

Immigration Act, 1976

Mr. Caccia: The Parliamentary Secretary is so ignorant of the matter before us that he is asking whether a statement was made before or after the amendment. Evidently there is an amendment before us because it was not accepted in committee. What kind of wool is the Member trying to pull over the eyes of Members of this House by these silly interventions? Is the Parliamentary Secretary so ignorant of the matter before us that he has to wonder whether something is before or after the amendment?

There is an amendment before us. It is the one we are debating and it was made necessary by the insensitivity of the Government and the Minister whom he represents. The Minister is not here to defend the Bill. He is again hiding behind the skirts of the Parliamentary Secretary because he does not have the guts to fight for this Bill or Bill C-84. Is that enough of an answer?

Mr. Gauthier: Yes.

Mr. Caccia: Let us deal with the Refugee Status Advisory Committee, which stated on August 28, 1987:

Nothing guarantees protection to the claimant in these countries.

The advisory committee was commenting on the notion of safe third country, a notion which we reject. The advisory committee said that nothing guarantees protection, and went on to say that there could be risk of diplomatic embarrassment in making reference to some incident in 1983.

Let us move for a moment to the Canadian Bar Association, certainly not an organization devoted to radical changes in Canada or to the promotion of extremist views. On August 31 it stated:

The safe third country list system is not a workable concept because it denies—

An important observation is that it denies:

—evaluation on a personal basis.

The association also commented on the safe third country notion by saying:

Nothing guarantees protections to the claimant in these countries.

Let us turn now to the Inter-Church Committee which appeared before the committee on September 1. It insisted:

All applicants should receive a hearing on the merits.

Applicants should not be judged on the matter of whether or not they had a safe third country to go to. The Inter-Church Committee also commented that:

Readmission to the safe country is problematical.

It is assumed that safe countries will readmit but there is no evidence that this is the case.

That is an important consideration, Madam Speaker. Let us look at what the United Nations High Commissioner for Refugees said. He insisted that the exception of the particular clause which we adopted earlier:

—should apply to all who claim that the safe country is not safe, whether they have been recognized as Convention refugees or not.

This would provide a safety net for some exceptional cases. It is nevertheless an important consideration. The United Nations Commissioner for Refugees went on to say:

—there should be an exception when people fear for their safety in that country.

A person not permitted to return to the safe country should be allowed to enter Canada's refugee system.

We had the Halifax Refugee Assistance Group which appeared before the committee on September 2. This group made the point:

It is objectionable not to examine the claimant's case on its individual merits.

That is something which the Hon. Member for Calgary West (Mr. Hawkes) ought to remember. It is objectionable what he is proposing in the Bill. Individual merits are important. Our immigration and refugee systems have been based on that main pillar of considering individual merits, which is something that the Government is now forgetting.

On September 2, the Mennonite Central Committee said:

The safe country is arbitrary and subject to political influences.

No notice can be taken of individual considerations; it is dangerous to generalize situations.

That is why we are putting forward this amendment, because without putting it forward we would allow a generalization, a blanket application, of a safe third country without looking at the history of the individual, the merits of the case and the options which the individual may or may not have available.

Rabbi Plaut on September 3 noted:

Diplomatic imperatives will be present when the list is being compiled.

He said that the list would be politicized:

This list won't be subject to any evaluation.

How do you like that, Madam Speaker?

Pierre Duquette on September 3 made some interesting remarks. He said:

Almost all accepted refugees in Canada wouldn't have passed this test.

It might well be that a study of this nature, if carried out, would reveal that those who have been admitted so far would not have passed the test.

The Hispanic Congress on September 3 said:

That criterion is dangerous because it doesn't guarantee real protection to refugees.

Danger of political criteria influencing the list.

This criterion doesn't allow any evaluation of individual cases—

The congress was speaking of the safe third country. A number of organizations came forward more or less saying the same thing. The Montreal Refugee Coalition said:

Danger of political factors relating to list-making.