

provide a minimum of rights to those claiming refugee status, particularly those claiming that their lives would be in danger if they were returned to their own country. Refugee claimants also have the right to have their cases heard, while receiving countries have the right to verify and evaluate claims. Refugee status can only be refused once this often long and costly procedure is completed. In the case of Canada, the refugee determination system has been overburdened for a decade, principally by "economic refugees" seeking a better standard of living than is available in their native lands.⁽²³⁾

To control the influx of economic immigrants a number of countries have adopted dissuasive measures with the aim of encouraging potential immigrants to stay in their home countries and blocking would-be economic refugees. While some states respect the principle of not returning refugee claimants to their own countries, there is no restriction on diverting such claimants to a third-party state. Those arriving by ship can be refused entry to the country and towed into international waters.⁽²⁴⁾ However, in such cases there is a legal obligation to ensure that the ship and its passengers can attain their new destination safely.

With respect to illegal immigrants and refugee claimants, relatively few have arrived in Canada by sea, the only recent incidents being the highly publicized cases of the 174 Sikhs who landed in Nova Scotia in July 1987 and the 155 Sri Lankan Tamils who arrived in Newfoundland in August 1986. Canada's geographic distance, the amount of organization required for such efforts and international intelligence have apparently been sufficient to discourage large numbers from attempting entry via the sea. Air and ground transportation remain the preferred methods.

In the case of terrorism, the Committee was informed that the measures necessary to resolve single terrorist incidents on land "...are in place and can be assumed to match the threat at least as it is currently perceived." This situation, however, cannot be said to hold for the maritime situation. Indeed, Major-General Cheriton, former Chairman of the Counter Terrorism Task Force, told the Committee that once the maritime factor is introduced, "...complications increase by a factor of three and quickly exceed the resources available in terms of equipment, skills and training."⁽²⁵⁾

(23) The Honourable Benoît Bouchard, Minister of Employment and Immigration, *The Refugee Challenge: Time for a World Response*, in Alan E. Nash, ed., *Human Rights and the Protection of Refugees under International Law*, Canadian Human Rights Foundation/Institute for Research on Public Policy, 1988, p. 14.

(24) Guy Goodwin-Gill, *The Refugee in International Law*, Oxford, Clarendon Press, 1983, p. 84.

(25) Proceedings, 14:12.