

*Government Orders*

here, human beings for whom being deported to their country could be very dangerous in some cases and even fatal.

Under the bill, many decisions that were made by the IRB will now be made by the Minister of Citizenship and Immigration and his officials. Despite all the criticisms we have of the IRB and the mistakes it has made, I prefer that tribunal to be fully in charge of determining refugee status. It is a quasi-judicial specialized tribunal, whose duty it is to hear the parties. The minister's decision is purely administrative and often politically motivated. Thus, many decisions will be based solely on foreign policy considerations and the state of relations between Canada and the refugee claimant's country of origin. We think that Bill C-44 is a government attack on the IRB's independence.

Obviously the minister did not like some of this administrative tribunal's decisions. So what does he do? He removes a large part of its jurisdiction. This is a blatant contradiction of the Davis-Waldman report, which the minister said reduced the need for him to intervene in the refugee determination process. Bill C-44 does the opposite and considerably increases the minister's involvement in this field. It prevents not only refugees but also permanent residents who committed crimes outside Canada from going to the IRB. This bill must be denounced, for it attacks one of the fundamental principles of our legal system, namely the right of appeal. It takes away the right to appeal to the Immigration Appeals Division for humanitarian considerations following a deportation order based on the commission in Canada or abroad of a crime punishable by ten or more years in prison.

The Charter of Rights and Freedoms applies to all. Basic rights to a fair and impartial procedure should also apply to foreigners. I agree with the position expressed by the Canadian Council for Refugees that refugees and permanent residents must be able to apply to the appeal division of the IRB.

This bill is also contrary to the right of family reunification. In some cases, a person will be deported even though his whole family stays in Canada. It is really regrettable that this fundamental aspect of Canada's immigration policy, which is part of the program of the Liberal Party of Canada, is being attacked in this International Year of the Family. This might violate conventions signed by Canada, such as the convention against torture, the principles of the United Nations on arbitrary arrest and detention, the Geneva convention on human rights in wartime, the declaration on disappearance and missing persons, etc.

• (1255)

In that context, the bill might also violate sections 7 and 12 of the Canadian Charter of Rights and Freedom. I also oppose the provision which provides the right to search international mail

and authorizes immigration officers to seize identification papers and other documents sent by international mail or other means, in an attempt to circumvent the Immigration Act. This could lead to abuse. It is to be noted that immigration officers already have the authority to search those seeking to be admitted to Canada, as well as their baggage.

The bill also authorizes immigration officers to request a warrant for the arrest of any person who does not appear at the meeting to which he was summoned. The police will arrest that person and his name will be filed at the Canadian Police Information Centre. Under normal circumstances, police will arrest a person only under the authority of a warrant delivered by a judge. We know that a person will often not show up because he moved and did not get the notification to appear. On September 13, I attended the National Conference on Immigration, in Ottawa. Working group no. 7, which was set up by the minister during the consultation process, looked at control and law enforcement, which are the issues dealt with in Bill C-44. Why did the minister not hold consultations before tabling this legislation?

I am asking that this bill be referred for review by the Standing Committee on Citizenship and Immigration. Lawyers specializing in immigration law, as well as the organizations working in the field of immigration and with refugees, including the Canadian Council for Refugees, should have the opportunity to be heard by the committee. I am also very interested in hearing from the IRB. For all these reasons, the Bloc Québécois will oppose this bill at second reading.

I want to take this opportunity to raise other issues related to immigration and refugees. In Quebec, the Department of Citizenship and Immigration closed four regional offices in July to concentrate all its services in a single centre located in Montreal. This decision must be strongly criticized and this is what we are doing today. We must oppose these closures which have resulted in lost jobs, in Quebec as well as in the rest of Canada. There is another problem I would like to mention, namely the new rates recently imposed by the Minister of Citizenship and Immigration. Many people who were granted refugee status by the IRB are unable to pay \$500 per adult and \$100 per child to secure permanent residence in Canada. I made representations to the minister and his department in the hope of finding a solution to this problem but so far with little success. How can you demand immediate payment in the amount of \$1,400 from a newly arrived family in a state of total despair and often without any money whatsoever?

If I may digress for a moment, I would like to salute the employees of Ogilvie Mills Ltd, especially those of ethnic origin, who have been on strike since June 6 last. Located in Montreal, this mill manufactures Five Roses flour.