

Statements by Ministers

founded fear of persecution. To put it another way, the difference between refugees and immigrants is that refugees leave their homeland because they must and immigrants freely choose to seek a new home.

We all have a stake in these issues. Immigrants and refugees built, and every day renew this country. This is an integral part of our national identity. When the integrity of our immigration and refugee programs is cast in doubt, our sense of identity is weakened. When our willingness to help others is abused, our commitment to providing assistance is placed in jeopardy.

In the past 40 years some half a million refugees and displaced persons have found new homes in this country. Over and over again Canadians have responded generously to the plight of refugees. In recent years, however, this generosity has been brazenly abused by individuals posing as refugees.

[Translation]

In February of this year, we sent a strong signal of our intentions to curb abuse of our refugee program. This message was clearly understood by some, and the flows were reduced substantially.

In May, we announced legislative proposals for a new improved system. These proposals were widely welcomed. Our blueprint for a fair and effective system was seen as a reasonable balance. But in some quarters, our commitment to fairness was interpreted as weakness. And as the date of implementation draws closer, those who wish to profit from the misery of others have adopted increasingly dangerous methods of flouting our existing laws. And that is why we have recalled Parliament. Our first priority today is to send the clearest possible signal immediately to the unscrupulous smugglers who callously exploit the hopes of migrants around the world. We have before us two important pieces of legislation. The first proposes tough measures to deal in no uncertain terms with the most flagrant and dangerous forms of abuse. The second piece of legislation—Bill C-55—provides a blueprint for a completely new and streamlined refugee determination system which operates within the constraints of the Charter of Rights and Freedoms.

Mr. Speaker, all Canadians are proud of the system of justice in this country. The Canadian Charter of Rights and Freedoms guarantees those values which we most cherish as a free and democratic society. Unlike most other countries, our Charter of Rights is not confined in its application to those who are citizens or permanent residents.

The Charter of Rights as interpreted by the Supreme Court of Canada in the SINGH decision of 1985, extends to every person within Canada's jurisdiction the same rights to life, liberty, and the security of the person.

• (1130)

[English]

Thus it is that every person who arrives in Canada and claims to be a refugee must be treated in accordance with the rights established under the Charter.

When this situation is combined with the inadequacies of a system designed in another era to deal with different needs, it creates an environment where the unscrupulous can flourish.

This combination created gaps through which people steal their way into Canada, confident that although they have broken our laws, we, the people of Canada, will not break our own laws.

Not only has the basic generosity of Canadians been abused, but the generosity of our entire system of justice has been abused. In these circumstances I urge all Members of the House to give rapid passage to the Bill tabled today.

It is a tough Bill containing responsible measures. It will deter those seeking to enter Canada illegally. It will protect the integrity of our immigration and refugee programs, and it will safeguard the security of the country.

[Translation]

Under this deterrent and detention legislation—

. Penalties against smugglers and their accomplices will be increased substantially: maximum sentences of 10 years in prison, and fines of a half a million dollars.

. The Minister's power to turn back vessels which disembark migrants in Canadian territorial waters will be reinforced;

. Authority to seize vessels and vehicles engaged in such activities will be confirmed in legislation

. People who arrive with no documents can be detained until their identities are established.

. Fines and penalties will be increased on transportation companies bringing undocumented people to Canada. Transportation companies will pay \$5,000 fines for each undocumented passenger.

. And finally, Mr. Speaker, this Bill will empower the Government to refuse access to the refugee determination system to those people who are known criminals, or who pose a security threat. Not only will they be detained, but they will also be expeditiously removed from Canada.

[English]

We must act swiftly now to guard against the possibility that we might at some later date be forced to take even tougher measures. This Bill is tough on those who would break the law. It has been designed to dovetail with Bill C-55 to provide immediate and continuous protection from abuse. It is in Bill C-55 that we have the tools to deal with the circumstances which face Canada now and will continue to do so in the foreseeable future.