

*Immigration Act, 1976*

determination system work it is mandatory to reject these provisions.

A few minutes ago we heard the Member for Winnipeg North (Mr. Orlikow) casting aspersions on the Immigration Department and officers within it with regard to racism. That is intolerable. Members of his Party always trumpet themselves as being the civil libertarians of the world who believe that everyone has a right to dignity and fair trial and the right not to be castigated by such wild accusations. My friend, the Member for Spadina, did much the same yesterday when he made references to colour. This Party wants to present itself as the enlightened group, but almost at the first opportunity it makes remarks which reflect on the character and motivation of others. That is really not becoming to them.

We must reject these provisions because they are unworkable. I think the country and the refugees will understand that when they see this Bill working very well.

**Mr. Orlikow:** Mr. Speaker, I rise on a point of order. Since the Member has criticized some of the comments I made I would like to ask him a question.

**Mr. Deputy Speaker:** That is possible, as the Hon. Member knows, only if there is unanimous consent to that effect. Is there unanimous consent to allow the Member for Winnipeg North (Mr. Orlikow) to ask a question?

**Some Hon. Members:** No.

**Mr. Ernie Epp (Thunder Bay—Nipigon):** Mr. Speaker, I appreciate the opportunity to join in debate on these motions put forward by my good friend the Member for Spadina (Mr. Heap). These motions accept a determination of the Government to have persons who may very well have genuine claims for refugee status shunted off to safe third countries. The Hon. Member for Spadina is endeavouring to ensure that if the Government is determined to establish that sort of procedure there be safeguards.

I want to speak very strongly in support of these attempts to strengthen the Bill to ensure that there are safeguards which the Government did not accept in committee and which, in spite of the protestations of the Member for Calgary West (Mr. Hawkes), are not in the Bill. Particularly for those persons who are watching this debate elsewhere and do not have the text of the motions before them, to have an Hon. Member suggest that the Government's Motion No. 53 provides for matters the Hon. Member for Spadina has put forward may sound very convincing, but it does not take a lengthy consideration of the motion to see that it is not so.

● (1220)

Perhaps, since I am endeavouring to provide what other persons in other parts of the country may not have, I will read part of Motion No. 53:

That Bill C-55, be amended in Clause 17.

(b) by striking out line 3 at page 26 and substituting the following therefor:

“public in Canada.

(2) Notwithstanding subsections 54(2) and (3), no person who has been determined not to be eligible to have a claim to be a Convention refugee determined by the Refugee Division on the basis that the person is a person described in paragraph 48.01(1)(b) shall be removed from Canada to any country other than the country from which the person came to Canada as determined for the purposes of that paragraph unless

(a) the person is determined not to have a credible basis for the claim on a hearing under section 48.03; or

(b) the person, following a reference of the claim to the Refugee Division pursuant to subsection 48.03(5), is finally determined under this Act not to be a Convention refugee.”

That motion standing in the name of the Minister of State for Immigration (Mr. Weiner) says absolutely nothing about the safeguards which my friend, the Hon. Member for Spadina, is trying to include in the Bill. There is no safeguard that the country that has been singled out as a safe third country, to which this person is to be sent, will in fact provide properly for that person.

Surely, it is a little less than proper debate for the Hon. Member for Calgary West to put forward that the Government has in fact responded to this concern. What he suggested was that the proposals the Hon. Member for Spadina is putting forward would interfere with the speedy administration of claims, or the desire to put forward claims, by possible refugees. This only strengthens the concern I expressed yesterday about the freighting of human beings which the Government seems ready to establish. We are going to be air freighting people back to one country or another, and the Member suggests that a proposal that we have some sort of assurance that persons who want to put forward a claim within our borders are going to be all right somewhere else is going to get in the way of the speedy process the Government wants. But the people of Canada, who are concerned about the provision for refugees would not necessarily want that air freighting done. The suggestion by the Parliamentary Secretary in his argument that this assurance would make the whole process unworkable only underscores this fact. He, of course, supports the Government's efforts to create a process to get people out of Canada by this process of freighting human beings as fast as we can, and suggests that any proposal put forward to be provide for humanity is going to make the thing inhumane.

There is a real danger of sort of a sleight of hand in this debate that may well strike some viewers as verging towards the dishonourable. I want to note in that particular regard, the suggestion made yesterday in debate that the Bill was not in violation of the Convention of the United Nations. I use for that purpose testimony within the committee by a Canadian authority on these matters, Professor James Hathaway, who was asked about this very specific point and responded at page 38 of the *Minutes of Proceedings and Evidence* of the Legislative Committee on Bill C-55: