

being the first time, at least in modern days, that refugee aid was sent to the United States of America.

• (1640)

There are all kinds of ways that people in the maritime provinces, the central provinces and the prairie provinces, even Alberta, are doing. I say that because I know the Hon. Member for Calgary South (Mrs. Sparrow) is very much aware of the refugee activities and refugee support activities in Alberta. Although there are fewer there than in Ontario for reasons that the Member could explain better than I, Albertans are making refugees very welcome.

It is ironic that the Government should undertake now to pass a law that refers to every person who knowingly organizes, induces, aids or abets or attempts to smuggle, organize, induce aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa or passport, because thousands of people have helped thousands of people do that very thing. People have helped those coming to Canada by assisting them to the nearest immigration office believing that they were acting lawfully. Nobody in this Government, including the present Minister, ever whispered to them that they were not acting lawfully. They read the Act, they listened to the officials and the Minister. They did what was lawful and they were praised for it, at least by the preceding Minister, if not by the present one.

It is ironic that we should now have a law saying that everyone who does that is guilty of an offence and is liable, et cetera. It is not nearly good enough to say, "You are nice people and we would never prosecute you", as was made very clear by a representative of the Inter-Church Committee on Refugees, a layperson who has worked on refugee affairs for about 20 years. These people are not asking to be protected from prosecution. They are saying, "Do not make us guilty of an offence for doing what you encouraged us to do for these many years". I really thought at first that there was a misunderstanding. We tried, as we heard from an earlier speaker, to get this clause amended in committee. I remember very clearly the Parliamentary Secretary saying that he did not think words could be found any better than the ones that were in the law.

That leads me to the conclusion that there was no misunderstanding but a fundamental moral change in the law to prevent, or at least to discourage or intimidate, Canadians or anybody else from helping refugees coming into Canada unless they are privileged to have visas. It is not to help them evade the law. Even to help them meet the law will now be made an offence. It must be the first time that the Government has sought to pass a law to make it an offence to help somebody keep the law. I am very sorry but that seems to be the Government's decision. I hope there is still time for Members opposite to reconsider their position and adopt the motion that we have before us.

Immigration Act, 1976

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, we have stated on several occasions today that this Bill contains too many discretionary powers. We have regretted that and pointed at passages and clauses where too much power is given to an individual Minister. We do not like it.

I can tell you that nothing is more repugnant, Mr. Speaker, than this Clause 9 and nothing is more upsetting than the content of this measure which prompted the Hon. Member for York West (Mr. Marchi) to put forward his amendment, which I fully support.

In essence, the Government is taking a line whereby it wishes to give an oral assurance to groups, volunteer organizations and churches not to prosecute them, while at the same time putting into law a measure that will prosecute them the very moment the promise is forgotten. I ask you, Mr. Speaker, how naive and incompetent can one be in making the kind of statement which the Minister made in committee? You cannot do things that way. You cannot expect to give this kind of reassurance unless it is embodied in the law. It is irresponsible to expect society to function on the basis of verbal assurances by the Minister of the day. What will happen with the Minister of tomorrow, a logical question which the Hon. Member for York West already raised? You do not make laws that way.

What is repugnant about this measure, which is very upsetting, is the fact that you would treat as criminals through a blanket clause in this Bill a number of people who have been and will continue—I repeat, will continue—to be involved in matters relating to the refugee movement in Canada. Why am I saying that, Mr. Speaker? Because we have it on record in statements by two representatives of the Inter-Church Committee for Refugees. I am sure the Parliamentary Secretary knows very well what was said. Nancy Pocock said:

If my Government tells me it is a crime to help these people,

Namely, refugees.

—I will have to say I am obeying a higher law and I am going to continue to help them when they need me.

This is quite a statement from a person who has high moral standards and motivation flowing from a life dedicated to this kind of work. Another member of the Inter-Church Committee for Refugees, George Cram, said:

I do not want to be guilty of committing an offence for doing humanitarian work.

True. What civilized society would do that? It is so un-Canadian. It is absolutely revolting that this kind of legislation would be allowed. It is upsetting and embarrassing. As the Hon. Member for York West said earlier, you can make a distinction between activities that are oriented by profit-making and activities that are non-profit making. Any law writer can make that distinction, but it takes political will to do it. The Member for York West indicated the number of times where the word "humanitarian" has been used in federal statutes. It is over 30. The number is over 30. There is no