

Opinion

Manipulating system wastes time and money

The system is meant to serve the public. However, the hearing involving the Niagara Escarpment Commission Amendment 52 is an example of how it can be manipulated to achieve the opposite result.

Amendment 52, if finally approved, would ban waste disposal sites on the escarpment. That means applicants wanting to establish waste disposal sites on the escarpment would first be required to obtain an amendment to the Niagara Escarpment Plan. Currently an amendment isn't always required.

Last week a hearing was scheduled at the town Civic Centre to give supporters and opponents of the amendment an opportunity to voice their opinion on the proposed waste disposal

ban. But the opponents, Niagara Falls-based Walker Brothers Limited and Milton-based Reclamations Systems Incorporated - both waste management firms - appeared to have manipulated the system for no other reason than to delay the matter at hand - arguing their position concerning the amendment's content.

First the companies' lawyers put forth a preliminary motion.

The lawyers said the hearing officer didn't have jurisdiction to rule on the amendment because the commission didn't follow the correct circulation procedure in seeking comments from outside agencies on the amendment.

They said the commission changed the content of Amendment 52 between the time the



Ben's Banter

By Ben Dummett

commission initiated it in March 1989 and the time the NEC came out in support of it that summer. The hearing officer, said the lawyers, would only have jurisdiction to make a ruling once the new version had been circulated to outside agencies.

The commission pointed out, however, changes made to the amendment between March and July 1989 reflect concerns raised by the commenting agencies with the amendment was circulated during that time.

It makes no sense for the NEC to be required to circulate the amendment's new version to the same commenting agencies when the amendment now incorporates those concerns. Taken to the extreme the lawyer's line of argument could result in a hearing never happening. A scenario could evolve in which every time the amendment is circulated and changes are incorporated another circulation period would be required.

The end result being nothing

more than a waste of time and money.

The hearing officer ruled he had jurisdiction over the amendment. But his decision didn't stop the opponent's lawyers. They turned around and said they would be seeking a judicial review of the hearing officer's decision. As a result the hearing has been postponed to at least February and maybe longer.

The approach taken by Walker Brothers and RSI appears to be nothing more than a stall tactic. Why else would they be attempting to extend the bureaucratic process - an amendment goes through before a hearing instead of dealing with the real issue - a discussion on the legitimacy of the amendment's content.

Mr. Mulroney guilty of petty, partisan politics

OTTAWA - We know it's far too much to ask, but if Prime Minister Brian Mulroney hopes to have any success in leading a rescue mission on Canadian unity, he's going to have to give up petty, partisan politics.

Fat chance, you say? You're undoubtedly right. The man simply can't resist the opportunity to get in some gratuitous shot at his political opponents - the consequences be damned.

It was nothing less than infuriating to see him engage in his favorite sport again after announcing that a joint parliamentary committee would be established to consider a new amending formula for the Constitution.

This was an occasion - of all occasions - to seek the co-operation of his parliamentary foes, those Liberals and New Democrats, and perhaps even a representative of the Bloc Quebecois, who will be members of such a committee. But did he? It is to laugh.

It was bad enough that Mr. Mulroney didn't consult with the two main opposition parties

before announcing his proposed committee to a group of well-heeled Tory party supporters. But the least he could do was to be conciliatory when he finally reported back to Parliament.

Again, was he? Another laugh. What he did, instead, was launch into one of those patented, unnecessary and mean-spirited attacks on Liberal Leader Jean Chretien, once more blaming him for the demise of the Meech Lake Accord. This time he added - and made a point of repeating it later - that when the future of Canada was being decided, Mr. Chretien was hiding "under a pool table in his rec room."

NOT NECESSARY

Now, it's probably true the Liberal leader didn't offer much help in fostering support for the Meech accord. Like former prime minister Pierre Trudeau, in whose cabinet he served, Mr. Chretien never liked the agreement and said so.

But for all of the three years the accord was debated, he was a private citizen, not even a backbench MP. True, he was



Stewart MacLeod

Ottawa Thomson News Service

perceived as a leader-in-waiting, but he certainly didn't qualify as the most influential Canadian in constitutional matters.

If any criticism is justified, it's that he seemed to waffle on his position as last June's deadline approached. That was the same period, you might recall, in which the prime minister was later to brag about rolling the dice.

Mr. Mulroney didn't stop with his accusation of Mr. Chretien hiding under a pool table. He even attributed the present nationalist movement in Quebec to the Liberal leader. "Everyone in

Quebec and everyone in Canada knows that this new movement that we see toward sovereignty is due to what Mr. Chretien has done and said."

He accused him of uttering "dangerous" statements to the effect that there would be no great consequences if the accord were ditched. This, said the prime minister, encouraged Newfoundland Premier Clyde Wells and others to try to scuttle the deal.

Obviously, the prime minister wants Canadians, and particularly Quebecers, to believe Mr. Chretien is solely responsible for our current constitutional difficulties. However, one would think that even someone so enamored of exaggerated rhetoric must surely realize when it becomes destructive.

But, no, he churned onward, once again accusing Mr. Chretien of campaigning among Quebecers for renewed federalism in 1980, "only to exclude them from the Constitution" in 1982.

If Mr. Mulroney checks some of his 1983 speeches, he'll discover he approved of the Constitution's patriation in 1982 and said that, regardless of what Ottawa and the other provinces offers, there was no way the separatist government of Rene Levesque would agree to constitutional changes.

Let it be known that Mr. Chretien is not necessarily a paragon of political virtue and is not above his own petty sniping. In reaction to the Mulroney outburst, he was quick to say Mr. Mulroney was responsible for turning the national mood "to garbage" and that the prime minister "didn't have the guts" to appear before Quebec's Belanger-Campeau commission.

In some ways, Mr. Chretien's response was no better than the attack.

But, he's not the prime minister of Canada, the man we expect to seek consensus - and the man in desperate need of re-establishing his own credibility.

All in all, a very shabby performance.

Canadian firms linked to chemical weapons trade

OTTAWA - As Canadian forces brace for combat against Iraq, there are concerns at home that domestic industries may have contributed to the Persian Gulf nation's dreaded arsenal of chemical weapons.

Separate reports from RCMP headquarters in Ottawa and a British science journal have linked Canadian industry to the international trade in chemical weapons and to the development of some of the deadliest items in the inventory of Iraqi President Saddam Hussein's army.

In a report to the Canadian Association of Chiefs of Police, the RCMP's customs and excise bureau states it "discovered" last year that Canadian companies were involved in the trade of chemical weapon "precursors" - chemicals and compounds that are combined with others to create weapons.

RCMP say enforcement of federal export control regulations is difficult. Many of the chemicals are harmless and essential ingredients in fertilizers and pesticides. And the international trade, though tightly regulated, is not illegal.

"The investigations must concentrate on conspiracy to violate Canadian and/or foreign laws," says the RCMP report.

Publicly, however, the force won't discuss any evidence it may have accumulated.

"We have a policy that we don't confirm investigations," Sgt. Pierre Belanger explained. "We couldn't risk jeopardizing any investigations by being specific on the types of materials, the source

and where they're being exported to because it would really tip our hand if in fact we were investigating."

But New Scientist, a weekly magazine published in London for the international science community, identifies Canada as one of 17 countries that have "serviced" Iraq's chemical-weapons program.

Exports of equipment and chemicals used to build Iraq's chemical arsenal were, in some cases, shipped through third countries or in falsely labelled packages, the magazine reported in a three-part examination of Iraq's chemical arsenal.

The magazine's correspondent in Germany, where several companies have been accused of blatantly supporting chemical-weapons programs in Libya and Iraq, said Saddam has converted fertilizer, detergent and pesticide plants to produce chemical gases and nerve agents.

After speaking with U.S. army officials, the magazine reported that 90 per cent of Iraq's chemical stockpile is comprised of skin-blistering, lung-searing mustard gas. But the country also produces two of four known deadly nerve agents. They take effect on the human body within 30 seconds, causing convulsions, paralysis and eventually, death.

Defence Department headquarters identified the precursor compounds used to manufacture mustard gas and the nerve agents tabun and sarin. Five are included in the export control list administered by the External Affairs Department. One of the

Rennie MacKenzie

Ottawa Thomson News Service



compounds need only be combined with rubbing alcohol under laboratory conditions to produce sarin.

External Affairs' export controls division publishes an information circular for chemical producers advising manufacturers to be vigilant in their dealings with foreign buyers.

But reports that some Canadian chemical products are ending up in weapons laboratories did not surprise Christopher Cushing of the Canadian Institute of Strategic Studies in Toronto.

The verification process required to ensure an exported compound is put to its proper use in the intended country can be costly and difficult for a manufacturer, he explained. "Some companies would be willing to look the other way some of the time," he added.

KNOWINGLY

In Europe, some companies have knowingly broken the law and delivered chemical precursors or technology, Cushing said.

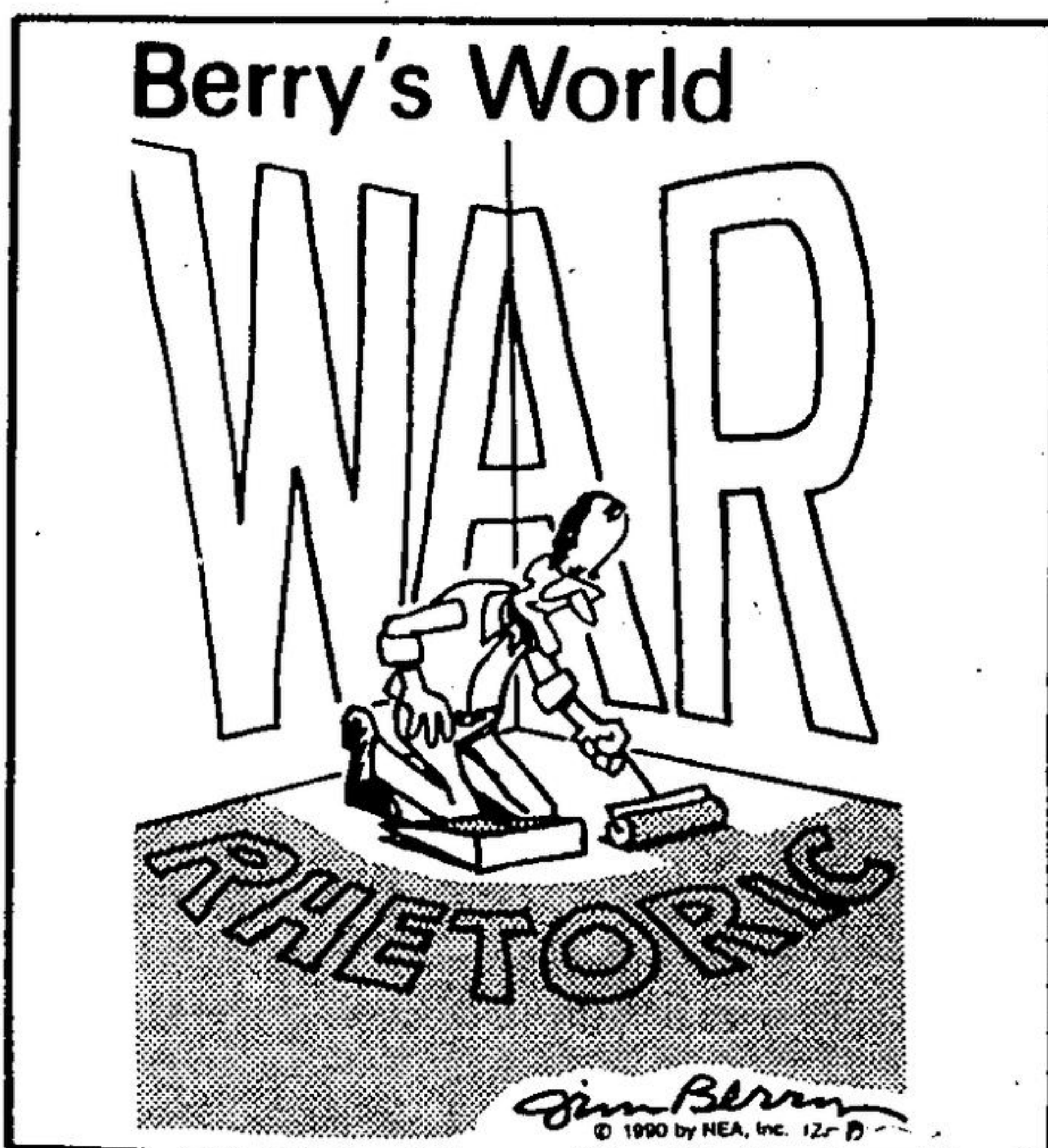
There are now more than 20

Third World countries with the facilities to manufacture chemical fertilizers and pesticides. Some are converting them to produce chemical weapons, he said.

The United Nations has been pressing member countries persistently for a universal conven-

tion and eventual ban on the production and use of chemical and bacteriological weapons.

Extensive use of the gases and nerve agents in the Iran-Iraq war and Saddam's decision to use them on Iraq's own Kurdish population broke an international taboo that had lasted 70 years.



Jim Berry
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