

Immigration Act, 1976

permanent residents of Canada. This motion is therefore consequential on the addition of the reference to Section 19(1)(j), which describes war criminals, to Clause 2 of Bill C-84. Clause 2 amends Section 39 of the Act.

The purpose of the motion to amend Clause 4 of Bill C-84 is to add a reference to "war criminals" to the list of types of persons who may be made the subject of security certificates leading to deportation from Canada. As mentioned in reference to Clause 2 of Bill C-84, Bill C-71 would add a new Section 19(1)(j) to the Immigration Act thereby making war criminals inadmissible to Canada.

Clause 4 of Bill C-84 establishes a new process for handling security matters involving persons who are not permanent residents of Canada, that is, for example, visitors, refugee claimants, and illegal aliens in Canada. The new process involves a security report signed by the Minister of Employment and Immigration and the Solicitor General and a review by the Federal Court.

I am sure that all Members will want to support this motion to amend Clause 4 to ensure that once Bill C-71 is proclaimed war criminals will be treated under the Immigration Act in the same manner as other security risks.

The purpose of the amendment to Clause 5 of Bill C-84 is to ensure that when Bill C-71 is proclaimed war criminals will be denied access to Canada's refugee determination system.

• (1130)

The United Nations Convention relating to the status of refugees provides in Article 1F that:

The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes.

The UN Convention lists war criminals as persons considered not to be deserving of international protection. As a result, we wish to deny access to the refugee determination system to minimize the prospect that such persons will be able to manipulate the system in order to delay their removal from Canada.

Finally, there is the amendment to Clause 12. The purpose of this amendment to Clause 12 would be to add a reference to war crimes to the new provisions established in Bill C-84 for detention at the port of entry for investigation of identity or security risk.

Clause 12 of Bill C-84 would establish a new Section 104.1 of the Immigration Act. This Section would permit the Minister to issue a certificate requiring detention of a person upon arrival in Canada for up to 28 days for investigation of whether that person may pose a security risk to Canadians.

The present motion to amend Clause 12 by adding a reference to paragraph 19(1)(j) of the Immigration Act as would be established by Bill C-71, would ensure that persons

suspected of being war criminals would be treated in the same manner as other persons who are suspected of posing a security risk.

Finally, I wish to emphasize that nothing in these amendments will interfere with our ability to prosecute war criminals in Canada. Removal provisions do not overrule or override the Criminal Code.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, I am very pleased to see the Parliamentary Secretary steering this Bill so competently through the House. While I am very happy to hear his voice, and follow the logic of his approach, I must say that with two Ministers of Immigration in the House, whose combined skills are perhaps not as good as the Parliamentary Secretary alone, I cannot understand why they should not be here today to deal with their Bill and guide us through the report stage.

An Hon. Member: Where is your critic?

Mr. Caccia: When one considers that for some reason, which is hard to understand, the Tories decided to have two Ministers in charge of immigration, at least one of them ought to be here, particularly in view of the shabby way in which they have handled questions in Question Period when we were grilling the Government on a number of questions related to Bill C-84.

I must confirm my confidence in the Parliamentary Secretary and say that actually, in a way, I am reassured by the fact that his presence here today shows that his skill and competence is being recognized by the Government.

The amendments to Clauses 1, 4, 7, 11, and 18, which were put forward by the Parliamentary Secretary, are important because they deal with the processing of war criminals. We on this side of the House concur in the necessity of introducing these clauses and debating them under one motion as you us to do a few moments ago.

Therefore, on behalf of the Member for York West (Mr. Marchi), who is due to arrive any moment, I will be very glad to concur. I believe he has been held up on constituency business, which I believe everyone understands.

He is not the proponent of the Bill and there is a big difference. The proponent of the Bill is the Minister of Employment and Immigration (Mr. Bouchard) and that is why I am saying he should be here.

In any case, we concur with the motion before us.

Mr. Dan Heap (Spadina): Mr. Speaker, we support this group of motions relating to this amendment. We are also very pleased that the war criminals Bill has been passed. Of course, these motions are consequent upon it.

We support these motions, notwithstanding that we oppose those parts of Bill C-84 to which these motions relate. Specifically, we oppose the denial of access to the refugee