

Nazi War Criminals

General. I am glad the hon. gentleman is taking some interest in this matter because the Hon. Member for York Centre spoke and left. That is the extent of his interest in this question.

Some Hon. Members: Hear, hear!

Mr. Crosbie: The answer to the Hon. Member is yes, we are expecting him to make inquiries abroad and if the Commissioner has any difficulties with the terms of reference we will amend them so that he will indeed have ample scope to look from 1945 onwards to see how the present situation happened to arise.

Mr. Robison: Mr. Speaker, I would like to ask the Minister a question with respect to those individuals who are alleged to be Nazi war criminals in Canada but who are not subject to extradition. During the previous Government's term, the Member for Saint-Maurice (Mr. Chrétien) in 1981 said in the Standing Committee on Justice and Legal Affairs:

I do not think, personally, it would be advisable to start having trials in Canada on actions that occurred in other nations—

I do not intend to introduce a piece of legislation in Canada to deal with crimes committed in other nations some 35 years ago.

That, Mr. Speaker, was the position of the previous government. Is the Minister prepared to assure this House that he will consider as an option, as recommended by the Law Reform Commission, the possibility of trials in Canada, with all of the legal safeguards that exist with trials of other criminal offences, for crimes against humanity, bearing in mind the fact that the Charter of Rights does permit such trials in Clause 11 of the Charter?

Mr. Crosbie: Mr. Speaker, the Hon. Member has correctly pointed out that the Government of which the Member for York Centre was a part took the position that legislation to make war crimes, crimes against the laws of Canada, would be retroactive legislation and that his Government would not support it. That was the position when the Hon. Member for Saint-Maurice was the Minister of Justice and Attorney General. It was the policy up until that Government was defeated in the election on September 4, 1984. Members of that same Government are chastising us today for not taking action, after they failed to do anything in this direction for the last 30 or 40 years.

The answer to the Hon. Member is that I am prepared to consider the suggestion that there should be legislation of that type passed. It is one of the matters on which this Commissioner has been asked to advise us—as to whether he thinks legislation would be desirable and proper. When we receive his report we will make a final decision.

I am willing to listen to arguments for and against. There is the objection that this would be retroactive legislation in the criminal field, but because it is an extraordinary area and the nature of the crimes are so heinous, we certainly have to consider it. That is one of the tasks of the Commissioner, who will be reporting by the end of this year. We will act quickly once this report is before us. That is my answer to the hon.

gentleman's question. The policy of the Hon. Member for York Centre (Mr. Kaplan) and his Government was that that could not be done. We will look at it with an open mind, and we hope to have the assistance of this Commissioner's report.

● (1530)

Mr. Gray (Windsor West): Mr. Speaker, I should like to ask the Minister of Justice (Mr. Crosbie) some questions arising out of his statement. There is no doubt that Members on all sides of the House are very concerned about, in fact, we are very desirous of, having prompt and effective action taken to deal with the possibility that there are in Canada people who have been involved in Nazi war crimes. For that reason I want to ask these questions of the Minister of Justice.

Will his Government allow to continue in existence the special unit in the Royal Canadian Mounted Police which was created by the Solicitor General who is now critic for the Official Opposition, the Member for York Centre (Mr. Kaplan), during the time of the previous Government? I am referring to the special unit of the RCMP which was given responsibility for investigating the possibility of there being people in this country who committed war crimes as part of the activities of Nazi Germany during World War II. I want to remind the House that it was the activities of that unit which enabled the successful extradition to Germany of Albert Rauca. Will the Government not only allow that special unit created by the former Government to continue in existence but in fact strengthen it and add further resources to it?

During the term of the royal commission which the Minister announced today, will the work of investigating cases which may lead to the extradition of other people resident in this country for prosecution in other countries for Nazi war crimes, be continued? Will the Government carry on the work already under way and begun by the previous Government of investigating the possibility that there are people in the country whose citizenship could be removed because they did not truthfully answer questions when they entered into Canada about their activities in connection with Nazi war crimes? Finally—

Mr. Speaker: With great respect, I have now heard approximately one question and seven supplementary ones. Therefore I ask the Hon. Member if he would allow the Minister to answer. There are other Hon. Members who wish to ask questions as well.

Mr. Gray (Windsor West): Mr. Speaker, I expressed my remarks in the form of questions. I could just as well have expressed them as a statement.

Mr. Speaker: No, with great respect, the Hon. Member could not have done so, since this is a time when Ministers may make statements and their critics may respond, following which all Hon. Members of the House have the right to indulge in a question period with the Minister. Given the Hon. Member's position in the House, I allowed his question and supplementaries, but I must ask him to allow the Minister to