

*Immigration Act, 1976*

The mother and her children went to the U.S. where, because of that country's policy on Central America, they had to hide in the basement of an Anglican Church for fear they would be deported to El Salvador and certain death. The U.S. Anglican Church contacted the Canadian Anglican Church and asked if they could help this mother and three children. The church here co-operated, brought those people to the Canadian border, and they are now living safely in Canada.

What would have happened to that family if Bill C-55 was the law of the land? They would have been asked at our border where they were coming from. They would have had to answer that they were coming from the United States. Our officials would then have gone through their little directory of safe third countries and noted that the U.S. is on that list. They would then have said, "we are sorry, the U.S. is on our safe third country list, and with all due respect we suggest you go back there". Keep in mind that she was hiding in the basement of an Anglican Church in the U.S.

I am sure that according to the provisions of Article 33 of the UN Convention the U.S. would not have tortured that woman, probably not have imprisoned her, would not have treated her in a brutal physical manner. What they might have done was say, "we are sorry, but for us El Salvador is safe. You do not face any problems there. It is not our problem and therefore we will provide you with a ticket on the first airplane back to your country". That is what would have happened and the statistics bear that out.

The vast majority, some 95 per cent, of refugee applicants from Central America are deported from the U.S. Why? Because of that country's foreign policy and not because of its refugee policy. Ronald Reagan has a vision of Central America such that it dictates who is and who is not a bona fide refugee.

In this case Canada would have said we have satisfied ourselves. We did not send them back to El Salvador, we just sent them back to the U.S. That is the Pontius Pilate routine of washing your hands of the problem.

Why can the Government of Canada not take it one step further and include the other 45 Articles which deal with protection of refugees? If it did, we would have to ask ourselves with respect to this mother and three children whether the U.S. is going to keep them in that country. Are we sure they will not be put on a plane to El Salvador? Are we sure, based on all the statistics, that we can guarantee the safety of this mother and her children and sleep easy at night? If those answers are unclear, how can the Government espouse its morality of offering individuals protection in the United States when it knows that we would indirectly be guilty if that mother and her three children ended up in the same town from which officials told her to escape? This one example illustrates the mistake of this policy.

• (1210)

I have advocated personally to the Minister, and through my motion yesterday, that if the Government cannot accept deletion of the safe third country concept, it should allow the refugee division to draft the list of safe third countries. In that way Parliament and Canadians can at least be assured that the most knowledgeable, apolitical, and concerned people would be drafting the safe third country list rather than the Cabinet which would be under international and domestic political and diplomatic pressures.

I call upon the Government again today to support the principles of these four amendments with regard to the safe third country concept. We are not saying that everyone who comes here is legitimate, but let us not make a mistake in judgment on individuals who legitimately need our protection.

**Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration):** Mr. Speaker, the Member for Spadina (Mr. Heap) has done excellent work in committee. He stayed to the very end and never missed a meeting, unless for debate in the House. No one can fault him for not having shown genuine interest in the welfare of refugees. That goes without contradiction. He is the one member of the opposition Parties who has shown that consistent interest. His motion has been clinically analyzed and dissected by my friend, the Member for Calgary West (Mr. Hawkes).

Prior to committee stage the Bill did contain the term "safe third country". As a result of committee stage hearings that term was dropped and a more definite term was adopted which incorporated Article 33 of the Convention. As a result of what we heard from witnesses in committee we changed the terminology in order to assure the people working with refugees that the people they are concerned about would be protected under this provision and to assure the refugee claimant that this provision would protect them.

Some of the things which the Hon. Member for Spadina asks are impossible to provide. They would make the system unworkable because they, in effect, give the claimant a choice in where he would be sent. How could we ask any government official to give a claimant a choice of destination?

The Member has said frequently that this Bill could return genuine refugees. I think that in a few very rare cases that is true. The question is to where. We and the U.N. High Commission are satisfied that if they are returned they will not be returned to a place where they would be persecuted. They will be protected. That is the point which must be emphasized.

While I respect the desire of the Member for Spadina to expand the provisions and give unlimited protection to refugee claimants, I hope he will accept that it is not Canada's obligation to ensure that every other country in the world fulfils the Convention provisions in the same way as does Canada in order for it to be a safe third country. I think that is an unreasonable request to make. In order to make the