

*Supply*

numerous occasions, Montreal and Ottawa. It was always with an effort to try to get a better feeling of how we are being perceived and what we are doing. One thing became eminently clear. There is a lot of understanding and sympathy for a government that, once and for all, is declaring clearly that it will protect those in need of protection.

We will be guaranteeing a safe haven for everyone who needs one. For those who already have a safe haven, there is less priority and they should be applying as immigrants and meeting the same fair and just criteria that all other intended immigrants have to meet. We have come up with a process that will protect those in need. We have a system that will treat claims fairly in three steps instead of eight.

An opposition Member, the Hon. Member for York West (Mr. Marchi), proudly looks to his Party's record in setting forth an inhumane policy of keeping tens of thousands of people here in the system without knowing what their future might bring them, without knowing whether their refugee determination would be positive or not. Indeed, once they knew what that determination was, in two out of three cases, after the eight steps, they are deemed not *bona fide* refugees, yet they would still be allowed to stay. That is not a refugee determination policy, that is an open door policy.

We are saying clearly that we are leaving the door open to legitimate refugees, and I want to emphasize that there is a door. We are not going to let anyone take that door off the hinges. We will act in a decisive way to welcome real refugees. We will curb abuse but we will plan and manage our resources effectively.

This heavy flow of phoney refugees has been accelerating in recent years. We know, for instance, that in the early 1980s there were some 1,800 claims a year; last year there were 18,000. In the early part of this year the number was running up to 1,500 a week. That was perceived to be unfair and unjust. That kind of chaotic system cannot be allowed to continue because chaos is unfair. People want fair and just criteria. This is a real world, not a theoretical world. It needs common sense solutions, not naivety. We are putting into place objective criteria, not subjective opinion.

I want to state clearly that we have a process that will give streamlined processing, quality oral hearings in front of independent board members and, as Members have indicated, appeal by leave to the Federal Court. We meet international obligations signed at Geneva. We respect our Charter of Rights and Freedoms. We maintain our proud tradition, the proud tradition in evidence when Canada won, justly so, the Nansen Medal, and we will protect the integrity and the credibility of not only of our refugee policy but of our entire immigration system.

There have been some inaccuracies in what has been set forth this morning and it is incumbent upon me to try to clarify some of those.

We have a three-step process. Both members of the Opposition have constantly referred to step one as a pre-

screening. Step one of the new process is not a pre-screening. Pre-screening implies that decisions are made before claimants are in the system, before they have access to a member of the refugee board, and there is no consideration of their individual circumstances. We speak of step one as our initial screening, but it is a screening within the system.

● (1240)

The difference is not merely one of semantics. Unlike other countries in which there is pre-screening, every claimant in Canada appears in person before a member of the refugee board. Everyone who comes to a Canadian port of entry will be able to assert a claim to Canada's protection in an oral proceeding before a member of the independent refugee board and an adjudicator. If there is a case against a refugee, he or she will be entitled to be so informed and, with the aid of counsel, to respond.

There has been some discussion of the first step, but I can say clearly that there are two tests inherent in it. The first is the objective criteria: does the person have refugee status elsewhere, can the person be returned to a safe third country, are there manifestly unfounded claims, has the person previously been rejected by Canada recently and is the person subject to deportation order from Canada already. The second test is a very low-threshold test of credibility. The adjudicator and the independent board member listen to the story to see if there is a shred of a chance that this refugee is in fear of life, limb, liberty or security.

Hon. Members have asked if there is or is not discretion in this second test. I have said clearly that the second test is a very real test. Section 48(1-2) of the revised Act permits the referral to step two of some individuals who already hold refugee status in another country provided there is reason to believe that they have a well-founded fear of persecution in the country that has recognized them as refugees.

Similarly, where a claimant is alleged to have arrived from a safe third country, return is not automatic. Both the member of the refugee board and the adjudicator must be satisfied on the evidence produced that the person did come to Canada from a country prescribed by the Governor in Council as safe and that the claimant would, if removed from Canada, be allowed to return to or has a right to have a claim determined there.

That clearly shows that the two individuals involved in the very first step will listen to the representations of the claimant and his counsel in a very honourable way. At the same time, they will listen to other representations that may be made about whether or not the individual has come from a safe country. They will also look at any refugee status that has been established.

My hon. friend is taking issue with the safe country list that will be determined some time in the future. I have stated very clearly that it will be based on very stringent criteria. We are well aware that life and death is at stake here. Indeed, those