

Security Intelligence Service

of giving the precision of law that is absolutely necessary in this type of legislation.

I want to give some examples of definition and of what constitute threats to the security of Canada. The word "espionage" is used; it is a key part of the definition. You can target someone who is engaging in espionage that is against Canada. But what does it mean?

Mr. Kaplan: It is in the Criminal Code.

Mr. Hnatyshyn: If you check the dictionary, Mr. Speaker, you will find it means spying. But if you look at the Official Secrets Act, you will find that spying means just about anything you want it to mean. This does not make any sense at all.

Mr. Kaplan: Move your amendment.

Mr. Hnatyshyn: Why not say to the Minister: "We require precise and specific definition with respect to these activities in the mandate of the force?" The same section in another part of the Bill has the same problem. It leads to a preposterous conclusion. It says, in effect, a Canadian citizen who supports the aims and activities of, for example, the Afghan rebels is a threat to the security of Canada. If the Minister will look at the provisions in terms of threats to the security of Canada, subclause (c), and if he follows that definition through, he will find that any person in Canada who supports any group or agency in a foreign state that is opposed to a tyrannical regime becomes, by that definition, a threat to the security of Canada. Does that mean that if we in this House support the existence of "Solidarity" in Poland, the trade labour movement, that we are suddenly, by virtue of the fact that there are incidents of violence that have occurred with respect to martial law, which the Prime Minister of this country has endorsed in that country, becoming threats to the security of Canada?

Mr. Cullen: No.

Mr. Hnatyshyn: Are groups which support the Sandanista rebels a threat? I say the wording is still too vague. That has still to be thought out and given the kind of consideration that we say is required.

This is a very serious issue. There has been criticism already with respect to each of the definitions of what constitutes a threat to the security of Canada by such groups as the provincial attorneys-general, who say it is vague and unspecific. What about the definition:

—(b) foreign influenced activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person—

I think we have to look at these definitions to make sure what we are getting into as far as the powers of this particular agency are concerned. That subclause is unacceptable to me and my colleagues in this Party.

Mr. Kaplan: Did you bring your proposed amendments with you today? Let us have your proposed amendments.

Mr. Hnatyshyn: I say it is unacceptable to the people of Canada. We are going to take our responsibilities seriously. We are going to help the Solicitor General because, God knows, he needs help, I can tell you that. Watching him operate over the course of the last few years, I do not often agree with the Prime Minister, but when the Prime Minister referred to the Solicitor General as politically naive, for once the Prime Minister knew what he was talking about.

This piece of legislation grants enormous powers to the agency once a warrant for inclusive surveillance is granted. In this respect it does not differ from its predecessor. If passed, there would be no limit on the portions of a person's life and history that could be delved into. Mail could be opened and copied. Access would be available to all sorts of confidential files, from psychiatric reports to income returns. There would be a right to eavesdrop and wiretap.

The question that has to be raised is: Are all these powers necessary in every instance? Is there a need for such a wide range of extraordinary powers? Representatives of the people of Canada are entitled to have unequivocally, information with respect to this matter in order to pass judgment on it and make sure that the legislation is precise and clear. These are questions that deserve serious and sober consideration. They should not be dealt with glibly and without proper reflection. Surely in deciding powers of this magnitude, we should take all the care that is necessary to ensure that we provide the force with the powers that are essential for it to fulfil its functions. At the same time, we should be diligent in making sure that those powers do not exceed what is necessary.

It is interesting to note that the new Bill differs in this area in one substantial way from its predecessor. It exempts information submitted under the Statistics Act from the scrutiny of the service. This is not recommended by the Senate committee, but all of a sudden information under the Statistics Act is exempted from the scrutiny of this new security agency. It leads one to wonder what is the basis for it. Why this one exception to the situation where the people of Canada are obliged by law, under penalty of fine or indeed imprisonment, to complete census reports? People also have to fill out income tax returns by law. They have to complete a number of returns by law. Is that the theme or the principle that is running through this legislation? These questions have to be answered. Why only the Statistics Act? The Minister, I think, will understand if Members of Parliament are curious as to what the theoretical or philosophical basis is of that particular provision.

As I mentioned earlier, the absence of full ministerial accountability in the earlier Bill was absolutely unacceptable. The Solicitor General has in his latest incarnation adopted some of the Senate recommendations in this regard. I submit he has given only part of the answer with respect to the whole question of ministerial responsibility.

● (1450)

The truth of the matter is that neither the Inspector General nor any review committee under this legislation will have