisions to ensure that individuals who suffer loss or injury as a result of application of the Act will be fairly compensated. It has been drafted in consultation with the provinces and contains appropriate recognition of provincial interests.

Several provinces have written to say that they are in general agreement with the Emergencies Act. Several have written expressing their approval and the view that the new legislation will bring Canada into line with other modern states which have had similar legislation for years.

The Minister Responsible for Alberta Public Safety Services, who recently experienced firsthand what can happen out of the blue to a community, had some suggestions for changes to the Act but went on to say:

Nevertheless, one must feel that it is the most important legislation introduced on this activity in recent years and your Government's efforts are to be strongly commended in this regard. We also feel strongly that every effort must be made to ensure the best legislation possible and therefore hope that you will give every consideration to the suggestions we have made.

After the tabling, the Premier of Saskatchewan wrote me:

I am encouraged by this initiative. The proposed pieces of legislation will more accurately reflect the way in which the federal and provincial Governments actually carry out their roles and responsibilities in this area . . . I wish you a successful and speedy passage of the legislation you have tabled, and I look forward to the continued co-operation of our respective governments in the area of emergency preparedness—

The previous New Brunswick Minister of Municipal Affairs said he was gratified to learn that I had tabled the Emergencies Bill and companion Emergencies Preparedness Bill. He said:

The Bills address a long-standing need to contemporize emergency legislation in Canada and New Brunswick supports this new legislation without reservation.

The Minister responsible for the Manitoba Emergency Measures Organization wrote to me. My friend, the Hon. Member for Brant (Mr. Blackburn), will be particularly interested in his view. He said:

The Bills are indeed timely and a significant improvement over the existing Act. In particular, the protection of civil liberties is a critical component of your proposed new statute. I welcome the continuing opportunity, as provided in the new Acts, for consultation on matters of national emergency preparedness and response policy. You may be assured of our co-operation and support in this vital area.

He went on to say that:

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—certainly some of the existing programs established by Emergency Preparedness Canada are tangible evidence of federal-provincial co-operation and it is my hope that these will be enhanced by the new legislation.

If there were as close collaboration in all areas of government as there is in emergency preparedness, there would be few stresses and strains in our federal system.

When I tabled Bill C-77 on June 26, I deliberately did so before the summer recess to give Members of the House and Canadians at large adequate time to review its contents and to make suggestions if there were areas where they felt it could be improved. It is because I believe that the legislation has important implications for national security and because the civil liberties of Canadians should be considered in a period of calm that I felt that sufficient time should elapse before the Bill was moved at second reading.

I also indicated that I would listen seriously to suggestions for improvements to ensure that at the end of the day the best possible legislation would be passed.

After the initial tabling, I received many letters from private citizens and politicians congratulating me on finally moving to do away with the War Measures Act. A few people, among them some federal politicians, expressed concerns. In some instances these criticisms were reasonable and constructive. In others the negative comment stemmed perhaps from a superficial reading and misunderstanding of the legislation.

As I indicated earlier, some felt that Part IV of the Emergencies Act is virtually identical to the War Measures Act. They say that since the Canadian Charter of Rights and Freedoms now applies to the War Measures Act, there is really no difference at all, except that there could be a greater temptation to use the Emergencies Act because it gives the illusion of being better safeguarded than the War Measures Act and could be more easily invoked. My earlier comments demonstrated that this is simply not true, and a careful reading will confirm this.

Others have said that the McDonald Commission did not think that the Government needed any additional emergency powers in peace time. I can assure Members of the House that Bill C-77 incorporates virtually all of the relevant recommendations of the 1979 McDonald Commission. From the outset we have been concerned that these recommendations should be respected as far as possible. There is one notable exception. The McDonald Commission did not recommend repealing the War Measures Act and replacing it with new emergencies legislation. Unlike members of the McDonald Commission, we believe, as all Parties in the House have stated in the past, that the War Measures Act is so inadequate and poses such a severe threat to the fundamental rights and freedoms of Canadians that we do not wish to live with this monster any longer.

As I have said, I have read through the recommendations relating to the emergencies legislation of the McDonald Commission and I note with pleasure that the vast majority of those recommendations have been incorporated in Bill C-77 in