

*Immigration Act, 1976*

insistence on criteria of the highest standard and because under such criteria the number of potential safe third countries is, sadly for the world, pitifully small. We have stated in our announcement that a safe third country for one group of nationals may not be safe for another.

In actual operation, however, our safeguards will go even further because the third country provision will not work successfully unless we have some degree of understanding, an arrangement with the countries themselves. We do not intend to act as have some and use the process to place refugees in orbit. The possibility of *de facto* protection and safe return must be entirely clear or it shall not be exercised.

I am confident that this kind of insistence, this kind of quality, which I believe and know is built into both the intent and the actual operation of Bill C-55, will not fail us, neither today nor tomorrow.

● (1600)

We knew we had to create a determination system to meet the present crisis, but also one which would withstand future pressures equally well. Our obligation on both counts, therefore, was to insist that quality be the hallmark of the proposed new system, and quality there is. It is in the third country list. It is in the initial hearing which, in my opinion, puts the odds greatly in favour of the claimant going to the full refugee board if he or she has any grounds whatsoever for a legitimate claim. Of course, there is quality in the new board itself.

Hearings before the board will be oral. They will be non-adversarial. The claimant will be entitled to counsel, provided, in many cases, at government expense. The claimant will also have full access to the document centre. The board itself will be fully and completely independent.

The board members must be hand-picked for their knowledge and expertise in refugee issues. They will be trained further upon appointment. I can assure Members of the House that in seeking the best qualified people to serve as members of the new refugee board, we will not hesitate even to look to those communities active in refugee issues which are most vocal in opposition to Bill C-55.

Why would we do this? Because, again, as far as the intent of C-55 is concerned, in its one central purpose of helping those who truly do need our help, we are not in disagreement with the non-governmental organizations, the Members opposite, the churches or anyone else in Canada who shares this objective.

Again, I appeal to our critics to look at the over-all intent before they judge the specifics. Before they ask why there is no review of fact, for instance, look at the system as a whole, as it has been designed. Look at the insistence upon quality and the insistence upon fairness. Look upon the benefit of doubt given at every stage, which is itself review.

**Mr. Berger:** Mr. Speaker, I rise on a point of order. Looking around the House, I do not believe that we have a quorum in the Chamber.

**Mr. Deputy Speaker:** We do now have a quorum.

**Mr. Weiner:** Mr. Speaker, only one of the two board members at the board hearing need find in favour of the claimant for the claim to be accepted.

Yes, there are many "what ifs", and I am aware that a review process would satisfy many of the doubts about Bill C-55. But where would it end? How long before there would be the demand for a review of the review? How long before we would be back with the same year upon year impossible process we have now? Justice has an obligation to be accurate, but also to be swift.

If new circumstances unfold during a hearing itself, they can be taken into consideration right there. If the process itself has not been adhered to, then leave to appeal on a point of law will be granted.

Finally, let us not forget that at any time, if the facts merit it, permission to remain in Canada on humanitarian grounds may be granted by the holder of my present office.

It is my belief that within Bill C-55 lies not only a workable but also a fair refugee determination system.

Surely I do not need to explain to any Member of the House who disagrees with the opportunity afforded by the legislative process for debate, for the gathering of evidence or for the proposition of amendments.

Bill C-55 calls for swift determination because speed in this case is an agent of justice. Refugees want and need to pick up the pieces of their lives. But accuracy will not be sacrificed.

Bill C-55 upholds the idea of integrity because without it the system cannot work. Integrity is important because without it we cannot for long maintain the support of our partners in this undertaking, the people of Canada.

Public opinion is important, and I applaud the people of Canada who support this Bill and who share our determination to assist the refugee in legitimate need of our protection. Let none of us who is privileged to sit in this Chamber ever forget that it is the people of Canada, not we ourselves, who have built the great traditions of humanity which we all honour and in which we all take pride.

[*Translation*]

Refugees are sponsored by Canadians. It is because of them that immigration is such an essential and decisive factor to build the open, welcoming society in which we live. They make relocation a positive, successful experience.

And Canadians in the final analysis pay the bill. It is with their taxes that we discharge our obligations and commitments internationally to help both development and refugees. In both cases Canadians are generous.