

Immigration Act, 1976

Mr. Dan Heap (Spadina): Mr. Speaker, I thank you for your interpretation of that last point.

I am not going to say I am happy to debate this Bill because I am very, very sorry the Government brought it forward. I am very sorry that in the last six months the Government broke with a policy of consultation which it had continued until December. Until then there was open discussion between the Government, opposition Members, and the public about what sort of Bill this should be. It is very sad that around that time the Government shut itself off, refused to communicate, and began to carry on a secret course of action. It is of course legal for it to do that, but I am very sorry it ceased to act in the spirit of good will and good faith which had continued until then.

Until that time we seemed to be making progress in identifying the problems and the best possible solutions. There was until that time grounds for understanding that we all basically agreed, both Members of Parliament and the people of Canada, about what we had to do about a very serious problem. That is not the problem of abuse, it is the problem of the great need of many, many people in the world. The problem of abuse is a secondary problem. There can be abuse of any good program and there will be abuse even of the program the Government has put forward if it becomes law. The Minister himself said that nothing is perfect.

Our committee, when it studied this matter for hundreds of hours—and the former Chairman of that committee sitting across the way will corroborate this, I am sure, when he speaks—found that of all those who had been examined until that time, the abusers were in the minority. Under the old system, which had been slightly modified to the extent allowed by law, about one-third had been found to be refugees, and an unknown further number were found to be worthy of humanitarian consideration. We would not send Iranians back to the Ayatollah Khomeini's Government. We would not send people back to the Soviet Union if they said they were afraid to return. We would not send people back to Poland, whether they fitted the definition of refugees or not. We would not send people back to El Salvador, Chile, or Guatemala if they were afraid to go back for the same reason.

When we considered that the Supreme Court of Canada found that the system by which people were being judged was unfair, contrary to the Constitution and the Charter of Rights and Freedoms, then the committee judged that the majority of the applicants, even under the old and cumbersome system, had a good claim on Canada's protection, either technically as refugees or practically on humanitarian and compassionate grounds. These were people who should not be sent back to civil war or similar kinds of disturbances which have the same effect as individual persecution.

We based that partly on the many, many witnesses who appeared before the committee during the six months we held hearings. Many, many witnesses told us they wanted a favourable approach to refugees. They also are reflected in the 75 per cent referred to in the Goldfarb poll who said we should

admit legitimate refugees. They did not define what legitimate refugees are in that poll; they simply understand them as being people whose lives are in danger because of their politics, religion, membership in some social group, or for any other reason which requires them to, as the UN said, seek and enjoy the protection or asylum of another country. That was the essential decision of our committee.

I regret that the Government, against so much public opposition from informed people, has decided to move ahead with this very destructive Bill. I have been one of those who have called for the simple withdrawal of this Bill. What I wish to do now is to point out the need for withdrawal and, second, to enlarge on the approach of the Canadian people over and beyond the approach of Canada's Parliament. Third, I want to show how the action of the Government over the last few months has been in the opposite direction. It has gone contrary to the Canadian people's policy, and contrary even to its own policy before that time. Finally, I want to show how the Canadian people are reaffirming their original orientation on this issue.

One reason for withdrawing this Bill is that to spend the time necessary to debate it and consider amendments is much more wasteful of time, and much more likely to allow the situation to grow worse, than if the Government were to make a clean break and admit that the Bill is irrevocably flawed and withdraw it. Then, in consultation with the people who have worked on this subject for several years, it could draft a new Bill.

• (1710)

Of course we have a crisis but this Bill, if passed, will not solve the crisis for at least several months. It probably will not solve it even then, because we have been warned that lawyers who are competent in this matter will voice their objections where it will count, in the Federal Court and the Supreme Court.

The Minister has said, "Trust me". He has said, "Trust the intent of the Government". You and I, Mr. Speaker, know that if this comes to a vote you will not ask me and the other Members of the House whether we will vote for or against the intent of the Government. That is not possible because it is not on the agenda. The Government did not put its intent on the agenda. It did not put forth a discussion paper or White Paper. We begged the Government for a year to put a White Paper before us which could be discussed. It would not do that. Instead we are asked to vote for Bill C-55.

The Government's intent makes no difference whatsoever, and it is mischievous of the Government to pretend that by voting for its intent we will be voting for something better than the Bill, something without the faults of the Bill.

We know that there is considerable trouble with the backlog. We know that the backlog is a small reflection of a world-wide problem of 10 million or 15 million refugees. We also know that every lawyer in the private sector who has