

*Immigration Act, 1976*

large it brings shame on Canada as a humanitarian nation, one committed to a refugee policy established under UN conventions.

We have all spoken on this Bill many times, as well as on Bill C-55, but I would like to review the main points for the record.

**Mr. Deputy Speaker:** Order, please. Thank you. The Hon. Member for Vancouver East (Ms. Mitchell) has the floor.

**Ms. Mitchell:** Thank you, Mr. Speaker.

First, Bill C-84 was tabled in an atmosphere of panic. It was apparently drafted in a few days time and presented when the Government had no other order of business. Or, perhaps the Government had other business but did not want to deal with it at that time. The Government focused on the landing of 174 refugees in Nova Scotia.

The Bill not only creates harsh restrictions for refugee claimants, it also eased the way for the Government to try and push through its companion Bill, C-55, which we feel very strongly, along with groups who have considerable expertise in the matter, to be even harsher. We know, of course, that the Government was not able to push this through in June and has been using this so-called emergency session this summer to deal with that Bill as well.

• (1510)

Bill C-84 will provide for a number of things which I would like to summarize quickly. First, a new security certificate system will be required for procuring deportation of certain recent arrivals.

Second, we are very concerned about denying those people the right to apply for refugee status. Many people will not have a chance to be processed to determine whether they are legitimate refugees.

Third, the Bill provides for the turning away of ships from our territorial waters if it is believed that they are bringing undocumented passengers. Although there was a small amendment to this particular clause of the Bill which refers to giving due regard to the UN conventions, by and large this was not changed.

Fourth, the Bill provides for the punishment of anyone helping people to come to Canada without the usual passport and visa. As we have said repeatedly, often the turmoil, fear, and situation of having to leave the country on very short notice means that people cannot obtain the full documentation which is expected. We wanted that clause amended but were refused.

Fifth, the Bill establishes punishment for disembarking passengers at sea. It provides for quite excessive new search and seizure powers and more wire-tapping powers.

Finally, the Bill provides for a sunset clause. The day has come when this Bill will be pushed through by the Government despite all our concerns and those of the public of Canada. Therefore, it is more important for this piece of legislation than perhaps any other that it be carefully monitored. All

cases which are processed as a result of this Bill should be carefully documented and there should be an independent evaluation of its effectiveness and the challenge to human rights which we believe will result from this legislation. It is very important that it be evaluated and that a reformed piece of legislation be introduced to correct the errors of this Bill. I predict that a new Government would place that very early on its agenda.

I will not take the time to go into the details of these measures. My colleagues have done that in great detail, particularly the Member for Spadina (Mr. Heap) to whom I would like to pay tribute. He has given outstanding leadership and has been the conscience of Parliament in this matter. I commend him for his very hard work on behalf of refugees and Canada. Canadians want to believe that they are doing the right thing and are carrying out the provisions of our Charter which apply to people, whether or not they are Canadian citizens.

We oppose the new security certificates on the ground that the Federal Court lacks the expertise of the new security service in dealing with security matters. We believe it would be better to use a trained police force which is dealing with international security matters than to leave it to the court to decide.

We oppose the denial of access to refugee status because it offends the UN Convention by disregarding danger to life and liberty of a person whose alleged security offence is never thoroughly reviewed and may in fact be based on distorted accusations by his or her persecutors in the country from which the person has fled.

We have concerns about many other areas as well. We moved 12 amendments, not one of which was accepted by the Government. We were making a sincere attempt to make this Bill usable without discriminating against people coming to Canada and without disregarding UN Conventions.

We had some sympathy for the clause dealing with punishment for helping undocumented refugees to come to Canada. We offered amendments to clarify this provision and ensure that only those who tried to evade immigration examination, or organized people to make deliberately false refugee claims were found to be offenders. This was another attempt to be more fair. Of course the Government again refused our amendments.

We oppose the provision of new search and seizure powers because we feel it is a very bad precedent. With regard to the provision for more wire-tapping, we did support two clauses in relation to that, although we do not believe they are adequate to justify the Bill as a whole. That is a summary of Bill C-84 now that we are facing closure and a final vote this afternoon.

I would like to refer to the experience that most of us had in July of this year. Many people phoned our offices with angry reactions. Many angry calls were received in my constituency