

Private Members' Business

Since it was created in 1989, the board has evolved and grown to meet the changing needs of the times. Evolution and growth to meet changing needs of times I realize are things our hon. friends in the third party have a little difficulty with.

• (1805)

The challenge has been to maintain objectivity and efficiency in the system in the face of changing world conditions. We have made a lot of progress and we continue to do so.

Before I talk about what the government has done it might be best to remind my hon. colleague why we have an IRB in the first place. It was not an arbitrary invention. It evolved in response to some very concrete and important needs and concerns. This may come as an overwhelming flash to some of my friends in the House, but evolving in response to concrete needs and concerns is all in the process of good government.

First and foremost there were serious charter concerns raised about how we previously ran our refugee determination system. The charter of rights and freedoms provides that everyone has the right to life, liberty and security of the person, and the right not to be deprived thereof except in accordance with the principles of fundamental justice. This is where we get serious, because those are magnificent words. They are words I am very proud of in the Canadian context.

In 1985 the supreme court ruled that refugee claimants are entitled to a hearing on the merits of their claim in accordance with the charter right to fundamental justice. The court pointed out in the Singh case that claimants had a right to an oral hearing before a decision maker where questions of credibility were at stake.

The opportunity to be heard is only one element of fundamental justice. Another is the importance of ensuring the decision maker is both unbiased and impartial; called rights of natural justice.

An hon. member: And Liberal.

Ms. Clancy: Perhaps the word Liberal might rub off on the member yelling it, although I doubt it. To be Liberal is to be honourable and to care and to be open minded.

While the government has no interest in denying protection to those who need it, there is a requirement for justice to be done and for justice to be seen to be done. This means the possibility that decision makers are seen as simply doing the will of the government of the day must be avoided. That is why the creation of an independent body was seen to be so important. It reinforces both the reality and the perception of impartiality.

There is another compelling reason for having an independent body devoted to refugee determination status. This work calls for particular skills, for particular expertise. It requires a knowledge and understanding of refugee issues.

An hon. member: Which they do not have.

Ms. Clancy: The hon. member, is yelling "which they do not have". I am thinking of some of the members of the IRB whom I have come in contact with at consultations and at meetings and whom I have seen both in my years as a member of Parliament and before. I am thinking of the expertise, the knowledge and the hard work. I am thinking of some of their constituents and of people across the country who work hard. It is really unfortunate that duly elected members of Parliament will say the kinds of things this crew is saying about very good members of the Immigration and Refugee Board. I say shame.

Departmental officials could be trained to do the job but current members are specifically selected because they already have the qualities the job calls for. By having an independent body we can specifically recruit the best people for the job.

I presented the reasons for having an Immigration and Refugee Board but now I would like to turn to recent changes we have made in the refugee system. My early assertion that we are fixing the system is no idle boast. Canada does not turn her back on those in need. That is a tradition we are proud of, a tradition the government is working to preserve.

We are not alone. The world forces of migration affect all countries. It is unfortunate again that the hon. members opposite do not take the opportunity from time to time to travel as members of Parliament, as representatives of Canada, and see why the United Nations has called this the greatest country in the world and to see what can only be described as a horror in certain parts of the world.

• (1810)

If they take that opportunity, as I hope they will in the limited time they have here, they will understand why we are so justly proud in Canada of our immigration and refugee programs.

The forces of world migration affect all countries. European nations are confronted with the same challenges we face. That is why the government is working hand in hand with foreign governments to find ways to address the root causes of migration.

International groups like the international organization on migration are an important vehicle for co-operation and for positive change. However, if we are to continue to be a welcoming country, and we will, a haven in a dark and oppressive world, we need a system that is efficient, fair and affordable.

Over the past few years we have heard concerns over the methods of appointment to the board and to some extent over the quality and consistency of decisions. We also realize the in Canada refugee determination system has to be streamlined to keep pace with world developments. It is with this in mind that the Department of Citizenship and Immigration reviewed its