

Immigration Act

In response, the Government initiated a pilot project 10 months ago in which some refugee claimants were invited to take part. It was a different kind of examination, namely, one at which a member of the Refugee Status Advisory Committee would be present. This is not required by law but it does not contravene the law. So the pilot project was attempted, and what were the results? The sample is small. Something like only 170 people were considered for the pilot project. However, what is very clear is that one of the objections has been quite remarkably answered by this procedure. Instead of taking 18 months on average from the time of the examination under oath to the time of the Minister's decision, this procedure took not much more than two months. The waiting time was cut to one-sixth of the time. That means that about 15 or 16 months of suffering, anxiety and perhaps poverty on the part of the refugee claimant and family were eliminated by this procedure.

Likewise, an immense amount of paperwork and staffing costs for the Immigration Department were eliminated. I do not know if this would result in unemployment for members of the Immigration Commission. I am sure that if some of them were not needed, the Government would be able to find other more useful work for them. It is clearly in the interests of everyone that this experiment, which after 10 months has been successful, should become the law so that every refugee claimant will have the same opportunity as these 170 refugee claimants who participated in the experiment.

One big problem is that the number of refugee claimants has been growing very fast. About two and a half years ago, about 2,000 people in Canada were claiming refugee status and their cases have not yet been finally disposed of. This was considered to have put an intolerable burden on the administration of the Immigration Department and on the country generally because these people had to live somehow while they waited and waited to find out whether they could stay as refugees or be made to leave. It was considered such an intolerable burden that the Government, two and a half years ago, imposed a visa requirement on East Indians. So many people had come in such a short time from India claiming refugee status and it was felt that their claims were generally not well founded. However, it would take so much time to determine if those claims were not well founded that the Government had to take the other course of action of imposing a visa requirement on all visitors from India.

Now the Government has imposed a visa requirement on Guatemalans who are fleeing a well documented brutal oppression under a murderous Government. These refugees are trying to get away from that situation, but our Government has now slammed the door and said that they cannot come to Canada without a visa. The same has happened to people from Guyana who also live under a brutal and oppressive Government. This week the Government has slammed the door and said that refugees from Guatemala cannot come to Canada without a visa.

While many Guatemalan refugees may be in danger of their lives, they cannot come to Canada. Theoretically they could go

to the Canadian Embassy in Georgetown and ask for a visa. They could then go home and wait for an answer, but they would also be waiting for the people who threatened them to come and do exactly what they have threatened to do because they were seen to be asking for refugee status in Canada. If we could speed up the time taken by these refugee hearings from 18 months to two months, there would be no need to slam the door on the people who are fleeing bloody dictatorships. The door was slammed on people from Chile, El Salvador and now Guatemala and Guyana.

As I understand it, the opposition to this Bill is simply that the entire refugee procedure needs to be overhauled. I do not doubt that, but after three or four years I hope we can go ahead with this one suggestion. I hope that it might be moved that the substance of the Bill that I have proposed will go to committee so that we could consider there the merits of making this one small change to the law which would save so much time and so much misery.

Mr. Denis Ethier (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, in his very interesting and thought-provoking speech, the Hon. Member for Spadina (Mr. Heap) has identified some of the concerns about refugee status determination with which the Department of Employment and Immigration deals on a day-to-day basis. In a moment I would like to put some of those problems in perspective for him and for other Members of the House.

First let me say that the issues referred to by the Hon. Member are not new to the Minister or to his departmental staff. Indeed, there is a continuing review of policy in this area and it is no coincidence that this process has developed a refugee program which is so highly regarded internationally. However, there are no easy, quick-fix solutions to what has become over the last few years one of the most bedevilling of immigration problems. I am sure that all interested parties, including the Members opposite, want a workable, humanitarian policy that will provide help to those who are truly in need. That means we have to put in place a program that separates those who might abuse the system from individuals who truly need access to a fair refugee determination system.

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There is no denying that our system of refugee determination, while admired by officials at the United Nations and in other countries, encounters some problems. A major, very perplexing problem is that it has become increasingly difficult to identify true refugees quickly while enabling the removal of those whose claims are without merit and who seek, for their own reasons, to take advantage of the system. But the trick is to find answers that are not simplistic, that will not worsen the current situation and put an even heavier burden on the resources that we are able to commit to the worthwhile endeavour of aiding bona fide refugees.

The Geneva Convention on Refugee Status defines a refugee as a person who, by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion, is (a) outside the