

*Statements by Ministers*

refugees from other continents. The increase of air travel in particular caused a need to re-examine our system.

As far as I know, it has never been true that anyone, in or outside of this Parliament, has advocated an absolute open door for immigration or refugees, although the Hon. Minister of State for Immigration (Mr. Weiner) has alleged that. It is simply not true to say that anybody in this House is advocating that we have to accept anyone who sets foot on Canadian soil.

Some of us have said, in accordance with the Supreme Court, that anyone who sets foot on Canadian soil and claims refugee status has a right to be heard. I was glad to hear the Minister acknowledge that at last in his remarks about the Canadian Charter. I hope that when he goes to lunch he will reread both Bill C-55 and Bill C-84 and cut from them the parts which deny the decision of the Supreme Court and deny the Charter of Rights.

In fact, Mr. Speaker, this problem has been addressed by Parliament and by the all-Party committee of Parliament which was asked by the Government to respond to the Plaut report and make recommendations on it. The committee did make recommendations which were reviewed a year later. The original recommendations made almost two years ago were reviewed, improved and considered in consultation with many of the public groups and legal experts which had advised the committee during its deliberations.

During the nearly two years since November, 1985, when the committee's report was first presented, the Government never made the comprehensive reply to the committee's report which the rules of this House ordered it to make. It simply refused to do so. To this date it has not responded to the recommendations made in the 1985 fifth report of the Standing Committee on Labour, Employment and Immigration.

Instead, we had Bill C-55 which does not, contrary to what the Minister tried to tell us, agree with the principal recommendations of the committee. It does not send the refugee claimant directly to the refugee board. Instead, it would stop the great majority of refugee claimants from ever coming near the refugee board. It would stop them by examining them, rather than on the individual's claim that he is in danger of persecution, on what country he came from or passed through and, in most cases, it would send him back to one of those.

In other words, contrary to Rabbi Plaut's excellent report and contrary to the drier legal recommendations of the committee, Bill C-55 denied the fundamental principle of the United Nations Declaration on Human Rights of 1948 which says that every person who is being persecuted has a right to seek and enjoy asylum under another government. It denied the basic principles of the United Nations Convention for the Protection of Refugees of 1951 which Canada signed about 20 years ago.

Instead, it introduced a screening system which not only did not send people to the refugee board, and not only created a refugee board which is in fact largely adversarial, contrary to the recommendations of the committee, but also denied an

appeal which the Plaut report advocated and which, although not at first advocated by the committee, has since been supported by members of the committee. That is a very well known fact.

Instead, this summer there has been a sudden outburst of inflammatory statements by the Minister of Employment and Immigration (Mr. Bouchard) and the Prime Minister (Mr. Mulroney). They have stated as a fact in the public media that the people who arrived on a certain ship are not refugees but are in fact illegal aliens. The kindest thing that can be said of the Prime Minister and the Minister in those cases is that they do not know what they are talking about. They have no way of knowing that every person on that ship is not a refugee because those people have not been examined under our laws.

Therefore, it is prejudicial to their case for the Minister of Employment and Immigration, of all people, to give judgment against them before they have even begun to be heard by the due process of our law. To use that premature judgment, and probably untrue judgment in many cases, to inflame public opinion, not only against those refugees and people of that particular national, racial or religious origin, but against refugee claimants in general coming to Canada, is certainly not the proper way to set the scene for legislation worthy of this House.

We now also have Bill C-84 which has been presented in a hurry. We are asked to pass it in a hurry. Fortunately, the rules of this House allow for at least one day's consideration. As a result of our examination of the Bill we are very glad that the rules do allow for that consideration.

As I said, the Minister's statement made much about what is in the Charter and how everyone who comes here must be treated in accordance with our laws. We heard the Minister talking that way in the spring. What he told us in that vein in public statements on Bill C-55 turned out to be with reference to a Bill which had nothing to do with the Bill C-55 which was tabled in this House by the same Minister. The statements he made about Bill C-55 were simply not true. When he was challenged on that he said that we would fix it up in committee, although he knows full well that we cannot change in committee that which is done in principle. The Minister of State for Immigration was very clear in making the point to the critics of the opposition Parties that those things cannot be changed in committee.

Therefore, bearing in mind how misleading the Minister's statements were in May with regard to Bill C-55, we are going to read Bill C-84 very carefully. We are going to deal with what is written in the Bill rather than with the fine sentiments that the Minister expressed in his statement or in any other propaganda he may issue.

For example, in his statement he referred to smugglers. We would like to know how he defines "smugglers" in Bill C-84. Does he mean, as he suggests by his rhetoric, those who make a regular and profitable business from the misery of people