

Before I sit down, I want to just talk briefly about one of the other problems of extradition that we have in the world because this is relevant to the whole question of extradition and to Part II of this act.

Right now there is a UN resolution No. 731 which says that the state of Libya has to extradite two nationals accused of blowing up the Pan Am jetliner flight 103 over Lockerbie, Scotland. I believe some Canadians were victims—the House can correct me if I am wrong—but, by and large they were Americans and other nationals, including a good friend of mine, a Swedish diplomat. The UN has asked Libya to extradite those people and Libya has refused.

Let me just quote from an interesting source, the King of Morocco, who commented on this. He said: “If the accused were judged in Libya that would not be credible. If they were judged by an American or English court”—let me add a French or Canadian court—“that too, might not seem credible”. That is because there might obviously seem to be a bias, the question of getting a fair trial. I think they would get a fair trial but other people may not, especially in Libya. It seems to me that the solution is an international court of criminal justice. We have heard nothing about this from a government point of view.

• (1100)

In extradition there can be the problem of situations in which four or five states are claiming the hijacker, in which a number of states are claiming the person who is caught. A good example is the *Achille Lauro* case. Where to extradite that person? We could send him to an international criminal court if there was such a body.

In the area of drug trafficking there are countries that are afraid to extradite people to the United States for trial because they are afraid of the domestic political situation and the violence, Colombia for example. In Colombia part of the Supreme Court was assassinated because of that very situation.

However, if they could send it to another country—my friend in the Liberal Party mentioned a case in Brazil. Perhaps a state, in this case Brazil, might be able to send the Canadian nationals not to a Canadian court for trial but to an international criminal court for individuals, not the World Court which is for states.

### *Government Orders*

It seems to me this is an idea whose time has come, and it has been around since the Nuremberg trials in the 1950s. The International Law Commission has drafted a model statute for the court, a model criminal code. It deals specifically with the extradition of people like leaders of the world, for example Saddam Hussein who has been accused by the world of environmental crimes regarding the oil wells in the gulf as well as international war crimes.

It can deal with hijackers. It can deal with genocide and drug traffickers. It can deal with some other aspects of modern crime including environmental crime, computer crime and international banking scandals. We live in a shrinking world. We live in a world in which not just one jurisdiction can claim an alleged criminal but many jurisdictions.

This extradition problem is not going to go away. We are not going to solve it with this particular bill.

The Government of Canada should at the sixth committee of the United Nations in the fall support the idea of an international criminal court. That will add to the whole aspect.

I ask the parliamentary secretary to take that to heart as I know he will.

Let me conclude by saying that we looked for a balance in this bill. I think we have it. Time will tell. We tried to balance the Ng case from the Peltier case. One case does not make good law. The Ng case took a long time because it had to go the Supreme Court to determine whether it was possible to extradite someone to a jurisdiction that still has the death penalty, in this case California. The Supreme Court decided that the minister could do that.

We still have things to clarify. The other day the minister extradited someone to Florida but said she did not want the death penalty to apply. What is the basis of that decision? How does that work? What are the judicial practices?

Those are the things that we need to do in part two of the bill. Here I think we have a balance. I ask the government to be open in the second part. I ask it to introduce an early bill quickly and forget the hype. Get right to the substance. Get right to what Canadians want to address. Canadians want security but they also want a fair judicial system and that is what we as a House have been working toward in this particular bill.