

individual, because of his or her particular circumstances, has good reason to fear return to another country.

The United Nations High Commission for Refugees believes that case by case determination of such issues is essential and recommends that these provisions be reconsidered in the light of the general principles stated above.

The reconsideration was unfortunately ineffectual and there is great danger that the sort of practice reflected by the Minister's decision and which is spreading among the European countries, as the Member for York West warned us, may create the situation which was pointed out by Philip Rudge last year, Secretary of the European Consultation on Refugees and Exiles, when he said: "Increasingly, refugees are presented not as people in need of help, but as people who constitute a threat to the order of things; they do not have problems, they are the problem". That is the attitude that Philip Rudge is worried is growing in his own country of Britain and in Europe. To confirm that these countries will not be willing to accept the refugees Canada rejects, without having examined their case, we have a statement from the United States Government. Its spokesman, Duke Austin, said:

Once an illegal alien is admitted by Canada for an inquiry, he has no right to re-enter the United States. You can't return illegal aliens back to a country where they were previously illegal. You deport them to their homeland. We wouldn't take them back.

In other words, what we are finding is that the safe country system will just not work. In fact, according to a study undertaken by the Library of Parliament, authored by Margaret Young, the researcher for the Standing Committee on Labour, Employment and Immigration there is no workable basis for sending a person to another country with protection of his potential refugee status unless there are signed agreements. We were assured a year ago that agreements would be signed. I understand there have been many attempts to have agreements signed with the United States and with countries of western Europe, but there are no agreements. Therefore, as was pointed out in the study of the Library of Parliament, the system of safe country, the system of removing the majority of refugee claimants from our door to and returning them to the country they were spending some time in before, not the country they fled, the country where they had a temporary stay—perhaps they asked for refugee status, perhaps they did not. They were given permanent stay as is the case with most—is simply not going to work.

● (1750)

That is the major fault in this Bill. There are others as well. For example, the second major fault is that the right of appeal is denied almost entirely. It is denied through the rules the Senate attempted to amend somewhat. But in fact the Minister has cut out practically all of the rules the Senate tried to change, that is, all the amendments the Senate tried to make.

The Hon. Member for York West having had unlimited time to handle this matter, has gone into detail and I will not

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repeat the points he made. I will simply summarize by saying that no reasonable time has been given to a claimant to find a counsel of his own choice. No reasonable time has been given to a claimant to make his declaration. He has to make it at the very beginning, the first question asked, or else forever hold his peace. The irony is that that rule will not hurt the phoney. It will not hurt the fake refugee claimants because they would have been coached on what to say.

If a person has perhaps been tortured by uniformed officers in El Salvador, and escapes through El Salvador, through Mexico, through the United States, and eventually months and even years later winds up in Canada, and meets uniformed officers who ask him that question, because he is a genuine refugee with a genuine well-founded fear of persecution, he might be afraid or confused so that he would not give the right answer the first time. This rule will throw out the baby and keep the bath water. It will exclude more refugees and allow in more phoney refugees who have been coached in giving a false answer.

A letter has been sent to the Senate, with copies to interested parties, by people representing the refugee advocacy groups including the Canadian Council for Refugees, Carter Hoppe, the Ontario Chairman of the Canadian Bar Association in his personal capacity, Michael Schelew, spokesperson on refugee affairs for the Canadian section of Amnesty International, Lorne Waldman for the Coalition of a Just Refugee and Immigration policy. The letter points out that these rejections of the Senate amendments by the Minister are unacceptable. It urges the Senate to reject the Bills as long as the Minister is unwilling to have the Bills amended in accordance with Canadian and international principles of justice.

We also have a resolution from the Canadian Council for Refugees which wholeheartedly supports the court action that will be launched by the Canadian Council of Churches. The Canadian Council of Churches has undertaken to raise \$300,000 to fight this Bill because it violates the Charter principle No. 7 of Security of Person. It will support that action by providing its fund-raising mailing list to the Canadian Council of Churches, by promoting the campaign among its members, and by forming its own committee to develop and implement action. The Canadian Council for Refugees is firmly convinced that these Bills will jeopardize the lives of refugees coming to Canada. The membership of the Canadian Council for Refugees is very worried that these Bills might jeopardize the lives of refugees in Canada currently in the claims process. The Minister has made a very unfortunate decision to simply reiterate the false policy that was carried on by her predecessor.

It is a policy that already clearly is biased politically because over the last several years, Canada has brought in far more refugees, including the designated classes, from communist dominated countries than it has allowed in from countries dominated by right wing or fascist governments.