country concept and the appeal process". They said that the appeal had to be beefed up, the safe country concept eliminated, as well as the prescreening process. They said, "If you make changes in those three areas, then the Bill will be acceptable and we can move on with the reform that has been waiting for three years. However, if you do not change these three areas in a substantive and meaningful way, any other changes become almost academic." They said that if we did not offer protection for refugees at a prescreening and if we wish to orbit them by safe country and if we do not want to offer them a proper appeal, then what is the use of crossing the t's and dotting the i's on page 41 of the Bill?

Those are the three basic tenets of the Bill. If those are not changed the spirit of the Bill will not be changed and the other amendments that we can dither over and spend lots of time on will become meaningless in comparison to the other three areas. We therefore strongly advocate that the Government show some movement in these three areas.

Motion No. 6 addresses itself to one of those three areas, namely, the elimination of the prescreening to allow for maximum safety of the individual and to allow the individual to take part in one hearing which would reduce the time that we have to have refugees in the system. Reducing the time will give more fairness, clarity and add a disincentive to those who wish to make frivolous claims.

Ms. Margaret Mitchell (Vancouver East): Madam Speaker, I rise to speak in favour of Motions Nos. 7 and 9 as presented by my colleague. I understand that he has spoken in detail to these motions.

We have a great concern that the Bill will not give a fair hearing to individuals. It provides for a hasty process with only an adjudicator and a member of the refugee board to talk quickly to people at the port of entry. We feel it is important that there not be this hasty method of excluding people from a fair hearing with proper legal counsel and the opportunity for appeal. Therefore, we are asking that the recommendation in the Bill for an inquiry at the port of entry be changed and that this matter should go directly to the refugee board for processing.

As I have said several times in speaking to the two immigration Bills, I fail to see why the Government has not paid heed to the recommendations of the Standing Committee on Labour, Employment and Immigration, the all-Party committee of the House which recommended an efficient, effective and more streamlined method of processing refugee applications. In essence, as I understand it, that is what we are suggesting here. We want people to have the chance of a full hearing. We do not want it to be delayed unnecessarily. We want maximum administrative efficiency, something which we do not have now in government procedures. We do not want people to be turned back at the port of entry.

I am particularly concerned about the port of entry in my province where many Latin American people arrive, coming from the United States. We know that if they are left in the third country, in this case the United States, they may very well be deported since there is certainly not as much acceptance and sympathy there for people coming from countries where there is considerable upheaval.

In speaking in particular to Motions Nos. 7 and 9 moved by the Hon. Member for Spadina (Mr. Heap) we ask that they be accepted.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Madam Speaker, I rise to speak in favour of Motion No. 6 put forward by my colleague. The purpose of this amendment is to eliminate the prescreening that is provided for in the Bill. We want to eliminate it because it denies to refugee applicants universal access to the refugee determination process.

Under the prescreening provision in the Bill those who will sit on that hearing will decide whether or not the applicant comes from a safe country, and I say "safe country" parenthetically. If they decide that an individual or individuals come from a safe country then they are denied a full hearing on their claim for refugee status and sent back to that safe country.

• (1130)

Prescreening is wrong because it is almost impossible to provide a universal definition of what is a safe country. A Salvadoran coming from the United States to Canada and claiming refugee status, who was sent back to the United States because the United States was considered a safe country, could very well be returned to El Salvador where his life would be in danger. Therefore, the United States is not a safe country for the Salvadoran.

On the other hand, for a refugee coming to the United States from Poland or Czechoslovakia, the United States may very well be a safe country for that Polish or Czechoslovakian person, and they would not be sent back to Poland or Czechoslovakia.

The problem with the safe country concept is that conditions change in the refugee world instantaneously from day to day. What is a safe country today may change overnight due to some revolution or some massive movement of people, and that country would not be a safe country tomorrow. As I previously stated, a country may be safe for refugees from some countries but not from other countries.

Consequently, through this amendment we are moving that the prescreening be eliminated, and that the person be sent to a fast, efficient hearing on his full claim as a refugee as quickly as possible. In general terms that was proposed by the report of Rabbi Plaut, who considered this matter for more than a year. He was appointed by the previous Liberal Government, and he reported to this Government. He strongly recommended that there be universal access to the refugee determination process, and that there be no prescreening where a certain group is eliminated before they have an opportunity to prove their full case.