

principle arising out of the report's recommendations and general recognition that improvements are needed in a great many areas of our sport system.

But, as I said, Mr. Speaker, this system involves many parties which all have a part to play in bringing about these improvements and whose lack of participation to the process would minimize the chances of significant changes. Fully aware of this fact, the Minister of State will live up to the commitment he made in August to carry out large scale consultations.

[English]

At the same time, the Government of Canada must ensure that, in reviewing options in this regard, it looks to those which are consistent with the complex provisions of the Charter, human rights and administrative law. It is generally recognized that input from the sport community must be balanced by considerations to be provided at an appropriate point in time by legal experts. The sport community is aware of this and I am sure hon. members will welcome this assurance.

In closing, I want to congratulate the hon. member for having made his motion and having given this House the opportunity to debate its merits. There is no doubt that the issue is a timely one.

Still, I am convinced that the honour member's well known sense of fair play and growing appreciation for the development of a unique sport system here in Canada have persuaded him that it would be irresponsible to pre-empt the consultation process in which the Minister of State is currently engaged. Today's debate makes an important contribution to the many viewpoints which are currently being expressed on a wide range of issues, arbitration being a critical one.

Mr. Bob Kilger (Stormont—Dundas): Mr. Speaker, I welcome the opportunity to speak on this motion presented by my colleague, the member for Victoria. I would like to commend him for bringing this motion forward, as I believe it is a very important issue to amateur sport in Canada and is deserving of the government's attention.

This motion requests that the government should consider the advisability of establishing an independent review process whereby disputes between athletes and sport organizations can be resolved, with powers to

investigate and direct such remedies as deemed appropriate.

For the Canadian amateur sport system to proceed in an equitable manner, our athletes require mechanisms that will afford them rights similar to those enjoyed by the remainder of Canadian society.

The matter of an independent review and arbitration process for athletes is a relevant issue today, especially in light of the findings and recommendations of the commission of inquiry into the use of drugs and banned practices intended to increase athletic performance, which was headed by Chief Justice Charles Dubin.

However, we are not debating today particular athletes' guilt or innocence, or the Dubin report itself. We are considering the rights of athletes. They require certain definable rights which would, for example, provide them with the right to challenge through an independent arbitrator, suspensions or other disciplinary actions imposed on them by sport organizations, the right of an independent appeal procedure or their rights in relation to national team selection.

In his report, Chief Justice Dubin pays considerable attention to athletes' rights. To him, the rights of an athlete should be respected. He goes on to state:

It is apparent, that athletes have a number of areas for potential disagreement with their sport-governing bodies, including not only doping infractions and eligibility to compete, but also a broad range of rules that govern the conduct of amateur athletes. At present, there is no uniform method of resolving these disputes.

To address this problem, Chief Justice Dubin in recommendation No. 38 of his report suggests that:

All national sport-governing bodies establish within their own rules a grievance process through which athletes may receive a fair hearing from the sport governing body itself, including a mechanism for arbitration by an independent arbitrator mutually acceptable to the parties.

In this recommendation, one can see the importance Justice Dubin attaches to providing for athletes' rights within the Canadian amateur sports system.

[Translation]

Mr. Speaker, our society has high regards for individual rights, and rightfully so. It follows that similar rights should be extended to athletes and that amateur sports should provide them at least with access to protection and remedy.