

Questions

NEGOTIATIONS BY PROVINCES WITH
FOREIGN STATES

Question No. 2,768—Mr. Lambert:

Since April 21, 1963, has the government of Canada granted to the government of any province of Canada the right or privilege of negotiating and concluding with any foreign state either independently or in conjunction with the government of Canada any agreement, accord or treaty of a commercial or cultural nature, or of whatsoever nature and, if so (a) on how many occasions, to which the provinces and what has been the nature of such agreement (b) is it contemplated that any province shall have the right to participate as an independent signatory?

Hon. Paul Martin (Secretary of State for External Affairs): (a) There have been two occasions:

(1) By an exchange of letters dated December 23, 1963, and December 27, 1963, between the ambassador of France in Ottawa and the Secretary of State for External Affairs the Canadian government gave its assent to a program of exchanges and co-operation in the industrial and technical field being agreed upon between the Association pour l'organisation des stages en France (ASTEF) and the ministry of youth of the province of Quebec and the University of Toronto.

(2) By an exchange of letters dated February 27, 1965, between the chargé d'affaires a.i. of France in Ottawa and the Secretary of State for External Affairs the Canadian government gave its assent to an entente or understanding between France and Quebec covering a program of exchanges and of co-operation in the field of education being signed by the minister of education of Quebec and the deputy minister of federal-provincial affairs of Quebec and the minister of education of France and the director general of cultural and technical affairs at the ministry of foreign affairs of France.

These two instruments relate to education and culture. They cover matters such as the exchange of professors, scholarships, research, etc., which have traditionally been the object, on the provincial plane, of informal arrangements between ministries of education and universities in the English speaking provinces and corresponding institutions in English speaking countries, particularly the United Kingdom and the United States. Generally, these countries prefer the informal non-governmental approach to cultural relations. On the other hand, many countries of western Europe, and France in particular, prefer to place their cultural relations on a formal intergovernmental basis, wherever possible. This is a fact of international life which the

[Mr. Nicholson.]

federal government cannot ignore in carrying out its international responsibilities in respect of cultural relations.

(b) No. On the international plane, the federal government represents all of Canada and under international law only sovereign states are recognized as members of the international community. One, if not the most important, attribute of this international personality accruing exclusively to the Canadian government is the power to negotiate and conclude agreements or treaties of a binding character in international law on behalf of the whole country or of any part thereof with foreign countries.

The procedure followed on the occasion of the agreements cited above between France and Quebec is a reflection of and accords with the Canadian government's status under international law and the constitutional position in Canada. Standing alone these agreements between France and Quebec could not have been regarded as agreements subject to international law.

The federal government stands ready to co-operate with any province in facilitating, in appropriate circumstances, the negotiation and conclusion in a similar manner of agreements between the provinces and foreign governments in the field of education and culture.

WILLIAM E. GRANT AND JOSEPH ARMISHAW
—CRIMINAL PROCEEDINGS

Question No. 2,805—Mr. Basford:

1. Has the Department of Justice instituted criminal proceedings (a) against one William E. Grant under the Financial Administration Act for having submitted false financial returns, and (b) against one Joseph Armishaw for having uttered forged documents?

2. Before what court and in what judicial district have these proceedings been instituted?

3. What is the present state of these prosecutions?

4. Were any representations made to the Minister of Justice with respect to these cases and, if so, by whom and to what effect?

Mr. D. S. Macdonald (Parliamentary Secretary to Minister of Justice): 1. Yes; a charge containing six counts against Grant and a charge containing three counts against Armishaw.

2. At Whitehorse, in the Yukon territory, before the Yukon territorial court.

3. Both Grant and Armishaw have been committed for trial on January 22, 1965. Grant's trial before a judge and jury is scheduled to take place on April 6, 1965 and the estimated date of Armishaw's trial is April 12, 1965.