

Extradition of Leonard Peltier

States, in an attempt to get a new trial for Leonard Peltier. However, it was turned down by the Eighth Circuit Court in the United States on grounds unrelated to the evidence which had been adduced under Access to Information.

In Canada, Members of all Parties in this House, 60 parliamentarians, have signed a document asking for a new trial process for Leonard Peltier. That is why I am pleased this afternoon that the former Solicitor General, who was Solicitor General at the time, the number one policeman, one might say, in Canada, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand), will be speaking this afternoon in support of this very proper process for the highest court in Canada to take the kind of judicial and well thought out opportunity we have to make recommendations to have Mr. Peltier returned to Canada for a fair, honest and open trial. That is something every Canadian expects, not just for Canadian citizens coming before our courts, but for anyone, particularly on an extradition proceeding where there are falsified documents.

The Hon. Member for Cochrane—Superior (Mr. Penner) will also be speaking. He is deeply knowledgeable about the devastating affects of government regulations, policies and laws upon the first citizens of this continent. The Hon. Member for Kenora—Rainy River (Mr. Parry) will also be speaking in favour of this motion. I hope that those government Members who speak on this motion will speak to the issue. It is beyond a reasonable doubt that the documents were falsified. The U.S. administration has admitted that.

Let me sum up by pointing out that first citizens, not just in Canada or in North America, but around the world, are looking to see what kind of leadership Canada is going to give on this matter. It is the first country in the western world to recognize and affirm aboriginal rights in our Constitution. They want to see if the highest court in our country will take account of the views of 74 international church groups, the Archbishop of Canterbury, Archbishop Desmond Tutu, 55 Members of Congress, civil rights' groups around the world, Marlon Brando, who has been involved in this case as an American citizen for more than a decade, Jackson Brown, Jessie Jackson, and four Nobel Prize winners. There is an extensive of people around the world who wish to see Leonard Peltier returned to Canada for a fair, honest and open extradition hearing so he can stay free in North America.

[Translation]

Mr. Charles-Eugène Marin (Gaspé): Mr. Speaker, I want to thank the Hon. Member for Skeena (Mr. Fulton) for introducing this motion to call upon the Government to seek the return of Mr. Peltier to Canada and the annulment of all extradition proceedings in this case. This motion gives me an opportunity to provide Hon. Members with brief background notes on the Peltier affair and explain why our Government did not protest against the extradition of Mr. Peltier nor ask that he be returned to Canada.

First I must say that the Peltier affair has often drawn the attention of the media both here and abroad. It has been pointed out that eminent religious and political personalities throughout the world as well as native and international organizations support the requests made on behalf of Mr. Peltier with respect to his release and return to Canada. It has been alleged, first that his extradition was based on false evidence, second that the treaties were ill-advisedly used, third that Mr. Peltier was unfairly and inequitably treated, and fourth that items of evidence were suppressed and that he was unjustly declared guilty of a crime he did not commit.

Unfortunately such statements are made by people who probably do not know all the relevant facts and who may not have studied the many decisions and rulings related to the case. True, inaccurate evidence was given to support the extradition request. However it is not true that such evidence was the basis for the final decision to extradite Mr. Peltier and eventually declare him guilty of murder under two charges. None of the many courts or none of the many commissions which heard or examined this case concluded that the other items of evidence did not warrant a full trial or could not be used as the basis for a guilty verdict.

Mr. Speaker, let me recall that during the CBC *Fifth Estate* interview in January 1987 Mr. Peltier did not deny having been among the group of people who had fired on FBI agents Ronald Williams and Jack Coler when they entered the Harry Jumping Bull hall on the Pine Ridge reserve in South Dakota on January 25, 1975.

To gain a better insight into this case it will be appropriate to discuss the legislation and the extradition principles. After that, Mr. Speaker, a general outline of the extradition issue, the items of evidence in this case, and the decision to extradite will be given. We will also deal with the Federal Court review of the judgment and the decision not to appeal the request made to the then Minister of Justice. The facts in this case are quite clear, Mr. Speaker, and they will show that under the circumstances Canada did nothing other than meet its international legal commitments.

● (1720)

[English]

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, the motion before the House today deplores the extradition of Leonard Peltier to the United States from Canada in 1976 on the basis of false information filed with the Canadian court by American authorities, and also calls on the Government to seek the return of Mr. Peltier to Canada and the annulment of all extradition proceedings in this regard.

I must say that I was extremely disappointed with the response of the Hon. Member for Gaspé (Mr. Marin) who, I presume, spoke on behalf of the Government. In his reply he said that Canada must live up to its international obligations with respect to treaties. There is no doubt in my mind that the United States did not live up to its obligations with respect to