

Immigration

nize unless an hon. member rises in his place and is recognized. Therefore the Chair cannot rule on such a point of order. The hon. member for Hamilton West may have a valid point, but I cannot accept it as a point of order.

Mrs. Holt: Mr. Speaker, I rise on a question of privilege. My name was referred to, and it has been implied on the record that I am a racist—

Mr. Alexander: I never said that.

Mrs. Holt:—and that I made a reference to the difference in skin. I said I am an anonymous ethnic because my skin is not a different colour. However, I am still of the ethnic group. I was not being racist, and I want that to be on the record.

The Acting Speaker (Mr. Ethier): Order, please. We can all enter into this question of privilege. It will then degenerate into a debate. With the kind permission of hon. members, we will move on to motion No. 8.

Mr. David MacDonald (Egmont) moved:

Motion No. 8.

That Bill C-24, An Act respecting immigration to Canada, be amended in Clause 3 by striking out line 41 at page 5 and substituting the following therefor: "origin, colour, religion, sex or legal political opinion or activity;"

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Ethier): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Ethier): Pursuant to Standing Order 75(11), the recorded division on the proposed motion stands deferred.

Mr. David MacDonald (Egmont) moved:

Motion No. 10.

That Bill C-24, An Act respecting immigration to Canada, be amended in Clause 4 by striking out lines 27 to 36 at page 6 and substituting the following therefor:

"(b) in the case of a Convention refugee, it is established that that person is a person

(i) described in paragraph 19(1)(c) unless the offense in question is a political offense; or

(ii) described in paragraph 19(1)(d)(ii), 19(1)(e), 19(1)(f), 19(1)(g), 27(1)(c) or 27(2)(c); or

[The Acting Speaker (Mr. Ethier).]

(iii) who has been convicted of an offense under any act of Parliament and has been sentenced to a term of imprisonment of two or more years."

He said: Mr. Speaker, I rise to speak briefly with respect to this motion. It concerns the situation affecting the present U.N. convention on refugees. As the minister well knows from conversation in committee, very real concern was registered in terms of the general provisions as they are presently outlined in Clause 4(2)(b). It very clearly states that a person under this category of convention refugee can indeed be affected by crimes that were not of a political nature, but will be regarded under these present terms of the act as serious enough to prevent recognition or acceptance of that individual as a refugee.

● (2040)

It seems to me there is no clear delineation in the bill between those who are legitimate refugees and those who might be either a threat to Canadian society or have committed acts of a criminal nature and who should not, and would not, be accepted. The bill, it seems to me, would be in breach of the convention on refugees which we signed, I believe, some four years ago. I hope the minister will offer some explanation of how this particular clause will square with our acceptance of the UN convention on refugees. Can he give us an assurance that the High Commission for Refugees has accepted this as a valid interpretation of article 1F under the present convention because, if not, it would seem to me we are in danger of putting on the statute books of the country a law, one section of which would fly in the face of the agreement we presently have on refugees.

It seems to me as well that the definition of a political offence is too narrow with respect to those who might come to Canada as refugees after committing acts of a criminal nature. I think the minister should recall a recent decision by the Federal Court in the Armstrong case. This involved extradition proceedings on the part of the United States in which it was argued that because of the nature of the accusation against Armstrong, the fact that there had been a bombing as part of a political protest against the war in Viet Nam, he should be regarded as a refugee instead of as one who had simply committed a criminal act within his own country. It is clear from the decision at that time, in 1973, that the Federal Court adopted a narrow definition of "political offence". Therefore the action by the minister in asking for this kind of provision, one which is to my mind much too broad, is unsatisfactory and will create real problems in its implementation.

With respect to the latter part of the amendment concerning the lengthening of the period of imprisonment from six months to two years, may I say that both in our own country and in a number of European countries, the practice is to regard as serious offences those which are of a "penitentiary nature" or which begin with a "penitentiary offence" of not less than two years. To have it start at the six month figure, which can cover a much wider range of situations and experiences both in our own country and others, seems to me to be much too sweeping and to demand an unrealistic standard with respect to those who come under the refugee classification. I would therefore