

Immigration Act, 1976

It is a very serious undertaking for a government to knowingly and clearly contravene that kind of international obligation. It must be for reasons of great emergency of state that we would so clearly go back on our word and commit this kind of incredible retraction from an undertaking to an international statement made by the Government of Canada on behalf of Canadians.

The Government has never been prepared to say why it is doing so. We know that much media attention has been given to the fact that certain Sikhs arrived on our shore and the House was recalled because of a crisis. However, that still does not explain Bill C-55. It does not explain that there is a clear alternative to the methods being chosen.

The motion points out that it did not have to be done this way. It did not have to automatically preclude large numbers of people from being given the opportunity to present their case. We have pointed out in this House many times that if they happen to come from a so-called safe country, that is an automatic exclusion regardless of the merits of the case. Yet we know there is no such thing as an absolutely guaranteed safe third country. Look at the statistics.

• (1230)

The previous speaker to me talked about the United States. I think we all admire it as a democratic country with an open political system based upon a constitution and bill of rights, yet we know that at the present moment, if one is a refugee claimant from Central America, one's chances of being accepted into the United States refugee determination system is about 3 per cent or 4 per cent as compared to being a claimant from eastern Europe where one's chances of acceptance are around 50 per cent or 60 per cent. The conclusion one must draw from that simple statistical analysis, therefore, is that there is a high degree of political judgment being applied in the refugee system of the United States. For Central Americans it is not a safe third country.

I can speak from personal experience with respect to many of those who are involved in the sanctuary movement, the very movement about which the Pope spoke in San Antonio last week in an appeal to the United States Government to legitimize the sanctuary movement. We in Canada were, up until now, accepting refugees in that sanctuary movement because those people knew their chances of an opportunity to be heard in the United States were virtually nil. We are now excluding that class of people. By the way, when that class of people made claims under the sanctuary movement and appeared before the refugee advisory committee, a large proportion of them were accepted as bona fide refugees.

We have had historical experience since 1982 of Central Americans in the sanctuaries of the United States being given access to our refugee claim system and being accepted as bona fide refugees. We now have a Bill in the House which will exclude that class of people from even making a claim and

having it heard. Clearly that is a contradiction of our obligations under the Act. The case evidence is before us.

It is very hard to have any justification for this, and we have heard none from the Government. It has evaded any commentary on that central point. It is no wonder that every single organization in this country, every single reputable group working in the field of refugee matters, such as the Canadian Bar Association, church groups and aid organizations, and every single international organization, including the United Nations High Commissioner for Refugees and Amnesty International, every group which has knowledge, and respect and credits in this area, has condemned this part of the Bill. Yet the Government stands in the face of that kind of evidence and refuses to acknowledge that it has made a mistake in this particular area and refuses to find any way of trying to make a correction.

The amendments before us are simply to respond to the historical evidence, the treaty evidence and the testimony of all those who have come before the committee to say the Government has made a mistake. It is a grievous and terrible mistake. Do something to correct it.

It is hard to fathom when there has been such a weight of argument why there is such obduracy and insensitivity to this matter. It is really hard to fathom, unless what the Government is really saying is that it now believes we should no longer accept the UN covenant on refugee matters in terms of universal right of access to determination. I say that because during the debate on this Bill earlier the Minister of National Health and Welfare (Mr. Epp) rose to say that he does not believe in it. He is not the Minister of Immigration but he is a member of Cabinet and, therefore, provides us with some suspicion that perhaps what he was saying reflects a much broader point of view.

If that is the case, the Government should say so. It should clearly say it is abandoning its international commitment and tell it to the United Nations Commission for Refugees. The Government should at least have the honesty to admit that it no longer will adhere to that basic fundamental principle which we have adhered to as a country for 20 or 30 years. At least we would then have it out in the open. At least we would know what we are dealing with, rather than trying to slip it in by the back door. That is why these amendments are very crucial. If it is simply a matter that the Government has made a mistake, then it still has an opportunity to correct that mistake. However, if the fact is that it is fundamentally changing its commitments, and this country's commitments on refugee matters, at least it should have the guts to say so.

Hon. Chas. L. Caccia (Davenport): Madam Speaker, there is a tendency around here to believe that interventions made in this House are of a partisan nature. That is quite understandable. After all, this is a partisan place. We therefore tend to look at interventions by government Members as being pro-Government and the Opposition as being in opposition for the sake of opposing. That is why I would like to put on record