

*Immigration Act, 1976*

However, with the Hon. Member's concluding comments I find myself in complete disagreement. If I were to have to stand in the House today and vote on Bill C-55 as it is currently written I would find myself voting against it. However, I think it is a Bill with the kinds of characteristics that are needed by the refugees of the world and by Canadian society.

What we are being asked to do, and what we are debating here today is to consider whether or not the House should take the decision to move Bill C-55 to committee. Once in committee expert testimony can be heard. Witnesses can be heard and amendments can be moved. The Bill can be strengthened to do the types of things that the Government would so clearly like it to be able to do.

This Bill is something that many of us in the Chamber have been looking forward to for a long period of time. I would like to congratulate the Minister of State for Immigration (Mr. Weiner). This problem came up five Ministers ago, two in the previous Government and three in the current Government. The present Minister is the first Minister who has been able to produce a Bill for the consideration of the House. It is a Bill which the Minister has said again and again Cabinet intends to be a piece of legislation which will make the world a better place, which will make the world a safer place.

During the Minister's speech I was particularly disturbed by the heckling from the Hon. Member for Laurier (Mr. Berger) who I think will be speaking after me. The Hon. Member may indeed want to read which of those heckles got into *Hansard* and may indeed want to apologize not only to the Minister but to the House. It is possible in this Chamber to get carried away with heckling. However, I found the remarks of the Hon. Member for Laurier to be particularly offensive and not in the least in keeping with the kind of standard of conduct that the electors of the country would expect from their representatives in this place. This is the place which is the bastion of freedom. This is the place where, surely, comments directed so clearly at a Member's racial or religious background are inappropriate. I hope that upon further reflection we will hear an apology from the Hon. Member before this debate is concluded.

**Mr. Berger:** Mr. Speaker, I rise on a point of order. I rise because the Hon. Member for Calgary West (Mr. Hawkes) insinuated that I made comments which reflected upon the Minister's religious or ethnic background. It is perhaps possible that I got carried away in some of the comments I made. However, in Parliament, and if one looks at the tradition of Parliaments, not just this one but of British parliamentary democracy, one will see that there is a tendency to call a spade a spade. I will check the record and it would surprise me if I were to find that I had made any veiled references or unveiled references to the Minister's ethnic or religious background, any detrimental references, which I did not.

**Mr. Hawkes:** Mr. Speaker, I heard the word "ovens" thrown out across the Chamber more than once. Given the

circumstances of the debate we are on and the background of the Minister, that is what I find offensive and inappropriate.

It is somewhat prophetic perhaps that Bill C-55 is presented on a day which began with a domestic discussion of capital punishment. All of us in this Chamber feel that debate very keenly. It is a matter of life and death. Some Members feel strongly that the reinstatement of capital punishment is important to protect the lives of potential future victims. Others think that it is reprehensible to put capital punishment back into Canadian law and deliberately to have the state take a human life. Those differences are felt, and they are felt strongly by the Members of the House and by our constituents.

• (1750)

It is perhaps a little more difficult to see that the fine print of Bill C-55, if it becomes the law of this country, will deal with that very same issue, the issue of life and death. It is the life or the death of strangers. It is not Canadian citizens that we are talking about, not landed immigrants in Canada, but strangers, people who live outside of our borders, but who live in a country-specific situation where, through the arbitrary nature and action of the state, their lives are potentially forfeit.

It is those people, Mr. Speaker, who make their ways to our shores by one means or another and ask for the protection of this country and the protection of its people. They do so, Mr. Speaker, because if they are sent back to their country of origin, they face death, torture, and persecution.

That is why, Mr. Speaker, the fine print in Bill C-55 is something that should engage everyone who has an interest and a background in these matters. That is why, Mr. Speaker, there are people in this country who represent groups working with refugees who are urging Members of this Chamber to reject the Bill in its entirety. That is why, Mr. Speaker, we have had protests.

Mr. Speaker, in many ways, those groups are reacting to a history, to a history that really began for them in 1976, that which has been mentioned by the Hon. Member for Spadina (Mr. Heap).

In 1976, there were very few people in this country, very few lawyers in this country, who had experience in refugee matters. The Parliament of the day, in its time and in its place, passed a law, and it is that same law that is in place in Canada today. Under that law, Mr. Speaker, there was no adequate opportunity for those claiming refuge in this country to tell their story orally in front of the decision-makers who got to decide their fate.

As a new Government, we inherited that law, that situation. The Supreme Court was seized of that matter, and the Supreme Court ruled that there should be an oral hearing.

This Government changed the Immigration Act to allow refugee claimants refused on the basis of a paper review to appeal orally and in person before the Immigration Appeal Board. We have had a year's experience with that new regime. And what does it tell us, Mr. Speaker? It tells us that 8 per cent of the claimants, on the basis of the oral hearing, are