Immigration Act, 1976

following question: "Do you contend that Bill C-55 contravenes the convention?" Mr. Van der Veen answered: "No, we do not". That is on page 4:70 of the committee proceedings held only two weeks ago. Yet the Member for Winnipeg—Fort Garry persists in circulating the notion that the Bill contravenes the Convention. I underscore the fact that the UNHRC has said that it does not. It is pernicious for Members to keep circulating something which has been denied.

I will respond briefly to the quotations which the Member for Davenport (Mr. Caccia) read from the proceedings. They are accurate quotations and I have no objection to them except that they were all made before the amendments were introduced, and many passed, in committee. Therefore, while the quotations may have represented legitimate concerns of those organizations at the time—and I suspect some of them have a mind set such that they are still their concerns—I think the Member for Davenport would concede that the Government introduced substantial amendments in committee to deal with the kinds of concerns that some of those people raised at the time.

● (1530)

I recall the words of my friend, the Hon. Member for Spadina (Mr. Heap), who I agree worked very hard in committee. One of his principal concerns was the safe third country concept. That is another issue we addressed in committee. The Member for Spadina now says that the amendment is not adequate because we did not take a universal approach to the Convention. We introduced the concept of Article 33 of the Convention. That is the basic concern of people. It deals with the whole notion of *refoulement* or the danger that refugees might face if they were returned to another country which could then, in turn, bring them back to the country where their lives might be in danger. That is the notion with which Article 33 deals.

The Member for Spadina then asked about the whole universal application of the Convention because refugees who go back to Germany are not allowed to work, may not be allowed full access to the court system and do not have access to the social security system.

The principle in Section 48 concerns *refoulement* or the notion that one could be in danger of being sent back to the country where one fears persecution. It has nothing to do with these other concepts.

Last year, the Federal Republic of Germany had a budget allocation of $1.3 billion to take care of refugees in Germany. One hundred thousand refugees came to Germany last year. One witness came before the committee and complained because those refugees whom Germany was clothing, housing and feeding were not given the food from their own culture. I do not know if we are supposed to supply a menu, but that was the nature of the types of complaints. The fact that they were safe in Germany was not enough. They also wanted their own local menu from the country from which they came. That

would be nice if it were possible, but try that with several hundred thousand people.

I suggest to the Hon. Member for Spadina that the question is one of *refoulement*. Canada honours the entire Convention. Refugees in Canada are given opportunities to work. Refugees in Canada are given protection by the courts, and refugees in Canada are protected from *refoulement*. If they are not permitted to remain in Canada, when they are sent back to the country from which they came immediately prior to their entry to Canada they will be protected from being sent back to the country where they face persecution.

I say categorically that those Central Americans who live in the U.S. are protected under this Bill from being sent back to El Salvador or Guatemala. This Bill protects their security.

I hope Members opposite will accept the fact that while the Bill was in committee it was amended to make sure that the drafting itself would be so precise as to protect those who fear persecution.

Let me make one final point. I refer to the fifth report tabled by the Standing Committee on Labour, Employment and Immigration. It is Issue No. 46, page 46:7 where it states:

> It should be noted that it is the policy of the UNHCR that the practice whereby refugees leave their country of protection and enter other countries irregularly to seek asylum should be deterred. The UNHCR has stated that refugees may be returned to a country which has previously protected them against refoulement and will allow them to remain under minimum recognized standards until a durable solution is found. Provided these conditions are met and due consideration has been given to Canada's policy of family reunification, the Committee believes that Canada should be allowed to return Convention refugees to countries which have previously protected them.

That statement was endorsed by the committee. The Member for Spadina and the Member for York West (Mr. Marchi) were on that committee. Having dealt with that issue, I hope they will now accept the thrust of the Bill and recognize that the amendment they have put forward under this motion contradicts the Bill and we cannot accept it.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Madam Speaker, while we in the Liberal Party support this amendment and oppose this Bill, I want to make it clear again that we support action to weed out phoney refugees. That is why we have generally supported from the beginning the recommendations of the Plaut report and the recommendations of the Standing Committee on Labour, Employment and Immigration. Both those reports made recommendations to correct the abuses which now exist, but they also recommended strongly that we have a system that is fair, efficient and provides universal access to the refugee determination process.

Those recommendations that are contained in the Plaut report and in the Standing Committee report are not in this Bill. That is why we oppose the Bill, while supporting reasonable measures to weed out phoney refugees.

We do not support this Bill because it goes too far in many areas. In its attempt to set up a system to weed out phoney refugees it has put forward a preliminary hearing process. This