

Immigration Act, 1976

Members opposite preach about the sanctity of the family. It is absolutely astounding that they can turn around and destroy an individual and a family unit on the basis that a qualified refugee cannot enter the country because a family member may not meet a requirement that is defined in the legislation. The Government ought to rethink its position completely.

Conservative candidates will eventually have to justify this disgusting aspect of the legislation that discriminates against families and places in jeopardy people who would qualify but for the status of a family member. There is not a single Member in the House who for years has not fought the iniquitous sections of this legislation that separate families. There are cases in which an individual member of a family has come here, has worked and has attained citizenship and who attempts to unite the family in Canada, and is sometimes successful. Sometimes in the long timeframe, in attempting to accomplish that end, several of the children, or even one of the children, may be barred because of age. In such a case one of the children must be left behind. These are tragic situations which happen to those families.

● (1730)

I notice that the Government when proposing these Draconian pieces of legislation concerning immigrants and refugees was proposing to remove that one very, very grim piece of the Immigration Act. At the present time I have some misgivings in supporting my colleague's amendment. It really is a second-best situation. The Government has forced a situation in which the House would consider passing legislation that would not allow families to be united when, say, the head of the family can be established. We will wind up not permitting that because another member of the family may have some problem that could be and is accommodated easily in Canada.

I support the amendment, but it is with a great deal of sorrow. What we should be doing is putting forward a first-class piece of legislation which supports the family unit and which allows a person who qualifies as a refugee not to be rejected on the basis that he cannot bring his family in because of some obscure problem in that particular section of the Act which excludes individuals.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, I see that my colleagues were very anxious to hear my remarks. Hopefully they will accept what I have to tell the Canadian people.

[*English*]

As far as I am concerned, the more I listen to the debate on Bill C-55 the more I think that the Bill is not the proper tool needed for the fair, fast and efficient refugee determination system that we need in Canada. Just to give an example, the pre-screening test is inhumane since we will know in advance whoever comes in will not be—

[*Translation*]

—will not be—I am switching to French, I lost the English text—will not be selected because they have already been mentioned in the Bill. They will not want to hear a claimant whose refugee status has already been recognized in another country, they will not let him plead his case to show that he is a genuine refugee. There are four or five different categories. Surely those who have read the Bill are aware and know that this measure is inhumane. The Bill is so very much unlike what it should be, and again I use the famous words fast, fair and efficient.

I will give an example to show how this 62-page Bill is not what is required for a claimant, for someone arriving from a country he had to flee lest he be killed, tortured, or threatened with death.

On page 44, for example, a clause provides: You may—if you have been rejected in terms of the new refugee classification—you may apply for leave to appeal after 15 days after appearing before a judge if, for very special reasons, he has ruled that you were not in a position to file an appeal within the prescribed 15-day delay. The other clause, on page 4, stipulates 15 days.

Mr. Speaker, we sat on the committee and heard many department officials, and if ever a refugee is turned down and department officials have done their work very quickly and issue a deportation order against the claimant, I wonder what will happen when he will appear before a judge and give very specific evidence that he was unable to appear before the famous 15-day delay, as specified in the clause on page 4, which is contrary to the clause on page 44.

Again I say that this Bill is not what we need to judge or select genuine refugees seeking asylum in Canada.

Again, Mr. Speaker, Bill C-55 includes something like 20 to 25 per cent of the contents of the Fifth Report of the Standing Committee on Labour, Employment and Immigration. As a Member I would like to know who suggested to the Government the other clauses, the other provisions in this disputed Bill. The Department's senior officials, the Deputy Minister? His assistant or assistants? Having been here for three years now, a question comes to my mind, Mr. Speaker: Why do we have committees? Why do we sit on committees, call witnesses, experts? Is it to be told how we should make laws for the well-being of the Canadian people? For hours and hours on end, we heard experts, witnesses who have been working for years on refugee or immigration matters, people like Rabbi Plaut, lawyer Pierre Duquette, and many others.

Since the very beginning, Mr. Speaker, I have been suggesting that the legislation should be rejected. I sent to many non-Government organizations, and to many Members of this House a document entitled "An Alternative Formula for Refugee Determination". I am convinced, after hearing experts, after sitting down, after discussing, I can guarantee you—not because it comes from me—that the new formula I