

Union could request law enforcement action in Canada. That is not what Parliament has in mind with this legislation.

The Government has gone too far in the drafting of this Bill. If this Bill is passed at second reading, I would hope that an agreement could be made to drop that particular aspect.

Certain regimes consider activities to be criminal which bear no relation to criminal activity in Canada. These include free speech, protest and demonstration, and active involvement in trade union activities. These are rights which are worthy of guaranteeing constitutionally in a democratic country but are prohibited in regimes such as those in South Africa and Chile.

Under this legislation their law enforcement agencies could come to Canada and suggest that because an individual has committed that nature of a crime in their country they wish to enjoy the benefits of this legislation and have Canadian enforcement officials gather evidence against them and move to extradite them. This is the kind of thing that could result from the wide open, loose and sloppy drafting of this legislation.

We would have much more confidence in this legislation and the Government's application of it if we did not know that the Government is already involved with those regimes and very reluctant to criticize their most heinous and obscene actions. The Liberal Government opened trade with the regime in Chile which almost encourages its continuance. The Conservative Government has certainly done nothing to indicate that we should not expect the Chilean police forces to operate in Canada.

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, I appreciate the opportunity to speak on Bill C-58 with regard to mutual legal assistance in criminal matters between Canada and other countries. The "other countries" aspect will be the focus of my comments. My friends from Burnaby and Comox—Powell River have addressed, in particular, concerns involving Canada's relationship with the United States. That is understandable and always acceptable or forgivable depending upon one's perspective because we share the continent of North America with our powerful friends in the United States. Being a much smaller country in terms of population, we are always concerned about how Canadian interests will be defended by our Government *vis-a-vis* the United States.

I hardly need expand on the concerns that many Canadians have felt over the last three years as they have watched the present Government, and particularly the Prime Minister (Mr. Mulroney), dealing with the U.S. President. They have wondered whether Canada's interests were not being sold out in those various contexts. I will not spend any more time on that this afternoon.

We are dealing with general legislation which raises concerns, which I want to explore, involving other countries. If there is any doubt about the validity of these observations I note that in the interpretation section of the Bill, where definitions are provided, "foreign state" is defined as "a state

that is a party to a treaty". Clearly that could be any state at all. Treaty means "a treaty, convention or other international agreement that is in force and to which Canada is a party; the primary purpose of which is to provide for mutual legal assistance in criminal matters". In those two definitions in the interpretation section we have obvious evidence that this Bill could be applied to any country at all.

The provisions of this Bill, if it becomes law, will be quite far-reaching. I note in the next section the following statement in the first clause:

In the event of any inconsistency between the provisions of this Act and the provisions of another Act of Parliament, other than the provisions of an Act prohibiting the disclosure of information or prohibiting its disclosure except under certain conditions, the provisions of this Act prevail to the extent of the inconsistency.

I recognize, of course, that disclosure of information is a large part of criminal investigation, but there are in fact many other areas upon which it could touch. In all of those other areas this is the Act that will govern.

In looking at Clause 6 of the Bill, within which are provisions for administrative arrangements, we will appreciate exactly how far-reaching this Bill is. We are told in of Clause 6(1):

Where there is no treaty between Canada and another state, the Secretary of State for External Affairs may, with the agreement of the Minister, enter into an administrative arrangement with that other state providing for legal assistance with respect to an investigation specified therein relating to an act that, if committed in Canada, would be an indictable offence.

In Clause 6(1) we have provision for the development of special arrangements in instances of countries that do not already have a treaty negotiated with Canada. The Bill, of course, does not have attached to it in a schedule a list of countries with which Canada has a treaty. Once passed, and if proclaimed, that would obviously be appended to it for useful reference.

In Clause 6(1) authorization is being requested which would allow Canada to make arrangements with any country at all. That, of course, provides a basis for asking what the ramifications of this Bill might be, how far-reaching its powers might be, and what its consequences might be.

Shall I call it one o'clock, Mr. Speaker?

The Acting Speaker (Mr. Paproski): Before I call it one o'clock, the Hon. Member will have 15 minutes left for debate after three o'clock, plus the 10-minute question and comment period.

It being one o'clock I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.