

*Immigration Act, 1976*

back home and pick up their identification papers. They could not apply at the door of the consulate. If they did that, there was no way they would come out of those countries alive.

● (1640)

We are looking at a situation where people who need and want to come to this country are mixed with people who have no business coming to this country and do not belong here, people whom we need not have to host. We have not found a fair and equitable system, a Canadian way, to address that issue.

What they have done is to put together an absolutely unconscionable Bill which reminds me of an unnecessary Draconian measure. They did not listen to Rabbi Plaut and his sensible approach to handling the situation or to the many church groups and human rights organizations that have a lot of experience, obviously much more than the Minister of Immigration and Employment (Mr. Bouchard) or his sidekick. Instead, we have a Bill which talks about a deportation certificate and turning back boats.

The hackles on the back of my neck go up when I hear the phrase, "turning back boats". There is not a Member of the House who is not reminded that this might be in the spirit of *St. Louis* and that we should have learned our lesson in 1939. Did we not turn back a boat with hundreds of innocent Jewish people who were merely seeking asylum? We turned our backs, we closed our eyes, we ignored the circumstances, and those people suffered very ugly consequences. Did we not learn from that incident that we should welcome people to our shores, that we should ask questions, and that those who do not deserve the good grace and the harbour of this land are sent away? That is the way we should handle it.

They say that if there is misrepresentation we have to use consultants; there is a whole procedure for that. There is also a procedure for smugglers. Instead of attacking only those people who are doing the smuggling, they are also attacking legitimate groups like churches. There is an application of responsibilities which are ministerial and governmental to transportation companies. Search and enter powers are suddenly being allowed in the interest of saving us from illegal refugees. We now have detention certificates and talk about a need for documentation and what happens if one does not have it. Many serious questions are raised by the proposed measures.

Do the proposals go too far? Of course they do. Are they specific enough to eliminate the real abusers and exploiters? No, they are not. Does it penalize those in the genuine assistance of refugees? Yes, it does—church groups, priests, nuns, volunteer groups, amnesty groups, and other kinds of such groups. Was the piece of legislation poorly drafted by a Department rushed into meeting the claim of the Prime Minister (Mr. Mulroney) that it was an emergency situation and the need for special measures? Was it intentional?

I give the following proposition. Yes, it was intentional. It was a bogus issue used to inflame the population. It was a misrepresentation of the real issues. It was a way in which the Government could get the House to come back to address what it considered to be a major piece of legislation, that is, the drug Bill. It was used as a false premise. It played on the lowest and basest of our human instincts instead of rising to the traditional fineness in Canadian values.

Will the Bill encourage a series of court challenges if implemented? The United Nations has said that it will. Human rights groups have said that it will. People who are knowledgeable about the law have said that it will, such as the Canadian Jewish Congress and Amnesty International.

What more does the Minister need to tell him that he was on the wrong track? What more does he need to back up and say he made a mistake and that he will redraft it? What more does he need to say, "You were right and I made an error; I was poorly guided by the justice people in my Department"? Did he really discuss it with the Minister of Justice (Mr. Hnatyshyn) and the Department of Justice? I doubt it. I am sure they are all red-faced to see a Minister abuse his Justice officials.

If the Government were genuinely interested in stopping real abuse, why did it wait until this summer to deal with it? Why did it not deal with this aspect under Bill C-55? It has certainly had plenty of time.

The Government cannot use the excuse any longer that it is a new government and does not know its way around, that it has to learn, and that it is entitled to its mistakes. It is entitled to nothing now. It should know how to use its legislative agenda. It should not have had to call us back on this kind of excuse. It should have put its house in order to meet what Canada considers to be fair.

Are refugee applicants being dealt with as human beings with human rights? I do not think so, Madam Speaker; wait until we look at the remedies and special detention measures designed for refugees. They are worse than what we do with our worst criminals right here in Canada.

Do you know, Madam Speaker, that there is a need for special detention certificates? Presently the law provides that if the Government or the Minister feels that there is a lack of identification or the possibility of a security risk—and that could be a case in point—there is the possibility of detaining the person for 48 hours. After 48 hours, there is a request to a special immigration adjudicator and a mechanism to request an additional seven-day period of detention. I think that is fair and that there are people in the world who would try to abuse our borders. I also think that we must have a mechanism to stop it.

However, to what point does one go? That procedure has worked well for years. Now the Government wants to move from 48 hours to seven days without any question. After seven days and after a special detention certificate, it would permit