



CANADA'S PERIODICAL ON REFUGEES

REFUGEE

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VIVA FLORA! VIVA FLORA!

MONTREAL, September 28, 1985 — Three hundred demonstrators — men and women, adults and children, Latin Americans and Bangladeshis — parade with placards outside a huge Roman Catholic cathedral in the heart of downtown Montreal. Holding signs reading "We want permanent residence," "Canada promised freedom," or protesting tyranny and torture in their homelands, the demonstrators chant their pleas and protests.

Inside the *salle de la cathédrale*, Employment and Immigration Minister Flora MacDonald discusses the Plaut Report with representatives of the Standing Conference of Organizations Concerned with Refugees.

Following the Minister's opening address, a panel of delegates focus on the issues of most concern to them in Rabbi Plaut's recommendations on the process of refugee determination in Canada: separating refugee from immigration issues; universal access to the determination system; the right to counsel; non-adversarial hearings; and the myriad of details on the structure of the system for determining refugee status. How many people should sit on the initial panel? What is their status? How should they be trained? Who should hear any appeal? On what grounds?

How many times in the last five years have the delegates discussed these issues? How many thousands, nay, tens, hundreds of thousands of hours have

already been spent discussing them by lawyers, church representatives, academics, government officials, and refugee delegations? How many times has the Minister listened to these same debates?

But perhaps this time was different. The Plaut Report was on the Minister's desk recommending specific changes to the system. Bill C-55 had been tabled in the House of Commons that week to expand the Immigration Appeal Board from 18 to 50 members; a belated response to the huge backlog of cases and the crisis to the whole system wrought by the Supreme Court decision in the Singh case that the absence of an oral hearing for a refugee claimant was a denial of a fundamental right.

The Minister listens patiently. She takes copious notes. When a delegate argues that the hearing officer be required to have legal training, she intervenes to ask whether this means officers had to be lawyers, and receives reassurance that this is not the intent.

At the coffee break, the Minister goes

outside to speak to the demonstrators — individually at first and then as a group. The morning's shouts turn to cheers when she finishes. VIVA FLORA! VIVA FLORA! The children form an honour guard, applauding as she returns to the hall.

After all this time, after all the delays, after all the anxiety among those who wait in limbo for months and years for their status to be determined, one would expect the Minister to be the target of anger and fury. One presenter expresses impatience, another is righteous, insistent and demanding. But the overwhelming tone is advisory and supportive. And this meeting is not in Toronto. It is in the heartland of the firebrands of Montreal.

Bill C-55 had just been tabled in a form that seemed to ignore all the representations on the draft bill the participants had made over the summer. Did the bill not appear to undercut their fundamental conviction that immigration and refugee

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