

Immigration Act, 1976

Having received the report of Rabbi Plaut, the Standing Committee on Labour, Employment and Immigration re-examined this whole matter and heard witnesses. I was a member of the committee. The members of that committee, Liberals, NDPers, and Conservatives unanimously recommended that there should be universal access to a refugee determination process that would be fast, fair, and efficient.

That provision in the Bill flies in the face of what was recommended by the Plaut Commission, and by the unanimous report of the Standing Committee on Labour, Employment and Immigration. This amendment should be supported. We should follow the recommendations of Rabbi Plaut and the standing committee, and almost every refugee support group in the country, the churches, and so on, who are universally opposed to this provision of prescreening. That provision should be eliminated, and we should provide for a fair, fast, and efficient refugee determination process that would be open to all applicants. That is what is proposed by this amendment, and I would ask the House to support it.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I wish to speak briefly in support of this series of amendments, particularly Motion No. 9, which would eliminate the prescreening process and allow refugees to appear directly before a refugee board. The prescreening process at the border is specifically designed to eliminate a large number of claimants. That type of fine mesh being applied before claimants have the opportunity to appear before a refugee board will eliminate legitimate refugees.

The purpose of this motion is to open up the system to ensure that people who are legitimate refugees have the opportunity to appear before a refugee board, and that they are not summarily dismissed by some kangaroo type court that takes place before they have a chance to get into the country, and before they have a chance to appear before a refugee board and receive some semblance of due process.

The prescreening process is particularly directed at people from Central America, from countries like El Salvador and Guatemala. At the present time in the United States these people are targeted for removal. A small percentage of people have attempted to claim refugee status in the United States from countries like El Salvador, where everybody knows there has been widespread oppression and violations of human rights. A minuscule number of refugees have applied to get into the United States and be accepted as landed immigrants or as refugees. The American Government is planning to return these people to what is almost certain death or torture. By having this prescreening process in place, the Canadian Government is playing right into the hands of the Americans.

I urge Members on the opposite side to look at this situation, take account of what is happening to Central American refugees in the United States, people who have a genuine and legitimate claim to refugee status, and not allow this type of prescreening process to be placed in Canadian law which will deny refugees a decent hearing with some semblance of due

process. I urge Members opposite to give this some consideration and not just follow blindly in how they are told to vote, to think of the implications for Canada's refugee policy. If they do, I am sure that they will support this motion.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Madam Speaker, I wish to say that I certainly respect that members of the Opposition have the right to oppose both the Bill and its concept. In doing so, I wish to say that it is not very good for them to use language like "kangaroo type court" when referring to provisions in the Bill. That does not serve the purposes of good debate. It is designed to inflame and caricature an honest process. I hope that when Members disagree, which they are entitled to do, they do so on a solid, cogent, argumentative basis and not use this type of language.

When my friend, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) spoke of the safe country concept, I wonder if he has paid any attention to the amendments that we have brought forward in the Bill. He stated that there is no possibility of universal application of the safe third country concept. He has completely ignored what the original Bill stated, and the amendments that we have brought forward.

If the Hon. Member checked with the Hon. Member for Spadina (Mr. Heap), he would find that, although the Hon. Member for Spadina may not accept the amendments we brought forward, we have certainly gone a long way in redefining the safe third country concept in order to ensure the security particularly of Latin Americans in the United States. I hope the Hon. Member will be careful that when he speaks to a measure he speaks to it from an informed position, and not in the manner he has at present.

It is true the amendment moved by the Hon. Member for York West (Mr. Marchi) would eliminate prescreening. This Member has always spoken about dealing with those people who would defraud the system, who are bogus claimants. If this Member has talked about anything, it is that. At the same time he talked about genuine refugees. I ask Members opposite how we know that they are genuine refugees until they have gone through the system? It seems to me that Members opposite are asking for us to give legitimacy to prejudging on the part of the claimant, or the people who are sponsoring the claimant. We do not know if they are genuine claimants until they have gone through the system.

The Member brings forward a motion that would eliminate prescreening. I wish to read to Members a list of the people that he wishes to have direct access to the refugee system and would not be prescreened, as he calls it.

• (1140)

The following people would have direct access to the refugee system: war criminals; terrorists; persons convicted in Canada of serious criminal offences; persons guilty of espionage; people who are already recognized and protected as refugees in