

*Immigration Act, 1976*

the Government prepared to keep the United States of America and Great Britain off the safe third country list? Of course Great Britain and the United States will be on a safe third country list, because it would be an embarrassment to Uncle Ron and Aunt Maggie not to be on the safe country list of Canada.

This is where the international political games take place. There will be manoeuvrings to get on that list. Who at the cabinet table will remember, rushed with other agenda items and crises, the legitimacy of the individual who is fleeing persecution, torture, and death? That is the problem with the safe third country concept.

How quickly will that list change? How quickly will it change when there is a new uprising in a certain part of the world recognized on the list? When screening officers say, "I am sorry, Bermuda is still on our safe country list", the refugees will say: "I am sorry but we just had a revolution in Bermuda". How long will it take for the Government or the bureaucracy to react to that crisis? How many people, by the time it reacts, will have been sent back? How many people will suffer the consequence of that tardiness, which is natural in any bureaucracy or any government operation?

Third, what about the appeal system, a system which can be measured by sensitivity and compassion? The Government has suggested that the appeal system should be with leave to the Federal Court of Canada on points of law. The Federal Court has been unable, in the opinion of all, to render responsibility to refugee claimants and their stories. They will not be able to present individual circumstances; they must be points of law. To make the matter even worse, it has been suggested that the person who appeals to the Federal Court must leave the country and then he will be called collect if his appeal is successful.

What kind of humanity is that? An individual who is fleeing persecution can appeal to the Federal Court. Canada sends him back. Two or three months later, they might call the individual, but where will he be? Is there any guarantee that he will not be persecuted, tortured, jailed, or killed? Of course not.

Those are the holes in the legislation to which the Minister, in his 40-minute remarks, did not address himself. Those are the life and death shortcomings in the piece of refugee legislation with which the Government must begin to deal responsibly.

● (1650)

The fourth problem is with the refugee board. The Minister said that the refugee board will operate independently and unfettered. That is not true. Bill C-55 provides that there will be a government lawyer presenting evidence, and therefore the process will no longer be non-adversarial. A government lawyer will have at heart government interests and not the interests of a refugee claimant.

The other question that begs to be asked is, from where does the government lawyer get information? Then we can draw the link back to the pre-screening officers. That is where the government lawyer will pick up the information that in the end of the process will be used against refugees. Is that a fair system? Is that a non-adversarial system? The answer to those questions is clearly, no.

The fifth problem has to do with our international responsibilities. What will be the repercussions of this Bill? Canadians know that we cannot accept the 10 million to 15 million refugees who are looking for homes. Every Member of Parliament knows that as well.

What will happen if other countries in the international community begin to legislate the safe third country concept? Canada will be one of the first countries to do that. What would happen if Great Britain, Switzerland, the United States and every other country would legislate a pre-screening provision and a safe third country concept? The answer is very simple and obvious. There will be an international corridor of locked doors. Every door on which any legitimate refugee will knock will be closed. The legitimate refugee will be told, "I am sorry, you are from a safe third country, go somewhere else". That is not responsible. The abuse of the system will be greater.

The Government has tried to market this legislation on the basis that it will curb abuse as if this Party, this Hon. Member or any Canadian agreed with abuse. Of course we do not agree with abuse. No one wants to see abuse in the refugee system, in the workers' compensation system, in the pension system, or in the UIC system. Everyone wants to work against abuse, but we do not fight abuse on the backs of legitimate refugees and we do not curb abuse by being more restrictive and rigid as this legislation is.

As the Conservative administration has moved toward closing the door tighter, the schemes and scams to get people in have increased proportionately. When legitimate refugees who are fleeing from death and persecution are pushed against the wall, they have no options. No human in this world would rather go back to certain death or persecution than try to enter a country. They will try to enter a country because of their human spirit, and if they cannot get through the front door, they will enter through the back door.

We have seen people entering through the back door in greater numbers with every more rigid piece of legislation that is passed. Therefore, I ask the Minister what favour he is doing Canada and the international community by closing the door tighter. Does the Minister not realize that other countries will do the same and that if such is the case, then we will really have a legitimate crisis on our hands? Fifteen million refugees the world over will be desperately trying to enter any country by any means. Then those low-lives who make a career out of desperate individuals will surface, as we have seen with great frequency.