

agreed on a course of action to deal with organized groups of illegal aliens arriving in Canada in a clandestine manner. The Minister said, "We have to control these incidents of abuse. . . . In February this year I introduced control measures to stem the flow of illegal aliens (See "International Canada" for February and March 1987). . . . On May 5 this year, I tabled Bill C-55 to create a faster refugee determination system (See "International Canada" for April and May 1987). . . . I recognize that our existing refugee system is being abused. . . . Therefore, I have proposed, and my Cabinet colleagues have agreed, to seek the recall of the House of Commons to provide the government with expanded powers" including:

- substantially increased penalties for smugglers and their accomplices — the heaviest possible fines and prison terms of up to ten years;
- the detention of people arriving with no documents until their identities were established;
- prevention of people who might be security threats from accessing the refugee determination process, and their detention until they could be removed from Canada;
- the removal from Canada of any person unable to prove a credible basis for a refugee claim (an appeal could be heard by the Federal Court, but the person would not be allowed to stay in Canada while the appeal was being heard);
- a person who had an arguable basis for a refugee claim but was not found to be a refugee would be removed from Canada if their appeal to the Federal Court failed;
- people who could be admitted to a safe third country would be returned to that country, but proper international consultation would take place, and no one would be returned to a third country without a fair hearing.

Mr. Benoît said that, while Canada respected her international obligations under both the UN convention on refugees and the Canadian Charter of Rights and Freedoms, the government would not allow unscrupulous people to continue to trade in human lives, in flagrant violation of Canadian laws (Employment and Immigration communiqué, July 30).

"One hundred and seventy-four people landing on the coast of Nova Scotia does not a national crisis make," said George Cram, a spokesman for the Anglican Church of Canada, referring to the July 10 arrival in Canada of a group of migrants without documents (See "International Canada" for June and July 1987). "We seem to be seeing a panic reaction by government and irrational action by calling Parliament back in the middle of its recess to deal with what is not an emergency," added Mr. Cram, a member of the Coalition for a Just Refugee and Immigration Policy (*Toronto Star*, August 1).

On August 4 an aide to junior Immigration Minister Gerry Weiner said that more than 30,000 people would claim refugee status in Canada in 1987, an increase of 67 percent over 1986. Len Westerberg also said that 90 percent of applications under the 15-month-old refugee backlog program had been rejected because the claimants were not real refugees (*Globe and Mail*, August 5).

The following day in New York Carmencita Hernandez, representing the Coalition for a Just Refugee and Immigration Policy, presented to the UN High Commission

for Refugees a letter which complained about Canada's treatment of the Asian migrants who landed in Nova Scotia in July, and requested an investigation of their treatment and of Canada's proposed new legislation to tighten refugee policy. Ms Hernandez presented the same complaints to the UN High Commissioner for Refugees in Geneva, and to Stephen Lewis, Canadian ambassador to the UN (*Ottawa Citizen*, August 6).

When the Commons was recalled on August 11, Employment and Immigration Minister Benoît Bouchard tabled Bill C-84, the Deterrents and Detention Bill, which would impart to the government specific powers, as outlined by the Minister on July 30, to stop abuse of the refugee determination system (Employment and Immigration communiqué, August 11).

In response, NDP immigration critic Dan Heap (Spadina) said he agreed with stiff fines for smugglers, but did not like the definition of smugglers which left the churches open to prosecution. Mr. Heap also expressed concern over a provision for secret accusations against so-called security threats, and the turning back of ships at sea. Liberal immigration critic Sergio Marchi (York West) said that it appeared that Mr. Bouchard was trying to close the doors against all refugees, not just false claimants (*Globe and Mail*, August 12).

On August 12 UN High Commissioner for Refugees Jean-Pierre Hocke wrote to the Canadian government, telling it that Bill C-84 "could risk exposing bona fide asylum seekers and refugees to forcible return to territories where their lives or freedom would be threatened" (*Ottawa Citizen*, August 15). Mr. Bouchard told the Commons on August 14, "We have read the letter from the UN High Commissioner for Refugees and we are keeping in touch with him. We intend to provide an appropriate response. However, the Bill is entirely in line with the commitment we made as a result of signing the United Nations Convention on Refugees."

The *Ottawa Citizen* reported on August 19 that Stephen Lewis had told an Ottawa UN Associations Conference, "Western Europe, and much of the western world, has implemented legislation every bit as tough or tougher [than Bill C-84] without the same history of generosity and openness that Canada has demonstrated. . . . It should be perfectly possible to make the legislation compatible with the various international covenants we have signed." On the same day Dan Heap (NDP — Spadina) asked in the Commons whether the government would "do the right thing and take the necessary steps to bring Bill C-84 into line with our UN obligations to refugees who come to our shores unable to bring documents with them." Junior Immigration Minister Gerry Weiner replied, "The abuse of immigration laws cannot continue. . . . The profiteering and trafficking in human flesh cannot continue."

On September 10 debate on Bill C-84 ended, and the legislation was passed by the Commons on September 14. The Senate committee on legal and constitutional affairs began examination of the bill on September 22, when Mr. Bouchard told members of the committee he would meet with the UN High Commission for Refugees in Geneva on September 24 to discuss the bill. The bill remained before the Senate (*Ottawa Citizen*, September 23).