

Adjournment Debate

Let me turn to the proposed charter here in Canada. I read in Clause 2:

Everyone has the following fundamental freedoms—

Who is spoken to? The citizens are the ones being spoken to. If the citizens are the ones who are being addressed, who is doing the speaking? The government is doing the speaking. It is the government, the state, that is giving the powers to the individual, except those it wants to keep to itself. That is just the opposite to the American bill of rights.

Notice the passive form of the verb "has" in the Canadian charter whereas. The American one says "shall enjoy." What is so important about this? The one who is extending rights is the real owner of those rights. The one extending those rights has the real power. If he has real power, he can take the rights away.

The people have the power in the United States. They can also take away the power. That has been done. The U.S. has worked a formula into the Constitution itself by which the American people can take powers away from the government. This is known as initiative and referendum. The one extending the powers owns them and can take them away. The Canadian charter by the very wording of it, means that the central government, which says it will assign certain enumerated rights and privileges to the people, can also take them away.

Someone mentioned the Russian constitution. I have a copy here. The language in it is in the same passive form: "every citizen has the right." We know that the citizens of the Soviet Union have had their rights taken away, because the government enjoys all the rights anyway.

An hon. Member: The Canadian and the Russian are the same.

Mr. Friesen: I heard the hon. member. I wish he would repeat it.

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[Translation]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

[English]

THE ENVIRONMENT—NIAGARA RIVER SOURCE OF GREAT
LAKES POLLUTION

Mr. Jesse P. Flis (Parkdale-High Park): Mr. Speaker, I rise concerning the question I posed in this House to the Parliamentary Secretary to the Minister of State for Science and Technology and Minister of the Environment (Mr. Sim-

mons) on Monday, February 16, 1981, regarding the Niagara River as one of the greatest sources of Great Lakes pollution.

This deadly problem concerns not only those in the Niagara River vicinity, but all Canadians, and it must be dealt with immediately.

I should like to congratulate the hon. member for Niagara Falls (Mr. MacBain) who is listening to this debate and who was one of the first to raise this troubling matter during this session of Parliament on November 19, 1980. At that time the hon. member asked:

Will the Government of Canada ask the government of the United States to take the necessary steps to reopen the recently completed SCA hearings, in light of the new evidence concerning quantities of TNT recently located on... the Niagara River from Niagara Falls, Canada?

I know the efforts the hon. member for Niagara Falls has made and is continuing to make to keep on top of this issue. His representations to the Prime Minister (Mr. Trudeau), to the Minister of State for Science and Technology and the Minister of the Environment (Mr. Roberts), to the Secretary of State for External Affairs (Mr. MacGuigan), and to the IJC are commendable. Indeed the hon. member recognized, as we all must, that a problem of a severe nature exists in the Niagara area, which must be solved.

An editorial which appeared in the Toronto *Sunday Star* on February 15, 1981, prompted me to raise my question with the minister, as it too had seen the urgency of this matter. Indeed, the International Joint Commission which oversees the Canada-U.S. Great Lakes water quality agreement stated that the Niagara River remains a dangerous cause of pollution in the Great Lakes.

The commission in fact urged governments on both sides of the border to give this problem top priority, to try to eliminate the known sources of contamination—organic, chemical, and metal wastes—which are being dumped into the system, as well as preventing future contamination.

There are deep concerns over the amounts and variety of pollutants which are being dumped into the system daily, including such toxic substances as lead, arsenic, copper, mercury, PCBs and many others. The major contributors are the chemical and industrial sites along the banks of the river, as well as the added absorption of sewage wastes from both New York State and Ontario.

A New York State sewage plant on the upper Niagara, for example, is currently dumping vast amounts of sewage directly into the river and has been doing so for some time. It is this type of blatant action which must be curtailed. There are some fears that contaminants from many of the chemical waste sites along the river, such as from the Hooker Chemical Company, are seeping into the soil and creating further dangers. The *Star* reported, and I quote:

SCA Chemical Waste Services is currently before the American courts in a battle to continue dumping millions of gallons of chemical wastes into the Niagara yearly.

The Niagara River system provides drinking water to the cities and citizens along its banks. Also it provides water for irrigating crops which produce much of the fresh fruit and