

turn themselves into a court and decide, as the immigration appeal board will do, on the facts given to them whether the provisions which protect these people should be withdrawn and they should be subject to a deportation order. But I suggest there is no reason why, with safeguards and limiting conditions, the opportunity should not be given to a panel of the immigration appeal board to give careful and earnest consideration to these extremely difficult problems.

We must grow up about these things, recognizing the dangers which exist. Surely we have now reached the stage in our development as a country and a people where we can face these dangers and provide for them. We should provide for them without in any way interfering with the operation of the rule of law, modified, of course, to meet the special circumstances. I do not know whether it is intended that this clause and what is involved in it will be changed when the government's committee dealing with security matters has brought in its recommendations. I hope the minister will consider this aspect of the matter. If there is to be no willingness on the part of the minister to change the provisions of clause 21 now, I hope he will assure us that when the committee has reported and the whole matter is brought before the house for at least some measure of debate he will be sufficiently flexible to advise the government that if changes are possible in the light of the report the committee brings down he will not oppose such changes in the legislation.

• (5:30 p.m.)

Mr. Stanley Haidasz (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, in opening my remarks on Bill No. C-220, to establish an immigration appeal board, I should like first of all to join preceding members in offering to the minister our appreciation of the way in which he has approached the problem of providing an appeal for people who are faced with deportation. We all believe that he is sincere in his very good intentions to provide an adequate appeal board to deal with these very difficult cases. The objectives of the bill are very high but as you have noticed, Mr. Speaker, in the case of the previous speakers, I too would like to voice some fears that the bill, as it stands, does not have all the necessary powers to achieve these high objectives.

As I have said before, I do not doubt the sincerity and concern for justice of both the

Establishment of Immigration Appeal Board minister and his advisers. In my personal experience with persons ordered for deportation, I was appalled at the failure of the immigration authorities in some cases to accept arguments on moral and compassionate grounds. I do not find any clause, for example, in this bill which gives any authority to members of the new appeal board to act on submissions made on the grounds of compassion or humanitarian considerations.

The act as it now stands empowers the present appeal board to hear cases only on legalistic considerations. It is true that the act provides for an appeal to the Supreme Court of Canada, but again only on questions of law. I ask the minister, where in the bill is there any provision to allow the hearing of submission on moral, humanitarian or compassionate considerations which the parliamentary secretary told us would be available?

Another observation I should like to make to the minister is that the provisions in this bill are limited to the hearing of appeals of Canadian citizens only in respect of such classes of relatives as are referred to in the regulations made by order in council. Here again, the new appeal board's decision will be final. Is this the best way that we can treat our Canadian citizens? Is this compassion? We members of parliament, especially those who are members of the joint Senate and House of Commons committee on immigration, have heard numerous representations in person and through briefs to the effect that the present and proposed regulations are in so many cases so restricted that they have often been called unfair, heartless and even discriminatory.

There is another problem in connection with immigration cases, and that is the problem of the deportation of refugee seamen and other refugees who seek asylum in Canada because they fear to return to their country of origin. Some of these refugees have suffered a lot, and some of them are survivors of Nazi concentration camps. There are provisions in certain international conventions dealing with human rights demanding that countries do grant these refugees and political persecutees asylum. I urge all those concerned, therefore, to be guided by the principles in these international conventions, even if formal ratification of them by Canada has not yet been given.

Last week the members of the special joint committee on immigration were in Toronto