

—the lack of discretion—

Then we have the Nanaimo Immigrant Settlement Society which raised a very strong signal of the violation of the United Nations Commissioner for Refugees. There are scores and scores of individuals who took the trouble either to appear or to write in opposition to this safe third country notion. Perhaps I might be allowed to quote the Canadian Jewish Congress, which stated that there are no guarantees against subsequent rejections. It said:

If we are to return people, they should have some status in that country.

The Government has decided through a subterfuge to remain distant from its commitments to the United Nations Convention on Refugees. That is what the Government is doing without admitting it, without coming clean with Canadians and with the United Nations as to its intentions. In other words, the Government is doing something through the back door, by way of an amendment to one piece of legislation, hoping that somehow what it is doing will go by unnoticed, that it will get away with it, or that possibly it will not be challenged in the higher courts. That practice is an objectionable one, and must be put on the record. It has to be said that if the Government has the intention of reneging on Canada's commitments to the United Nations, particularly in regard to refugees, then it had better come out in the clear and say it openly to everyone so it can be judged for its actions.

• (1750)

Mr. Dan Heap (Spadina): Madam Speaker, I rise to speak in support of Motions Nos. 18 and 21. I support Motion No. 21, particularly because it includes a test which, while it would not be enough to make the original safe-country clause satisfactory, does make it better than the clause that has replaced it in one vital respect.

Motion No. 21 provides that if a person is to be returned, he would be returned to a country that the refugee division considers to be a safe third country for the claimant. The people who are experts in refugee matters, not the people who are experts in external affairs, would be making that decision. Furthermore, it provides that the refugee would be admitted to that country.

The clause the Hon. Member for Calgary West (Mr. Hawkes) likes so well does not assure us that a person will be admitted to a country. Later on, there is a clause which deals with what to do if a person is not admitted to a country. That is very nice if the person who is not admitted to a country is sent back to Canada. We have no assurance that that will happen.

There is nothing in the Bill about an agreement, an arrangement or a guarantee, all of which words the Minister has used since May to sell this Bill to the public, to deal with people who are chucked back to a certain country. There is only the requirement that the country be in compliance with Article 33 of the Convention, an article which provides that the country will not send the refugee back but does not provide that it will

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give a person a chance to claim refugee status. It does not provide a refugee the right to be returned to Canada or the right to claim refugee status in the country to which we have sent him.

In that respect, the clause moved by the Hon. Member for York West (Mr. Marchi) is better than the Government's clause. We could have moved an amendment that would have referred both to the Convention and to the right to return or to make a claim, but the Government did not want it that way.

We heard a very moving speech made by the Hon. Member for Calgary West. Oh, yes, he got to me, he really moved me. He said that people in Afghan or Pakistani refugee camps or people in refugee camps in Cambodia or Thailand are more needy than people in refugee camps in western Europe. He is right. They are more needy, from everything I have heard. I have not visited those camps, but some Hon. Members have and they probably know that. I believe that those people are more needy, but then the Hon. Member for Calgary West went on to make a little skip in logic and say that if we shut out the people from western Europe, of course we will take the people from refugee camps in Southeast Asia or Pakistan. That is a lot of pure boloney from Calgary West.

The fact is that Canada has taken in very few Afghans. All kinds of crocodile tears are shed over the Afghan people who were invaded by the Soviet Union. I opposed the invasion of Afghanistan when I was on city council before I was a Member of Parliament, and I do now oppose the invasion of Afghanistan by the Soviet Union. We hear all about the poor Afghan people, but at least until very recently, less than 100 Afghan refugees were accepted into Canada.

Mr. Friesen: Say why, Dan.

Mr. Heap: The Hon. Member wants to know why. The reason must lie with this Government's overseas selection policy. It is not because people came from western Europe, it is because, for example, of medical criteria.

There was a complaint from the Mennonite Central Committee this spring about a family of Kampuchean who were in Thailand and had waited there for years. This family was finally selected to be relocated to Canada. A couple of days before they were to board the airplane, a young son of the family was found after an X-ray to have a spot on his lung. There was a possibility that he had TB, and of course the whole family was not allowed to come to Canada. Of course, they would have had a chance to do so later on.

What happened not much later was that the young man hanged himself because he was an impediment to his family's chances of getting to Canada. In this case, the policy of the United States would have been much more generous. The family would have got to the United States if they had been scheduled to go there and the young man would either have been X-rayed again to find out if he really had TB or he would have been treated for TB. In our countries, TB can normally be cured in half a year.