

volunteer organizations or church organizations that help refugees, guilty of an offence for becoming involved in legitimate work with refugees. That is the clause to which we object.

Once this legislation is passed, the Hon. Parliamentary Secretary for the Minister of Immigration will not be able to claim that he can feel safe and secure under the new Canadian law when he becomes involved with refugee work. He cannot claim that, no matter how much he rejects that notion, because if he does he is not reading what is printed in the Bill we are passing today.

Clause 9 of the Bill reads:

95.2 Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a group of 10 or more persons . . . is guilty of an offence—

Even if only one person is involved, such a person becomes guilty of a criminal offence. Is that what the Government wants to do? If the answer is no, then this clause must go, as we urged on second reading and as the Hon. Member for York West and the Hon. Member for Spadina urged in committee.

There is no place for this kind of clause in sound legislation that would take into account the legitimate work of Canadians who are involved in human rights and legitimate refugee work. There is no way that this ought to be allowed.

As others have already said, this clause will become the object of contestation in the courts and of constitutional action. Before we know it this legislation, which was intended by the Government to be the solution to an urgent problem, will become entangled in the higher courts. What an incompetent way of dealing with the problem facing us.

What is so astonishing is that having been warned, the Government is not taking into account all the submissions which have come not just from the Opposition but from groups that are legitimately active in the field of helping refugees.

The motion of the Hon. Member for Spadina is one that commands attention—not only attention but support. We hope that when it comes to a recorded vote government Members will support the motion. I hope they will not be silent and allow to pass into law Clause 9, a clause which runs counter to all our traditions and commitments and the recognition of decent work done by Canadians in the field of refugees. There is no place under the sun for this clause in good Canadian statutes.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I have to say at the outset that of all the motions before us, this is probably the most astounding one. All during the debate we heard opposition Members say that everyone is subject to the law. I should say all opposition Members with the exception of the Leader of the New Democratic Party who said in his speech that according to his reading of this provision, the church people are subject to the penalties under the law and that is totally unacceptable to the members of his Party. He said that as though church leaders do not have to obey the law. I find that

unacceptable. The members of his Party later modified their Leader's position.

Opposition Members have said that we must stop the abusers and shysters, but at the same time have introduced a motion which withdraws from the Bill all of the provisions that are designed to stop the abusers and shysters. Frankly, I fail to see the logic of that kind of a mind-set.

On the one hand, we have heard a chorus of opposition Members and witnesses saying we must stop the abusers, and we provided a provision in the Bill that would stop the abusers. Then, on the other hand, the Hon. Member for Spadina has said that he thinks we should withdraw that clause. I do not know how we could carry on a refugee determination system with no provisions to protect genuine refugees.

All of us here are over 21 and we are all entitled to different points of view. However, we do have a responsibility to be accurate and to base our views on accurate information. I mentioned last night that church workers working on behalf of refugees have no reason to fear this legislation. They are not the target group.

I will repeat what I said last night in order to give myself the opportunity of correcting what the Hon. Member for Spadina said this morning. Church leaders who want to work with refugees have no reason to fear this legislation because their major concerns are with the flow of refugees from Central America. That flow comes principally through the United States of America. Last night I asked why any of them could not go to a Canadian consulate anywhere in the United States, whether New York, Detroit, or Seattle and apply for refugee status? There is no reason that they cannot do that. The Hon. Member for Spadina (Mr. Heap) says they cannot do that because there is a quota system. That is absolutely false.

● (1210)

Mr. Heap: True, there is. I have been told by the officers.

Mr. Friesen: It is false. There is no quota on sponsoring refugees. The Member cannot hide behind that. It is unlimited. I cannot understand why the churches would not simply advise claimants to go to a consulate in the United States and say, "We want to sponsor this person to come to Canada." That would be better for the claimant. He can do all of his paper processing there. He can come directly to Canada and qualify for a work permit as soon as he arrives and begin the process of integrating, if that is what he intends to do, into Canadian society. The churches are not using the sponsorship program very well.

I will repeat the numbers that I read yesterday. Of Central American landings in 1986 from the United States, the Government sponsored 1,018 refugees from refugee camps in the U.S. The churches, the humanitarian groups, individuals in total sponsored only 76.

Mr. Caccia: So what? What is the point?