

*Immigration Act, 1976*

their death simply because the Government of the day, for racial, religious, and other reasons, decided not to allow these people into Canada as either immigrants or refugees, even though by some definitions of the day they were refugees. The fact that many of them went back to their death shows that they were in genuine fear and had a right to fear for their lives in their home country of India.

• (1130)

In 1939 a shipload of Jewish people, some 900 souls, was turned away from our soil because Canada at that time refused to believe that Jews in Germany were in danger. Most of them went to the gas chambers, and Canada fulfilled its then perceived role of protection from immigrants and unwarranted refugees.

A year ago we had some people who were basically Tamil from Sri Lanka who came by way of Europe. I want to dwell on that for a moment, Mr. Speaker. The Government and some of the critics of our immigration policy and our policy concerning refugees makes much of the fact that the Tamils stopped in another country. There is an attempt by the Government to treat differently those refugees who have stopped at what is called a safe third country. I simply point out that it is almost impossible to move people from the subcontinent of India to Canada without putting in somewhere, in what would probably be deemed a safe third country, for refueling purposes.

To a certain extent this particular policy Canada has been attempting to adopt, of not permitting refugees to enter our country if they have stopped at a "safe third country" means in effect that most Asians and Africans cannot come here as refugees even though they are genuine refugees simply because they have had to stop to refuel en route. It is a very neat and tidy, I am afraid, repeat of the kind of racial decision-making that occurred in 1914 and 1939, this policy of keeping out some people of certain racial and religious origins on the basis of a so-called stop in a safe third country excuse.

I know that governmental and, indeed, national acceptability of certain races and nationalities does vary over time. I know from experience with my own family who came to this country as immigrants, as did a lot of western, northern, and central Europeans at the turn of the last century and the beginning of this one, that they were welcomed at that time because they were considered to be good immigrants. Looking back to 1914, it probably had something to do with the fact that their skins were the right colour as were their religions. During the war years of 1914 to 1918 and again from 1939 to 1945, because my grandparents and their Canadian children were of German origin, they were looked upon very sceptically by the official Government in Canada. In fact my grandparents spent the First World War years on the U.S. border because they had taken five of their children to visit the great grandparents and made the mistake of not watching international politics. The war broke out during their visit and they were not allowed back into Canada, even though they had been

Canadian citizens for something like 12 years; that did not make any difference.

I only point that out to show that there are times, unfortunately, when our definition of who is a Canadian citizen and who is a refugee is so flexible that the political feelings of the day predominate over the definitions and practices that are supposed to be in effect.

In part for that reason, we have attempted with the coming of the Charter of Rights and the Constitution to set out rules that go above the law and above the Government of the day so that people who are citizens can appeal to the courts. That was not possible for my grandparents because it was 80 years later before that possibility existed.

With this proposed law we are attempting to keep people who are claiming refugee status from going before the courts to have their cases heard. We have an attempt to generate hysteria in Canada over the arrival of some 174 East Indians, mostly of the Sikh religion near Charlesville, Nova Scotia. I want to show how this matter appears to have been manipulated in the eyes of those who have entered Canada in the last generation or two.

Let me review a letter from the Ethnocultural Council to the Prime Minister (Mr. Mulroney) over the matters that led up to the so-called crisis that brought this Parliament back this summer. The council points out that after initial reaction of common courtesy and greeting with food and shelter offered by the residents of Charlesville, Nova Scotia, the Government people moved in and reporters were warned not to take pictures. It was made impossible for the media to conduct interviews. The claimants were immediately bused to a military base instead of to the usual moderate cost hotel and were kept under heavy guard providing the instant image of criminality. They were disallowed contact with the media or any further contact with community people. They were not informed of their legal right to see a lawyer. Access to lawyers was allowed only after a Toronto lawyer, Mendel Green, began proceedings for a court injunction to ensure that these people could get legal advice. When processing of the claimants began, the first and most controversial case, that of Mr. Amrik Dhinsa, a person who had been deported earlier from Canada, was brought forward and made public. I think this smacked of the most flagrant attempt at creating a negative image on the part of the officials of the Department. When processing of claims began, members of the media were disallowed in a further attempt to control information. Again court proceedings became necessary to gain access to what was going on.

In the second case, that of Amarjit Singh, a person alleged to be ready to kill, the information was obtained through questionable means. That information, by the way, was released immediately. The interpretation later was found to have been faulty and the questions were taken out of context. The gentleman involved was permitted to enter Canada because there was nothing to stop him from coming in. That is