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ADAPTING CANADA'S IMMIGRATION POLICIES TO TODAY'S REALITIES

Report of the Standing Committee on Citizenship
and Immigration

Nick Whalen, Chair

JUNE 2019
42nd PARLIAMENT, 1st SESSION

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Citizenship and Immigration**

**Nick Whalen
Chair**

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NOTICE TO READER

Reports from committee presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

To assist the reader:

A list of acronyms used in this report is available on page xi

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THE STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION

has the honour to present its

TWENTY-FIFTH REPORT

Pursuant to its mandate under Standing Order 108(2), the Committee has studied migration challenges and opportunities for Canada in the 21st century and has agreed to report the following:

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LIST OF ACRONYMS

AIPP	Atlantic Immigration Pilot Program
BVOR	Blended Visa Office-Referral Program
CBSA	Canada Border Services Agency
CRRF	Comprehensive Refugee Response Framework
CSALC	Chinese and Southeast Asian Legal Clinic
DRC	Democratic Republic of Congo
EMPP	Economic Mobility Pathways Project
ESDC	Employment and Social Development Canada
EU	European Union
GAR	Government-Assisted Refugees Program
GCC	Golf Cooperation Council
GRSI	Global Refugee Sponsorship Initiative
GCM	Global Compact for Safe, Orderly and Regular Migration
GCR	Global Compact on Refugees
IDP	Internally Displaced Persons
IOM	International Organization for Migration
IRB	Immigration and Refugee Board of Canada
IRCC	Immigration, Refugees and Citizenship Canada
IRPA	<i>Immigration and Refugee Protection Act</i>
IRPR	<i>Immigration and Refugee Protection Regulations</i>
LGBTQ	Lesbian, Gay, Bisexual, Transgender and Queer
ODA	Official Development Assistance
OPM	Office of the Prime Minister
OYW	One Year Window of Opportunity provision
PNP	Provincial Nominee Program
PSR	Private Sponsorship of Refugees Program

RLP	Refugee Law Project
ROC-O	Resettlement Operations Centre in Ottawa
RRAPP	Rainbow Refugee Assistance Pilot Program
STCA	Canada—United States Safe Third Country Agreement
UNHCR	United Nations High Commissioner for Refugees
UN	United Nations
U.S.	United States
WUSC	World University Service of Canada

SUMMARY

People worldwide are on the move at an unprecedented level. Some are seeking better opportunities, others are fleeing conflict and persecution to find safety. In 2016, with the unanimous consent of member states, the United Nations set out two processes to find areas where states could work together for safe, orderly and regular migration and for refugee protection.

Between May 2018 and March 2019, the House of Commons Standing Committee on Citizenship and Immigration undertook a broad study of the challenges and opportunities that the current global migration situation may present for Canada.

This report is divided into four chapters. Chapter one explains migration trends. It looks at situations across the world, why people are on the move and who they are. In general terms, although the economy in the West continues to be attractive for migrants, most migration happens at the local or regional level.

Chapter two sets out the framework underpinning Canada's immigration system. The multi-year Immigration Levels Plan of admissions for new permanent residents is a policy tool that factors in considerations such as labour market gaps. As a result, a mix of people arrive in Canada to settle through the various programs such as economic class, family class and refugee class. There are also temporary workers who are regulated by different programs. The Committee heard that other countries look to the Canadian model when designing their own immigration programs, implying that Canada has best practices that it can share with the international community, although witnesses indicated that some changes could make it better.

As part of its recommendations, the Committee highlights newcomers' contributions to Canada's labour force and its economic success. Temporary foreign workers play an important role in Canada's labour force. It is important that employers with a favourable track record have access to temporary foreign workers without an overly burdensome process. More programs like the Global Skills Strategy, the Atlantic Immigration Pilot Program and the Rural and Northern Immigration Pilot should be developed and labour market impact assessments processes should be reviewed.

In regards to family reunification, the Committee would recommend the department to review the current demand for family reunification in Canada. Specifically, the department should review the minimum requirements and processes that allow people to sponsor their parents and grandparents to Canada.

Chapter three is a short summary of testimony heard regarding immigrant integration in Canada and the importance of adequate settlement services. The Committee is currently studying settlement services as a separate topic and will report on this issue in the coming months.

Chapter four summarizes what Canada is doing on the international stage with respect to migration. The Safe Third Country Agreement is a bilateral treaty between Canada and the United States and manages Canada's southern land border. The Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees are two new tools to address migration worldwide and provide a forum for Canada to participate in discussions and share best practices about immigration with international partners. Humanitarian aid and development assistance are also considered in context of the migration.

As part of its international contributions, the Committee recommends that Canada reaffirms its commitment to the Global Compacts and play a leadership role in advancing their objectives. Based on the testimony, the Committee also recommends that the federal government review its humanitarian and development envelopes to better respond to migratory root causes and population movements.

LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Evaluating Pilots that Address Labour Shortages

Recommendation 1

That Immigration, Refugees and Citizenship Canada evaluate the Atlantic Immigration Pilot Program and the Rural and Northern Immigration Pilot, and continue to explore new and targeted ways to address labour shortages in different parts of Canada through immigration..... 41

Increasing Opportunities for Skilled Refugees Through Canada’s Pilot Project

Recommendation 2

That Immigration, Refugees and Citizenship Canada review the innovative pilot project administered in partnership with Talent Beyond Boundaries and the UNHCR and expand it in order to increase complementary pathways and opportunities for skilled refugees. 41

Expedited Labour Market Impact Assessments for Trusted Employers

Recommendation 3

That Employment Skills Development Canada consider an expedited labour market impact assessment for employers who have a favourable track record. 43

Transitioning to Immigration Programs Based on Employers’ Needs

Recommendation 4

That Employment Skills Development Canada evaluate replacing the requirement for labour market impact assessments with an approved-employer approach in order to respond to employers’ needs in labour sectors with high shortages and where other measures or conditions exist to prevent lower wages or labour standards..... 44

Learning from Past Initiatives to Create New Pathways to Permanent Residency

Recommendation 5

That Immigration, Refugees and Citizenship Canada consider expanding permanent residency pathways for temporary foreign workers using lessons learned from the provincial nominee programs, the Atlantic Immigration Pilot Program and the Live-in Caregiver Program. 46

Language Testing for Low-Skilled Workers

Recommendation 6

That Immigration, Refugees and Citizenship Canada review how official languages are assessed to allow more opportunities for low-skilled workers who fulfill ongoing labour market needs to settle permanently in Canada. 46

Evaluating Increased Time to Find Post-Graduate Work

Recommendation 7

That Immigration, Refugees and Citizenship Canada evaluate the effect of the recent extension, from three to six months, of the period that international students have to apply for a post-graduate work permit..... 48

Reviewing Requirements for Parents and Grandparents’ Sponsors

Recommendation 8

That Immigration, Refugees and Citizenship Canada review the demand for family reunification, including the program requirements and sponsorship eligibility, to facilitate the reunification of parents and grandparents in Canada..... 51

Study of the Use and Purpose of the Section 117(9)(d) of the *Immigration and Refugee Protection Regulations*

Recommendation 9

That Immigration, Refugees and Citizenship Canada study how often a permanent resident or Canadian citizen has omitted a family member from their application in view of facilitating their own entry into Canada. If the study shows that the omission of a family member is overwhelmingly unintentional, consider amending section 117(9)(d) of the *Immigration and Refugee Protection Regulations*. 51

Supporting the Objectives of the Refugee and Humanitarian Resettlement

Recommendation 10

That Immigration, Refugees and Citizenship Canada analyze its current use of referral organizations and propose, in partnership with the UNHCR, referral organizations that can additionally support the objectives of the Refugee and Humanitarian Resettlement Program. 57

Making the Rainbow Refugee Assistance Pilot Program Permanent

Recommendation 11

That Immigration, Refugees and Citizenship Canada make the Rainbow Refugee Assistance Pilot Program a regular, ongoing program as a permanent part of the government’s Refugee and Humanitarian Resettlement Program. 58

Considering the Reallocation of Frozen Asset

Recommendation 12

That the Government of Canada consider supporting legislation to use frozen assets for the purpose of redistributing them to international and local organizations working with displaced people in humanitarian crises..... 73

Reaffirming Canada’s Leadership and Commitment to the Global Compacts

Recommendation 13

That Immigration, Refugees and Citizenship Canada reaffirm Canada’s leadership and commitment to advancing the goals of the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees, and continue to work closely with the international community to improve countries’ ability to deal with migration challenges and opportunities..... 74

Expanding the Global Refugee Sponsorship Initiative

Recommendation 14

That Immigration, Refugees and Citizenship Canada expand the work of the Global Refugee Sponsorship Initiative to continue to share Canada’s best practices and expertise and to encourage other countries to adopt programs similar to Canada’s Private Sponsorship of Refugees programs. 75

Reviewing the Humanitarian and Development Envelopes

Recommendation 15

That the Government of Canada review its humanitarian and development envelopes to find efficiencies and better align them with the funding requirements of UNHCR and other non-governmental organizations working in the field supporting populations in need. 79



INTRODUCTION

Canada has long been defined by migratory movements and has welcomed newcomers around the world. Since the start of the 21st century, Canada has welcomed an increasing number of immigrants. While Canada admitted 200,000 to 250,000 newcomers per year in the 1990s and 2000s, that number varied between 250,000 and 310,000 each year in the period from 2008 to 2018.¹ By 2021, Canada plans to admit 350,000 newcomers.²

In the context of an increase in the number of immigrants to Canada, the federal government has also welcomed more people in need of protection, such as Syrians refugees and Yazidis women and children. Against this backdrop, in May 2018, the House of Commons Standing Committee on Citizenship and Immigration (henceforth the Committee) undertook a comprehensive study of migration challenges that might present opportunities for Canada to provide global leadership in the 21st century.³ The study aimed to examine overseas immigration processing and refugee resettlement determination and referral processes. Other subjects under the Committee's consideration were the living conditions and causes of displacements for refugees who were either in camps, settlements, or urban settings. The Committee also looked at the challenges faced by internally displaced persons (IDPs) and the role Canada can play in addressing this form of displacement.⁴ As part of its study, the Committee traveled to Tanzania to visit a Canadian visa office⁵ at the High Commission of Canada in Dar es Salaam. The Committee also travelled to Uganda to visit a refugee settlement and meet refugees to better understand their lived realities.

In September 2018, the Committee extended the scope of its study.⁶ Root causes of forced migration as well as the impact of asylum seekers and refugees on host countries are important aspects of current global migration challenges. These challenges are faced

1 For more information about Canada's immigration history, see Statistics Canada, [150 years of immigration in Canada](#).

2 Immigration, Refugees and Citizenship Canada [IRCC], [Notice – Supplementary Information 2019-2021 Immigration Levels Plan](#), Ottawa, 31 October 2018.

3 House of Commons Standing Committee on Citizenship and Immigration [CIMM], [Minutes](#), 1st session, 42nd Parliament, 3 May 2018.

4 CIMM, [Minutes](#), 29 May 2018.

5 [IRCC visa offices](#) are located in Canadian embassies, high commissions and consulates. They “process applications for permanent immigration, visitor visas (temporary resident visas), study permits, work permits, refugee resettlement and travel documents for permanent residents abroad.”

6 CIMM, [Minutes](#), 27 September 2018.



by countries such as Canada that deal with irregular migration, which impacts its immigration and refugee determination processes. As part of the scope extension, the Committee decided to study the United Nations Global Compact for Safe, Orderly and Regular Migration (GCM) and the Global Compact on Refugees (GCR).⁷ The Committee also studied voluntary migration, Canada's expected long-term socio-economic needs and objectives, including labour demand and supply, and the appropriate immigration levels that need to be established to meet those needs and objectives.⁸

While the Committee tabled an interim report on 6 December 2018 entitled *New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report*, the present report will provide a comprehensive overview of the current migration challenges and opportunities for Canada in the 21st century. Based on 116 witness testimonies, 33 written submissions and six written government responses, the report is divided in four chapters. The first chapter presents an overview of the current migration trends and explains why people move and who are the people that move. The second chapter describes Canada's immigration framework, including the three overarching immigration categories: economic, family and humanitarian. The third chapter describes Canada's efforts to integrate newcomers in addition to the challenges and opportunities associated with these efforts. In the final chapter, the Committee looks at Canada's migration initiatives at the international level, including bilateral and multilateral agreements.

7 CIMM, *Minutes*, 30 October 2018.

8 CIMM, *Minutes*, 28 January 2019.

OVERALL MIGRATION TRENDS

While many countries and regions worldwide have long experienced migratory movements, there has been a significant increase in such movements in recent years. First, to understand the magnitude of migration movements, it should be noted that:

between 1950 and 2015, the major areas of Europe, Northern America and Oceania have been net receivers of international migrants, while Africa, Asia and Latin [America] and the Caribbean have been net senders, with the volume of net migration generally increasing over time.⁹

Specifically, since 2000, international migration worldwide has increased by 49%, which, in 2017, represented 258 million people living, either voluntarily or forcibly, in a country other than their country of birth.¹⁰ Of these 258 million people, who represent approximately 3.4% of the world's population, Asia and Europe hosted the largest number, respectively 80 million and 78 million of international migrants. North America was third with 58 million, while Africa hosted 25 million of international migrants. Latin America and the Caribbean as well as Oceania followed with 10 million and 8 million, respectively.¹¹

Second, it is important to distinguish between the type of population movements. People can choose to live in a country other than their country of birth for many reasons. Some might want to pursue their studies abroad, while others find employment in another country. There are also individuals who would like to move closer to family members or friends. However, people can also be forced to leave their country of origin for several reasons, such as abuse of human rights and international humanitarian law, conflict, discrimination, exploitation and endemic poverty.¹² In this distinction, which is not exclusive, the former refers to what is broadly termed as voluntary migration, whereas the latter characterizes forced migration. While the Committee's study looked at overall migration trends, it heard a great deal of testimony regarding people who experienced forms of forced migration.

9 United Nations [UN], *Population*.

10 CIMM, *Evidence*, 27 September 2018, 1640 (Glen Linder, Director General, International and Intergovernmental Relations, Department of Citizenship and Immigration); CIMM, *Evidence*, 26 November 2018, 1605 (Matt DeCoursey, Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, House of Commons).

11 CIMM, *Evidence*, 27 September 2018, 1640 (Glen Linder); UN Department of Economic and Social Affairs Population Division, *Population Facts*, December 2017.

12 CIMM, *Evidence*, 22 November 2018, 1655 (Shaughn McArthur, Policy and Influence Lead, CARE Canada); CIMM, *Evidence*, 4 December 2018, 1535 (Craig Damian Smith, Associate Director, Global Migration Lab, University of Toronto, As an individual).



In 2017, 68.5 million people were forcibly displaced worldwide due to persecution, conflict, violence or human rights violations; this is close to double Canada's population.¹³ Of these, 40 million were IDPs, 25.4 million were refugees and 3.1 million were asylum seekers.¹⁴ The number of new displacements in 2017 was equivalent to an average of 44,400 people being forced to flee their homes every day or 31 people displaced every minute.¹⁵ Megan Bradley, professor at McGill University, pointed out that there are currently more people forced from their homes than at any point since World War II. She also underlined that 86% of those 25.4 million refugees are in countries located in the Global South.¹⁶ The countries that are currently hosting the largest number of refugees are Turkey, Uganda, Pakistan, Lebanon and Iran.¹⁷

This first chapter presents an overview of the current migration trends, with specific regional focuses, while explaining why people move and who they are.

WHY ARE PEOPLE ON THE MOVE?

To better understand why people are on the move, the Committee heard from Glen Linder, Director General of International and Intergovernmental Relations at Immigration, Refugees and Citizenship Canada (IRCC), who highlighted that “[m]igration is a defining feature of the world today.”¹⁸ He explained that increased international human migration is the new normal and cited many causes of this phenomenon.

[A]mong the most notable are the drive to seek better economic opportunities; family reunification; concerns about public security and criminality in migrants' country of birth; and to escape humanitarian crises, persecution, instability and war. All this is facilitated by lower international travel costs and easy availability of information, and sometimes misinformation, online and through social media about migration.¹⁹

13 CIMM, [Evidence](#), 22 November 2018, 1535 (Stéphane Vinhas, Emergencies Coordinator, Development and Peace-Caritas Canada).

14 These terms are defined on page 12 under the section Who are people on the move?.

15 United Nations High Commissioner for Refugees [UNHCR], [Global Trends: Forced Displacements in 2017](#), 25 June 2018, p. 2; Global Forced Displacement Working Group, [Written Submission](#), p. 3; CIMM, [Evidence](#), 16 October 2018, 1535 (His Excellency Peteris Ustubs, Ambassador, Delegation of the European Union to Canada).

16 CIMM, [Evidence](#), 2 October 2018, 1635 (Megan Bradley, Associate Professor, Department of Political Science, McGill University, As an individual).

17 For more information, see UNHCR, [Figures at a Glance](#).

18 CIMM, [Evidence](#), 27 September 2018, 1640 (Glen Linder).

19 CIMM, [Evidence](#), 27 September 2018, 1640 (Glen Linder).

When asked by Committee members what the main causes for human migration are, witnesses enumerated absence of democracy and the rule of law, conflicts, climate change, discrimination, economic and social disparities, economic, environmental and political reasons, family reasons, generalized or gender-based violence, lack of access to justice mechanisms, persecution and weakened institutions.²⁰ Stéphane Vinhas, from Development and Peace-Caritas Canada, noted that there are other reasons less mentioned, such as development megaprojects, large-scale agro-industrial operations, mining and oil and gas.²¹ They all argued that people move for a variety of reasons and that often it is not only one factor that drives displacement, but a multiplicity of complex causes and factors.²²

Avvy Go, Director of the Chinese and Southeast Asian Legal Clinic (CSALC), remarked that some of these migration push factors are often beyond the control of individuals. For that reason, she argued against a rigid categorization of people as voluntary migrants or as forced migrants because it is often not one or the other, and it can be misleading.²³

Vartan Shadarevian, Executive Director of the Aleph Policy Initiative, noted that when a person's income increases in a developing country, the likelihood of that person emigrating also increases.²⁴ Christian Friis Bach, Secretary General of the Danish Refugee Council, added that, in the short term, economic growth and opportunities in a developing country will most likely lead to increased migration. It is only when the difference "between a recipient and a sending country [is narrowed] to around 1:6" that migration flows even off and migrants will reconsider leaving their country of origin.²⁵

In addition to the complexity of the migration push factors, there is also the lived reality of individual who do not all have the same migration experience; some move within

20 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze, Representative in Canada, Office of the United Nations High Commissioner for Refugees); CIMM, [Evidence](#), 4 October 2018, 1700 (Christian Friis Bach, Secretary General, Danish Refugee Council); CIMM, [Evidence](#), 23 October 2018, 1710 (Anna Vogt, Director, Ottawa Office, Mennonite Central Committee Canada); CIMM, [Evidence](#), 1 November 2018, 1645 (Avvy Go, Clinic Director, Chinese and Southeast Asian Legal Clinic); CIMM, [Evidence](#), 22 November 2018, 1655 (Shaughn McArthur, Policy and Influence Lead); CIMM, [Evidence](#), 22 November 2018, 1535 (Stéphane Vinhas); CIMM, [Evidence](#), 4 December 2018, 1535 (Craig Damian Smith).

21 CIMM, [Evidence](#), 22 November 2018, 1535 (Stéphane Vinhas).

22 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 4 October 2018, 1700 (Christian Friis Bach); CIMM, [Evidence](#), 23 October 2018, 1710 (Anna Vogt); CIMM, [Evidence](#), 1 November 2018, 1645 (Avvy Go); CIMM, [Evidence](#), 22 November 2018, 1655 (Shaughn McArthur, Policy and Influence Lead); CIMM, [Evidence](#), 22 November 2018, 1535 (Stéphane Vinhas).

23 CIMM, [Evidence](#), 1 November 2018, 1645 (Avvy Go).

24 CIMM, [Evidence](#), 4 October 2018, 1645 (Vartan Shadarevian).

25 CIMM, [Evidence](#), 4 October 2018, 1730 (Christian Friis Bach).



their own countries, some enter neighbouring countries to claim asylum, while others are resettled as refugees in third countries.

WHO ARE PEOPLE ON THE MOVE?

The way people migrate define their reality as migrants. There are five main terms to understand. First, “migrant” is an all-encompassing term that refers to any person who moves away from their home,²⁶ either within their country of origin or across an international border, without taking into account the legal status of the person or the causes of migration. Second, “immigrant” specifically refers to those who enter a new country with the intent to settle. Third, “internally displaced persons” are defined as individuals who have been forced to flee from their home, especially “as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”²⁷

Fourth, “asylum seeker” refers to any person asking for international protection and who is going through a refugee status determination process in a country other than their own country of origin. Fifth, “refugee” is an asylum seeker who received refugee status from the country where they claimed international protection or from the United Nations High Commission for Refugees (UNHCR). In particular, Convention refugees are recognized as refugees by states, under the eligibility criteria in Article 1 of the 1951 UN *Convention Relating to the Status of Refugees* (the 1951 Convention), defined as:

someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.²⁸

Another category of refugees are “*prima facie* refugees” who do not prove their need for protection individually as states acknowledge the circumstances they are in as meeting the criteria for refugee status.

As seen in Figure 1 below, the UNHCR provided the Committee with a map that illustrates the geographical location of refugee, asylum seeker and IDP populations around the world

26 The move has to be, generally speaking, longer than six months. For more information about the definition, see International Organization for Migration [IOM], [Key Migration Terms](#).

27 United Nations, “Guiding Principles on Internal Displacement,” [Further Promotion and Encouragement of Human Rights and Fundamental Freedoms, Including the Question of the Programme and Methods of Work of the Commission – Human Rights, Mass Exoduses and Displaced Persons](#), 11 February 1998.

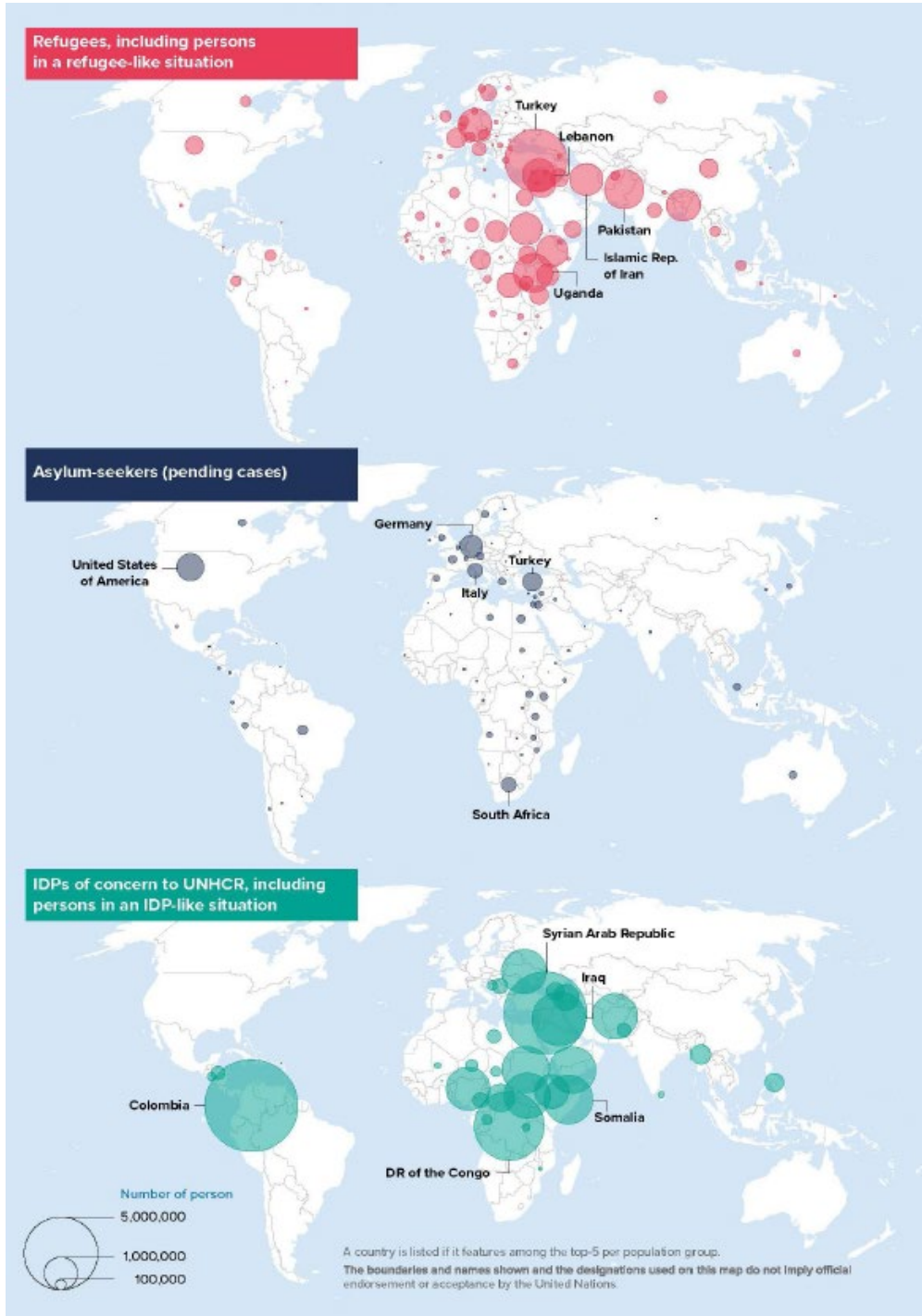
28 UNHCR, [Convention and Protocol Relating to the Status of Refugees](#).

as of late 2017. The UNHCR also oversees returned refugees, IDPs and “stateless persons,” who are defined as persons who are not considered as nationals by any State under the operation of its law, including persons whose nationality is not established.²⁹

29 CIMA, [Evidence](#), 27 September 2018, 1540, 1630 (Jean-Nicolas Beuze); UNHCR, “Stateless persons,” [Glossary](#).



Figure 1 – Map of Populations of Concern to the UNHCR, by Category, in 2017



Source: United Nations High Commissioner for Refugees, [Populations of concern to UNHCR by category / end 2017](#).

Jean-Nicolas Beuze, the Representative of the UNHCR in Canada, explained to the Committee “that there's a correlation between internal displacement and refugee situations.”³⁰ Some individuals, who are now refugees, could have initially been displaced internally, over short or long periods of time, or they could have been migrants more than once.³¹ Mr. Bach also noted that people with varying protection needs and reasons for moving could be part of the same migration movement. That is an additional reason to not necessarily categorize people as voluntary migrants or as forced migrants:

It also shows the complexities of mixed migration or mixed movement, where you may have refugees and migrants walking side by side. You may also have vulnerable migrants who, en route, will shift status from migrant to refugee because of the violations they face or their inability to return home.³²

Vartan Shaderevian, Executive Director at Aleph Policy Initiative, added that while there are many push factors that make individuals leave their home, there are also many obstacles to migration. He highlighted that migration is, to some degree,

something you need to buy, and some of the most vulnerable individuals may be unable to afford it.... Immigration is at least partly an access problem. These problems are more acute and they're worse for some of the most marginalized communities—small ethno-religious groups, women and LGBTQ [lesbian, gay, bisexual, transgender and queer] individuals.³³

Mr. Beuze reminded the Committee that, indeed, people in need of international protection can be individuals in non-conflict situations who are persecuted because of who they are or what they do. He drew attention to “journalists who may be reporting about corruption in their countries,” human rights defenders, “indigenous leaders, political opponents” and the LGBTQ community, as well as

ethnic and religious minorities and, simply, women at risk who are not able to gain the safety they deserve when they are survivors of domestic violence or rape and they turn to the authorities of their country—police or judicial authorities—and do not receive the protections they are entitled to.³⁴

As part of the study, the Committee wanted to better understand the realities of individuals in need of international protection. They chose a country that had a large

30 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze).

31 CIMM, [Evidence](#), 4 October 2018, 1530 (Alexandra Bilak, Director, Internal Displacement Monitoring Centre).

32 CIMM, [Evidence](#), 4 October 2018, 1700 (Christian Friis Bach).

33 CIMM, [Evidence](#), 4 October 2018, 1645 (Vartan Shaderevian, Executive Director, Aleph Policy Initiative).

34 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze).



number of refugees in order to understand its challenges and opportunities. Committee members travelled to Uganda, where they met with refugees from the Democratic Republic of Congo (DRC) who explained their journey to Uganda.

Case study: Kyangwali Refugee Settlement, Uganda

In June 2018, the Committee travelled to Uganda, which hosts about 1.4 million refugees. This is the highest number of refugees in any African country and the third-highest number in the world. This figure is also the highest number of refugees in Uganda's history. About 85% of refugees in Uganda are women and children. Over one million are from South Sudan and 275,000 from the DRC, with smaller populations from Burundi (40,500), Somalia (37,100) and other surrounding countries.³⁵

Committee members met with the Ugandan State Minister for International Affairs at the Ministry of Foreign Affairs, Oryem Okello, who provided an overview of Uganda's refugee laws and policies. For instance, Uganda provides land and one year of resources to refugees to encourage self-sustainability and empowerment, which is very different from traditional refugee camps. Uganda also offers the same infrastructure to both host and refugee communities to discourage discontent about refugees in the local population.³⁶

Committee members travelled to the Kyangwali Refugee Settlement, located five hours by road from Kampala. Paul Nsiela, the UNHCR Head of Field Office Kyangwali, explained that the settlement was originally established in the 1960s to accommodate Rwandan refugees and that the camp consisted of both old settlements and new settlements with their respective villages. He informed Committee members that the Office of the Prime Minister (OPM), responsible for refugee protection in Uganda, was still in the process of setting up new sections in the settlement to provide a space for newly arrived refugees from the DRC.³⁷

Mr. Nsiela informed Committee members of how refugees who have crossed Lake Albert make their way to Kyangwali. He explained that they are picked up by buses at the

35 UNHCR, *Uganda Refugee Response – Monthly Snapshot*, March 2018; UNHCR, “2018 Planning summary – Operation: Uganda,” *Global Focus*, 15 November 2017, p. 4; United Nations Children’s Fund, *Uganda: Humanitarian Situation Report*, March 2018, p. 2; UNHCR, “South Sudan refugees in Uganda pass 1 million mark, UNHCR renews call for help,” *News release*, 17 August 2017.

36 CIMM, Meeting with the State Minister for International Affairs at the Foreign Affairs Ministry, Kampala, Uganda, 5 June 2018.

37 CIMM, Meeting at the UNHCR Field Office in Kyangwali Refugee Settlement, Kyangwali refugee settlement, Uganda, 6 June 2018.

lakeside and trucks are sent to take their baggage.³⁸ They are then brought to the settlement's reception centre where they are registered by the OPM. New arrivals are tested for cholera and are assigned to a village. They are subsequently attributed a plot of land and are permitted free movement within the settlement. Upon registration they are given a ration card as well as treated materials to build shelter. The most vulnerable are provided help with building a shelter. The population of the settlement upon the committee's visit was 86,672 people. Of those, 55,792 individuals lived in the older part of the settlement, with the balance in the new villages. There were also 496 people at the reception centre waiting to be assigned to a village.³⁹

Committee members had the opportunity to walk through the reception centre, which is the first location refugees are brought to before establishing themselves in the settlement. Once a refugee arrives at the reception centre, he or she undergoes disinfection by the Red Cross, as well as nutritional and medical screening, especially for mothers and children, offered by Médecins sans frontières.⁴⁰ They have access to three meals a day, shelter⁴¹ and protection providers, such as CARE and the Lutheran World Federation. Refugees generally stay three days at the reception centre, but can stay for up to two weeks, if required.⁴²

38 The road to the Kyangwali Refugee Settlement on the day of the visit was muddy and was partially blocked by a bus and a truck that were stuck, which underlined the transportation difficulties encountered by officials and refugees who work and live in the settlement camp.

39 CIMM, Meeting at the UNHCR Field Office in Kyangwali Refugee Settlement, Kyangwali refugee settlement, Uganda, 6 June 2018.

40 Médecins sans frontières was mandated to offer the nutritional and medical screening during the cholera outbreak. Action Africa Help has taken over the screening.

41 The reception centre has nine semi-permanent and five permanent shelters with a capacity of 100 individuals each. In June 2018, the centre was working on extending the shelter capacity as a contingency plan with three more shelters.

42 CIMM, Visit of the Reception Centre of the Kyangwali Refugee Settlement, Kyangwali refugee settlement, Uganda, 6 June 2018.



Figure 2 – View of the Kavule District, Kyangwali Refugee Settlement



Source: Picture taken by Member of Parliament Gary Anandasangaree.

Committee members travelled to the Kavule District of the Kyangwali Refugee Settlement. Kavule is mainly a new site for recent refugee arrivals, with limited access to the existing services of Kyangwali. There, Committee members had the opportunity to meet a refugee family of six that arrived in March 2018 and spoke to a couple who left the Ituri province in the DRC and took a boat to cross Lake Albert with their three children. The boat had more than 50 people on board, with pregnant women. The wife was pregnant during the voyage and gave birth to their fourth child in the settlement. The husband told Committee members that his children do not have access to school yet, as they are in a new part of the settlement. The food they have right now is provided by the UNHCR, but it is insufficient and not varied. Before fleeing the DRC, he was a farmer and he hopes to return home once the conflict is over.⁴³

43 CIMM, Meeting with a Newly Arrived Refugee Family in the Kavule District, Kyangwali Refugee Settlement, Uganda, 6 June 2018.

Figure 3 – Committee Members with Newly Arrived Refugee Family and Refugee Children



Source: Picture taken by Committee analysts.

Committee members also met with refugees who are refugee leaders, appointed by the OPM of the Ugandan government to the formal refugee representative body inside the Kyangwali settlement. The representatives present at the meeting had been living in the settlement for varying lengths of time, between four months and 28 years, and had arrived in Kyangwali from Burundi, the DRC, Ghana, South Sudan, Eretria and Rwanda.⁴⁴ Roughly half of the representatives at the meeting were women.⁴⁵

44 Of the individuals present, seven had been in the settlement for 20 years or more, five for 10 years and three under 10 years. Two individuals had been in the camp for four and six months.

45 CIMM, Meeting with Refugee Community Leaders, Kyangwali Refugee Settlement, Uganda, 6 June 2018.



Figure 4 – Living Situation of a Newly Arrived Refugee Family



Source: Picture taken by Member of Parliament Gary Anandasangaree.

The Committee particularly noted the protracted refugee situations of the individuals they met in Kyangwali and their resilience, especially that of the young family with whom they met.

MIGRATION TRENDS IN DIFFERENT REGIONS

To better understand migration trends, Mr. Linder, from IRCC, described to the Committee that the United States (U.S.) has been the main country of destination for international migrants since the 1970s. In 2015, the U.S. was followed by Germany, Russia, Saudi Arabia, the United Kingdom, the United Arab Emirates and Canada, in seventh place as country of destination for international migrants. The same year, India, Mexico, Russia, China and Bangladesh were the top five countries of origin for international migrants.⁴⁶

⁴⁶ CIMM, *Evidence*, 27 September 2018, 1640 (Glen Linder).

Mr. Linder emphasized that regional migration, meaning between countries located in the same region, has been increasing in recent years. In fact, south-south migration now exceeds south-north migration. More than 50% of migrants from developing countries move to another developing country and largely within the same region. As an example, Mr. Linder offered that, most international migration in Africa is voluntary, regular and within the continent. This regional migration is also a trend between rich countries, as about half of all immigrants to high-income countries come from other high-income countries.⁴⁷

Being mindful of the different causes and realities of human migration as well as responsive to current world events, the Committee decided to study the root causes of migration in four specific regions, namely Central and Eastern Africa, Latin America and the Caribbean, South and Southeast Asia as well as Europe.

Central and Eastern Africa

As of 2017, Africa hosted 24.2 million people who had been forced to flee because of conflicts, persecution, other human rights violations, and food insecurity. Several crises persist, including those in Burundi, the Central African Republic, the DRC, Somalia, and South Sudan.⁴⁸ They result in massive population movements within and beyond national borders. For example, one-third of the South Sudanese population has been displaced to neighbouring countries, such as Uganda.⁴⁹

Contributing factors to regional migration are varied and interrelated. Precipitation variability, evidenced by droughts and floods, affects the region. Rapid population growth also leads to overexploitation of resources such as forests, soil and bodies of water. These factors result in food insecurity and famine and push people to move toward North Africa, Southern Africa and the Gulf of Aden. They also contribute to cyclic rural-urban mobility within countries and beyond national borders. In addition, according to the UNHCR and International Organization for Migration (IOM), sexual and gender-based violence aggravates complex emergency situations and affects a particularly vulnerable segment of an already traumatized population.⁵⁰ These causes and complexities risk spreading problems of food insecurity and unprosecuted sexual violence to areas where migration is uncontrolled.

47 CIMM, *Evidence*, 27 September 2018, 1640 (Glen Linder).

48 UNHCR, *Global Report 2017*, pp. 61-63.

49 CIMM, *Evidence*, 27 September 2018, 1540 (Jean-Nicolas Beuze).

50 UNHCR, *Global Report 2017*, pp. 61-63; UNHCR, *Global Appeal 2018-2019*, pp. 57-69; IOM, "Chapter Three – Migration And Migrants: Regional Dimensions And Developments," *World Migration Report 2018*, 2017, p. 12.



East Africa also experiences high levels of workers migrating outside the region, fleeing poverty, low wages and high rates of unemployment. A recent development is a rise in low-skilled or semi-skilled workers leaving East Africa for the member countries of the Gulf Cooperation Council (GCC) on temporary employment contracts. The proximity of those countries, the employment opportunities there, and the workforce agreements recently signed between certain GCC and East African countries could continue to cause rising levels of migration to the GCC countries.⁵¹

Democratic Republic of Congo

Within the region, the crisis that afflicts the DRC is one of the most complex and oldest in the world. Since April 2017, the situation has worsened, and, to this day, it remains tense, with an interethnic conflict in the Kasai region causing internal displacements at the rate of 8,000 persons a day. The situation is characterized by serious human rights violations, including physical mutilation, executions, sexual violence, arbitrary arrests, and detention in inhumane conditions. At the end of 2017, there were approximately 4.5 million displaced persons inside the country, 1.9 million of whom had been displaced in 2017 alone, in addition to 685,000 Congolese refugees, the majority of them women and children, seeking protection in neighbouring countries, such as Uganda.⁵²

Recognizing the profound nature of the conflict, the Committee selected it as a case study within the region to examine its impact on Uganda. During the Committee's trip to Uganda, Mr. Okello and Committee members discussed the instabilities in Burundi and the DRC that have led to increased migration movements to Uganda. Mr. Okello suggested that the ultimate solution is to bring peace and security to those countries and that Canada should support more conflict prevention and local peace initiatives in Burundi and the DRC.⁵³

Latin America and the Caribbean

In several Central American countries, widespread violence in communities, largely connected with gang and drug cartel activities, poor socioeconomic conditions and rising political instability have led to the migration of a large number of women and children, notably, including many unaccompanied children. The number of migrants coming from

51 IOM, "[Chapter Three – Migration And Migrants: Regional Dimensions And Developments](#)," *World Migration Report 2018*, 2017, p. 12.

52 UNHCR, [Global Report 2017](#), p. 65.

53 CIMM, Meeting with the State Minister for International Affairs at the Foreign Affairs Ministry, Kampala, Uganda, 5 June 2018.

the Northern Triangle of Central America – El Salvador, Honduras and Guatemala – has increased significantly in recent years.⁵⁴ Craig Damian Smith, Associate Director of the Global Migration Lab at the University of Toronto, underlined that, between 2011 to 2016 there was a tenfold increase in refugee and asylum seekers from El Salvador, Honduras and Guatemala, with an estimated 180,000 people displaced in neighbouring states. Over 350,000 people claimed asylum globally from the region from 2011 to 2017, with 130,500 of those 350,000 in 2017 alone.⁵⁵ The number of asylum claims filed in 2017 represents a 58% increase over the previous year.⁵⁶ Mr. Smith indicated that “women, families and unaccompanied minors are vastly overrepresented in those migration flows.”⁵⁷ He also noted that refugees and IDPs in the region are displaced at least twice, on average.

When asked what drove displacement in the Northern Triangle of Central America, Mr. Beuze reported data gathered by a survey of migrants on their way to Mexico or the U.S.:

71% have expressed being directly targeted by violence, in particular, women, children, young girls, by those criminal gangs. I interviewed young girls who at the age of 17 had been several times gang-raped by the gangs, young men who are forcefully conscripted into those criminal gangs, but also the LGBTQ community and in particular transwomen, who are particularly at risk of being targeted.⁵⁸

Tanya Basok, professor at the University of Windsor, along with Mr. Smith were concerned with the widespread violence in the Latin American-Caribbean region.⁵⁹ The region accounts for about 8% of the world's population, but for 33% of the world's homicides.⁶⁰ To understand the recurrence and the scope of the criminal violence in the

54 CIMM, [Evidence](#), 25 October 2018, 1545 (Sofía Martínez Fernández, Analyst, Central America, International Crisis Group); CIMM, [Evidence](#), 25 October 2018, 1550 (Tanya Basok, Professor, Department of Sociology and Anthropology, University of Windsor, As an individual); UNHCR, [Global Report 2017](#), pp. 81-93; UNHCR, [Global Appeal 2018-2019](#), pp. 71-79; IOM, “[Chapter Three – Migration And Migrants: Regional Dimensions And Developments](#),” *World Migration Report 2018*, 2017, pp. 33-39.

55 CIMM, [Evidence](#), 4 December 2018, 1535 (Craig Damian Smith).

56 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 25 October 2018, 1550 (Tanya Basok).

57 CIMM, [Evidence](#), 4 December 2018, 1535 (Craig Damian Smith).

58 CIMM, [Evidence](#), 25 February 2019, 1535 (Jean-Nicolas Beuze).

59 CIMM, [Evidence](#), 4 December 2018, 1535 (Craig Damian Smith); CIMM, [Evidence](#), 25 October 2018, 1550 (Tanya Basok).

60 CIMM, [Evidence](#), 4 December 2018, 1535 (Craig Damian Smith).



region, Sofía Martínez Fernández, analyst for the International Crisis Group, provided El Salvador as an example, where

criminal groups like the MS-13 and the two factions of the 18th Street gang are the de facto authority in around 80% of the national territory. They impose their control through extortion rackets, payments from medium-sized and small businesses, forced recruitment and targeted violence. Any kid between eight and 18 years old is eligible for forced recruitment, and girls are usually victims of sexual abuse.⁶¹

In El Salvador, there are approximately 65,000 active gang members that have “a social support base of around half a million people, or around 8% of the country's population of 6.5 million.”⁶² The issue of gang recruitment in Central America is crucial to understanding these migration flows.

Anne Vogt, Director at the Mennonite Central Committee Canada, and Mr. Smith, however, pointed out that these are not the only causes that are forcing people to leave their homes.⁶³ Accordingly, there are

3.5 million people in the region who require HAP [humanitarian assistance programs] because of ecological and climatic degradation. As of 2018, the [Northern Triangle of Central America] governments reported losses of 208,000 hectares of agricultural land, leaving 2.2 million people at risk of food insecurity in an area that we call the “dry corridor”, which stretches from the south of Mexico down to Panama.⁶⁴

Ms. Martínez Fernández testified that these complex push factors have changed the demographic of the migration movements. She stated that

[t]raditionally, we saw young male migrants who attempted to cross to the United States to send some extra money to their families back home. Today, we see more family units, women and unaccompanied children.⁶⁵

Ivan Briscoe, Program Director in charge of Latin America and the Caribbean for the International Crisis Group, echoed this point, remarking that Central Americans have replaced the Mexicans on the route towards the U.S.. Those arriving in the U.S. now represent a “flow of refugees because these people, of course, are fleeing in part from high levels of insecurity. That [change] predates 2016 when that was clearly witnessed in

61 CIMM, [Evidence](#), 25 October 2018, 1545 (Sofía Martínez Fernández).

62 CIMM, [Evidence](#), 25 October 2018, 1545 (Sofía Martínez Fernández).

63 CIMM, [Evidence](#), 23 October 2018, 1650 (Anna Vogt); CIMM, [Evidence](#), 4 December 2018, 1535 (Craig Damian Smith).

64 CIMM, [Evidence](#), 4 December 2018, 1535 (Craig Damian Smith).

65 CIMM, [Evidence](#), 25 October 2018, 1545 (Sofía Martínez Fernández).

the crisis of unaccompanied children in 2014.”⁶⁶ Witnesses added that women from the region are especially fleeing domestic violence.⁶⁷ Ms. Vogt said that these women might not be able

to access protection within their own country, especially in areas where women may face higher discrimination as well, or where it's not culturally acceptable in the same way to denounce domestic violence.⁶⁸

Witnesses have also raised the issue of the dangers encountered on the migration journey.⁶⁹ Ms. Basok explained that when migrants travel on foot, cargo trains and buses,

they are at risk of being kidnapped by criminal organizations, robbed, assaulted, raped, extorted by the police or immigration authorities, or mutilated by rapidly passing trains as they try to climb onto or remain on cargo trains.⁷⁰

Ms. Vogt remarked that in border regions, the illegal economy around migration has become more profitable than drug trafficking.⁷¹ However, Ms. Martínez Fernández added that while there are also instances of kidnappings, human trafficking and enforced disappearances, the situation migrants leave behind is often worse than the potential dangers of the trip itself.⁷²

Bernard Duhaime, professor at Université du Québec à Montréal, told the Committee about the United Nations Working Group on Enforced or Involuntary Disappearances, which he currently chairs. The working group issued a report, in 2017, on disappearances in the context of migration. Factors that contribute to the disappearances of migrants include their vulnerability, the multiple layers of discrimination they face, as well as their invisibility. Regressive state immigration and security policies on counterterrorism and criminalization of migration dehumanize migrants and give tacit license to non-state actors, such as

66 CIMM, [Evidence](#), 4 December 2018, 1710 (Ivan Briscoe, Program Director, Latin America and Caribbean, International Crisis Group).

67 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 23 October 2018, 1710 (Anna Vogt).

68 CIMM, [Evidence](#), 23 October 2018, 1710 (Anna Vogt).

69 CIMM, [Evidence](#), 27 September 2018, 1610 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 23 October 2018, 1635 (Anna Vogt); CIMM, [Evidence](#), 25 October 2018, 1550 (Tanya Basok); CIMM, [Evidence](#), 25 October 2018, 1545 (Sofía Martínez Fernández).

70 CIMM, [Evidence](#), 25 October 2018, 1550 (Tanya Basok).

71 CIMM, [Evidence](#), 23 October 2018, 1635 (Anna Vogt).

72 CIMM, [Evidence](#), 25 October 2018, 1545 (Sofía Martínez Fernández).



organized crime, to mistreat or otherwise abuse migrants. The report noted the lack of international collaboration on these issues.⁷³

Mr. Beuze also informed the Committee, as of September 2018, “that the United States [had] a backlog of 790,000 claims for asylum, of which the overwhelming majority” were from El Salvador, Honduras and Guatemala.⁷⁴ Ms. Basok added that the U.S. cancelled Temporary Protection Status for Salvadorans and Hondurans.⁷⁵ She also noted that, in Mexico, the number of asylum seekers from those three Central American countries went up more than tenfold between 2013 and 2017, from a little under 1,300 in 2013 to 14,500 in 2017. In 2016 and 2017, Mexico granted refugee status or complementary protection status to approximately 75% of applicants from El Salvador and to a little over 50% of Honduran applicants.⁷⁶ Mr. Beuze reported to the Committee that

by the end of 2019 we'll have more than 300,000 asylum seekers and refugees from those three countries in the sub-region, on top of which we have to add 60,000 people who are going to be forcefully returned, mainly from Mexico and the U.S., who may have protection concerns when they arrive back in one of those three countries, and more than 3,000 internally displaced people in those three countries. It's quite an important crisis for UNHCR and its partners.⁷⁷

In South America, the violent circumstances in Colombia and Venezuela have also caused displacements. Following decades of conflict, Colombia currently has the highest number of IDPs in the world after Syria, with 6.5 million people who are displaced.⁷⁸ While the situation is slowly improving after the demobilization of the Revolutionary Armed Forces of Colombia in 2017 and a partial end to the conflict, Steve Stewart, co-chair of the Americas Policy Group at the Canadian Council for International Co-operation, warned the Committee that “the violence and displacement continue.”⁷⁹

Over the past five years, economic and social conditions have deteriorated in Venezuela causing migration. Since 2015, 1.5 million Venezuelans have left their country for reasons, including increased violence and protection risks. Mr. Beuze indicated that

73 CIMM, [Evidence](#), 25 October 2018, 1645 (Bernard Duhaime, Full Professor, Département des sciences juridiques, Faculté de science politique et de droit, Université du Québec à Montréal, As an individual).

74 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze).

75 Tanya Basok, [Written Submission](#), p. 1.

76 CIMM, [Evidence](#), 25 October 2018, 1550 (Tanya Basok).

77 CIMM, [Evidence](#), 25 February 2019, 1535 (Jean-Nicolas Beuze).

78 CIMM, [Evidence](#), 23 October 2018, 1635 (Anna Vogt); CIMM, [Evidence](#), 4 December 2018, 1545 (Steve Stewart, Co-Chair, Americas Policy Group, Canadian Council for International Co-operation).

79 CIMM, [Evidence](#), 4 December 2018, 1545 (Steve Stewart).

Venezuelan situation is growing as 5,000 “people leave the country every day, as we speak.”⁸⁰ Neighbouring countries, Colombia, Brazil, Panama, Peru as well as some of the islands in the Antilles such as Curaçao and Aruba, are receiving these flows of Venezuelan migrants.⁸¹ This is to some degree reversing the trends in displacements in South America: while many Colombians had found refuge in Venezuela over the past decades, some are now returning to Colombia, accompanied by numerous Venezuelans who are now seeking refuge in that country and elsewhere.⁸²

Mr. Beuze also highlighted to the Committee that Nicaragua is another situation of political instability that has led to a large migration of Nicaraguans to countries such as Costa Rica.⁸³ As of February 2019, 32,000 Nicaraguans had sought asylum in Costa Rica since April 2018. This is in addition to the Nicaraguans already in the country, estimated by the Costa Rican authorities to be between 250,000 and one million. Mr. Beuze stressed that this has put a strain on Costa Rica’s asylum system and on the social infrastructure available for those Nicaraguans.⁸⁴

Venezuela

In recent years, the deterioration in the socioeconomic and political situation in the Bolivarian Republic of Venezuela has created a regional crisis. Continued violence, human rights violations, and shortages of food and essential goods that followed have triggered massive population displacements.⁸⁵ The UNHCR conducted a survey and found that

[i]t's a mix of economic factors, but also of violence. Sixty-seven per cent of [the Venezuelans] have reported a protection incident. Thus, two-thirds of the people we interviewed were certainly to be considered as refugees and not as migrants, because they were fleeing a situation of persecution or human rights violations. Only half of them had reported the incident to the authorities, claiming that they feared either reprisals or no action from the authorities, if they were to complain about those protection incidents.⁸⁶

80 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze).

81 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 4 December 2018, 1715 (Ivan Briscoe).

82 UNHCR, [Global Report 2017](#), pp. 81-93; UNHCR, [Global Appeal 2018-2019](#), pp. 71-79; IOM, “[Chapter Three – Migration And Migrants: Regional Dimensions And Developments](#),” *World Migration Report 2018*, 2017, pp. 33-39.

83 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze).

84 CIMM, [Evidence](#), 25 February 2019, 1540 (Jean-Nicolas Beuze).

85 Tanya Basok, [Written Submission](#), p. 2.

86 CIMM, [Evidence](#), 25 February 2019, 1535 (Jean-Nicolas Beuze).



Mr. Beuze informed the Committee that, in February 2019, 3.4 million Venezuelans were living outside the country, 2.5 million of whom had been displaced since 2015. He estimated that “by the end of 2019, 5.3 million Venezuelans will be outside their country, 3.6 million of whom will be in the sub-region.”⁸⁷ Asylum claims have been rising year over year since 2014, with 186,800 claims in 2018 alone. Peru has admitted the largest number of Venezuelan asylum seekers. In addition, between 2015 and 2018, several hundred thousand Venezuelans had access to other methods of legally remaining in host countries under national or regional frameworks, particularly in Brazil, Chile, Colombia, Ecuador, Peru, and Uruguay. Those figures do not reflect Venezuelans who are living abroad with no legal status and are particularly vulnerable.⁸⁸

Mr. Briscoe spoke about his experience at the Colombian-Venezuelan border in December 2018. He testified that

[t]here was a very substantial flow of people coming in, legally, over the four main border crossings between the countries. They're probably in the region—it varies per day—of 2,000 to 3,000 people coming from Venezuela every day. As we know from the latest UN [United Nations] figures, we're talking about a population of Venezuelans abroad, primarily in Latin America, of three million now. Most of them have left since 2015 but this has particularly accelerated since late 2016, as the economic crisis in Venezuela was aggravated.⁸⁹

He added that there are on average “60 babies being born to Venezuelan mothers every day in the main border town” in Colombia.⁹⁰

South and Southeast Asia

Long-standing conflicts, political instability, violence and repression have produced sizeable displaced populations in South and Southeast Asia. The Committee heard testimony on long standing refugee issues, such as the situation of Afghan refugees and more recent refugee movements in this region, such as the Rohingya crisis. A large portion of the Afghan population has been displaced into neighbouring countries, notably Pakistan, and elsewhere in the world over decades. It is important to note that the protracted refugee situation in Afghanistan dates back to the 1970s and 1980s.⁹¹

87 CIMM, [Evidence](#), 25 February 2019, 1540 (Jean-Nicolas Beuze).

88 Regional Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela, [Regional Response: Situational update No 1](#), September 2018.

89 CIMM, [Evidence](#), 4 December 2018, 1710 (Ivan Briscoe).

90 CIMM, [Evidence](#), 4 December 2018, 1710 (Ivan Briscoe).

91 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze).

In recent years, there has been mass displacement of Rohingya refugees from Myanmar to Bangladesh.

In addition to political crises, South and Southeast Asia is also particularly vulnerable to natural disasters, including events linked to climate change. Deficient infrastructure, heavy dependence on land resources, and high population density in vulnerable regions contribute to population displacements when disasters strike. Catastrophes like cyclones, earthquakes and floods have led to the internal displacement of millions of people in South and Southeast Asia in recent years. Environmental changes such as rising sea levels, coastal erosion, and the depletion of underground water reserves, which are substantial in this region of the world, are also resulting in displacements.⁹²

From an economic lens, many temporary workers migrate to GCC countries from South Asian nations, particularly India and Pakistan, and more recently Sri Lanka, Nepal, and Bangladesh. They are seeking better jobs and higher wages in light of the poverty and labour surpluses in their home countries in South Asia. Remittances to family at home by workers who have gone abroad help to reduce that poverty. Differences among the countries in South Asia, in terms of economic and labour market conditions, also lead to migration within the region. For example, millions of workers from Bangladesh and Nepal are working informally in India, largely as construction labourers and domestic workers. Income disparity in the countries of Southeast Asia results in people migrating from countries with lower incomes to those that offer higher incomes, both within and outside the region.⁹³

Myanmar

In Myanmar, a sudden massive exodus of Rohingya refugees from Rakhine state began in August 2017, making it one of the five largest refugee producing countries in the world.⁹⁴ The Rohingya are a persecuted Muslim minority population who are not recognized as citizens by the government of Myanmar. Mr. Beuze explained that one of the root causes of this conflict is the statelessness situation of the Rohingyas since the 1960s. It is a protracted crisis that worsened in August and September 2017 when 700,000 Rohingyas crossed into Bangladesh to flee persecution in Myanmar.⁹⁵ They

92 UNHCR, *Global Report 2017*, pp. 95-100; UNHCR, *Global Appeal 2018-2019*, pp. 81-89; IOM, "[Chapter Three – Migration And Migrants: Regional Dimensions And Developments](#)," *World Migration Report 2018*, 2017, p. 18.

93 IOM, "[Chapter Three – Migration And Migrants: Regional Dimensions And Developments](#)," *World Migration Report 2018*, 2017, p. 18.

94 CIMM, *Evidence*, 27 September 2018, 1540 (Jean-Nicolas Beuze).

95 CIMM, *Evidence*, 27 September 2018, 1540 (Jean-Nicolas Beuze).



joined more than 300,000 refugees who had arrived in the country in earlier waves. Of those 700,000 refugees, more than 75% were women and children. In addition, the number of internally displaced Rohingya is estimated to be 128,000.⁹⁶

Jamie Liew, lawyer and professor at the University of Ottawa, stated that “the denial or stripping of citizenship is a political tool that encourages discrimination, oppression, and in the case of the Rohingya in Myanmar, genocide.”⁹⁷ The Rohingya have been displaced at least three times over the last 50 years, which speaks to the systemic issues at the root of their displacement.⁹⁸ Mr. Beuze also stressed that when people are displaced more than once outside of their country of origin, “it takes far more time for them to ever return to their country of origin because ... they have concerns of a repeat.”⁹⁹

Europe

Between 2015 and 2017, Europe experienced an unprecedented increase in migration, with people coming irregularly into the European Union (EU) from countries in Africa, the Middle East as well as from Afghanistan. His Excellency Peteris Ustubs, Ambassador of the EU Delegation to Canada, informed the Committee that “the EU received over 3.4 million asylum seekers” between 2015 and 2017.¹⁰⁰ Another witness pointed out that of those 3.4 million, “1 million unauthorized maritime migrants arrived along Europe’s coastlines” in 2015.¹⁰¹ Ambassador Ustubs stated that this irregular migration movement into the EU is due to a combination of the factors, including the EU’s “geographical location, its intrinsic openness, its interconnections to trade and travel routes, and its open frontiers.”¹⁰² Since then, he noted that the EU has “made significant, important strides” by stemming irregular migration and reducing arrival numbers “to those of pre-crisis years.”¹⁰³ He highlighted that arrivals have been reduced by 97% on the eastern Mediterranean route and by 80% on the central Mediterranean

96 UNHCR, [Global Report 2017](#), pp. 98-100; UNHCR, [Global Appeal 2018-2019](#), p. 86.

97 CIMM, [Evidence](#), 18 October 2018, 1655 (Jamie Liew, Associate Professor and Refugee Lawyer, Faculty of Law, Common Law Section, University of Ottawa, As an individual).

98 CIMM, [Evidence](#), 27 September 2018, 1635 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 6 November 2018, 1725 (James Milner, Associate Professor, Department of Political Science, Carleton University, As an individual).

99 CIMM, [Evidence](#), 27 September 2018, 1635 (Jean-Nicolas Beuze).

100 CIMM, [Evidence](#), 16 October 2018, 1535 (Peteris Ustubs).

101 Melissa Bowie, [Written submission](#), p. 2.

102 CIMM, [Evidence](#), 16 October 2018, 1535 (Peteris Ustubs).

103 CIMM, [Evidence](#), 16 October 2018, 1535 (Peteris Ustubs).

route.¹⁰⁴ Ambassador Ustubs characterized the type of migration movement into the EU as a mixed migration flow with refugees, mostly from Syria, as well as migrants moving for better economic opportunities.¹⁰⁵

While it has been called a migration crisis, Mr. Bach argued that it is primarily a global protection crisis. According to his data, 80% of migrants are not afforded the appropriate status as protected persons or are otherwise subject to a lower standard of protection under international treaties.¹⁰⁶ He reasoned that the decrease in the number of arrivals in the EU should not be seen as the end of the protection crisis because in

Lebanon, 80% of the refugees there are living below the poverty line, and still 30% to 50% of the kids are not in school. Of course, many of these families turn desperate and wish to move on, just as the women who are facing violations on the routes have often no other option than to keep moving on to seek protection and some kind of dignity.¹⁰⁷

Ms. Bradley also indicated to the Committee that Europe was not in a crisis, because the EU is “well equipped to deal with arrivals on the scale” experienced over the past four years. She stressed that it is “important to look at what’s going on in countries like Lebanon, for example, where one in four people right now is a Syrian refugee.”¹⁰⁸ She emphasized that the focus tends to be on those who reach Europe or North America, but that 86% of refugees remain in developing countries.¹⁰⁹

Doug Saunders, writer and journalist with the *Globe and Mail*, recalled that the current European migration crisis actually began in the early 2000s, when the EU, with the implementation of the Schengen agreement, eliminated the short-term agricultural labour visa for Africans.

Suddenly, a legal, temporary migration regime was transformed into an illegal, long-term smuggling industry to replace that demand. Rather than paying \$150 for an airplane ticket and having to repay that through one season of work, people were paying 2,000 or 3,000 euros for a crossing and having to stay longer to repay that.¹¹⁰

104 CIMM, [Evidence](#), 16 October 2018, 1535 (Peteris Ustubs).

105 CIMM, [Evidence](#), 16 October 2018, 1555 (Peteris Ustubs).

106 CIMM, [Evidence](#), 4 October 2018, 1640 (Christian Friis Bach).

107 CIMM, [Evidence](#), 4 October 2018, 1640 (Christian Friis Bach).

108 CIMM, [Evidence](#), 2 October 2018, 1700 (Megan Bradley).

109 CIMM, [Evidence](#), 2 October 2018, 1635 (Megan Bradley).

110 CIMM, [Evidence](#), 2 October 2018, 1640 (Doug Saunders, Writer, International Affairs, The Globe and Mail, As an individual).



He cited data from scholars at Oxford University that demonstrated a direct link between tightening temporary entry and the increase in demand for irregular crossings. Accordingly, “every 10% increase in short-stay visa rejection leads to a 4 to 7% increase in irregular border entries.”¹¹¹ Mr. Saunders pointed out that increasing border security might actually increase irregular border crossings. He presented the research of Oxford University scholar Hein de Haas, who said that “border restrictions tend to interrupt circulation and push migrants into permanent settlement, often into more irregular routes, further criminalizing the process.”¹¹² Mr. Saunders explained that “irregular migration is a market decision” because

irregular migrants, whether claiming asylum or otherwise, tend to be people with resources and information who are making a high-risk investment with high stakes for their families and communities. They do not come from the poorest countries, and they don’t come from the poorest communities in the countries that they come from. Irregular crossings are expensive, upwards of 2,000 euros per person to get on one of those rafts, and we have anecdotal evidence that Canada and U.S. crossings involve fairly large payments to smugglers and other agents. Many migrants have borrowed heavily to make the trip. At a minimum, they hope for a return on this investment.¹¹³

He confirmed that the current migration movements into Europe are mixed flows, where there were 40 to 50% of people who had their refugee status recognized in Europe, “during the peak crisis.”¹¹⁴ He felt that it is unfair that legitimate refugees are forced to make irregular crossings, which are dangerous. These irregular crossings also put a strain on the European immigration system and alienate the public. Mr. Saunders also remarked that it also

drives up demand among people who are not legitimate refugees who may not know about legal pathways that exist, who may try to take advantage of legal pathways if they do exist, and who may be legitimate economic immigrants otherwise.¹¹⁵

Mr. Saunders called for the creation of legal migration pathways. He also suggested that information about the immigration process and the labour market in the EU should be more timely and accurate. He recalled similar policies introduced in Spain in 2004, which reduced the numbers of irregular arrivals. He commented

111 CIMM, [Evidence](#), 2 October 2018, 1640 (Doug Saunders).

112 CIMM, [Evidence](#), 2 October 2018, 1640 (Doug Saunders).

113 CIMM, [Evidence](#), 2 October 2018, 1650 (Doug Saunders).

114 CIMM, [Evidence](#), 2 October 2018, 1650 (Doug Saunders).

115 CIMM, [Evidence](#), 2 October 2018, 1650 (Doug Saunders).

that people wishing to migrate, even if they thought there was a one in 20 chances of making it through a legal process, if that legal process existed, that one in 20 chances was better than spending 3,000 euros, and having a high chance of dying across the Mediterranean. Spain remains not a major destination partly because of this set of policies.¹¹⁶

Ambassador Ustubs echoed this point, highlighting that legal migration to the EU is an “integral part of the EU’s comprehensive approach to migration”, aimed at curtailing irregular migration and ensure a more efficient migration policy.¹¹⁷ He drew attention to the EU Blue Card Network which is the legal migration pathway for skilled workers as well as other programs that encourage foreign students, researchers, trainees and volunteers to get a permit to come to the EU to study and work.¹¹⁸

Mr. Bach spoke in a similar vein, proposing that the solution to the protection crisis

is to engage much more forcefully to protect people on the routes and, first and foremost, to create durable solutions that allow people to stay where they are and where we can find durable solutions in the near areas. This is, of course, about ensuring that refugees and vulnerable migrants have access to basic health care and services to ensure that in the protracted crisis, refugees have access to education, health and livelihood opportunities.¹¹⁹

Ambassador Ustubs also indicated that, in the longer term, the only solution to the migration flow is to address the roots of the phenomena as well as issues of good governance in Africa.¹²⁰ For that reason, he informed the Committee that

[t]he EU is providing 31 billion euros in official development assistance to Africa between 2014 to 2020 to boost Africa’s economy, to give young people in the continent a chance to build a future, to ensure food security and access to energy, and to anchor good governance and respect for human rights. The EU member states held an investment stock of 291 billion euros in 2016 in Africa, making the EU the biggest investor in that continent. The EU also offers free access to the EU market via economic partnership agreements with the countries of North Africa, and, for everything but arms schemes, with the rest of the continent.¹²¹

116 CIMM, [Evidence](#), 2 October 2018, 1650 (Doug Saunders).

117 CIMM, [Evidence](#), 16 October 2018, 1545 (Peteris Ustubs).

118 CIMM, [Evidence](#), 16 October 2018, 1545 (Peteris Ustubs).

119 CIMM, [Evidence](#), 4 October 2018, 1640 (Christian Friis Bach).

120 CIMM, [Evidence](#), 16 October 2018, 1540 (Peteris Ustubs).

121 CIMM, [Evidence](#), 16 October 2018, 1540 (Peteris Ustubs).

CANADA'S IMMIGRATION FRAMEWORK

This second chapter describes Canada's managed immigration system built on the *Immigration and Refugee Protection Act (IRPA)*,¹²² its regulations and policies. Matt de Vlieger, Director General, Strategic Policy and Planning, IRCC, explained "[b]y system, what I mean is we have a defined set of legal pathways through which applicants are assessed and enter our country."¹²³ IRCC, with the assistance of Public Safety Canada¹²⁴ and at times Employment and Social Development Canada (ESDC), processes the applications for foreign nationals who come as temporary residents or permanent residents. Processing is done in Canada or by IRCC's network of offices abroad, supplemented by visa application centres (VAC).¹²⁵

IRPA lists a wide range of objectives that are to be met by the immigration program.¹²⁶ The first one is "to permit Canada to pursue the maximum social, cultural and economic benefits of immigration."¹²⁷ Other objectives are to see families reunited, to facilitate the entry of students and temporary workers, and to offer safe haven to persons with a well-founded fear of persecution.

In consultation with provinces and territories, IRCC establishes immigration levels plans that determine how many new permanent residents in each category are expected to be admitted in a given year.¹²⁸ There are several factors that are taken into consideration such as current and future economic conditions, labour market needs, and the capacity

122 [Immigration and Refugee Protection Act](#) [IRPA], S.C. 2001, c.27.

123 CIMM, [Evidence](#), 27 September 2018, 1645 (Matt de Vlieger, Director General, Strategic Policy and Planning, Department of Citizenship and Immigration).

124 Part of Public Safety Canada's portfolio, the Canada Border Services Agency [CBSA], the Royal Canadian Mounted Police [RCMP] and the Canadian Security Intelligence Service [CSIS] examine applications for criminality and security purposes. The RCMP is also responsible for archiving biometrics.

125 Visa application centres are private entities that have a contract with IRCC to facilitate the submission of applications. They play no role in the decision-making process.

126 IRPA, [section 3](#).

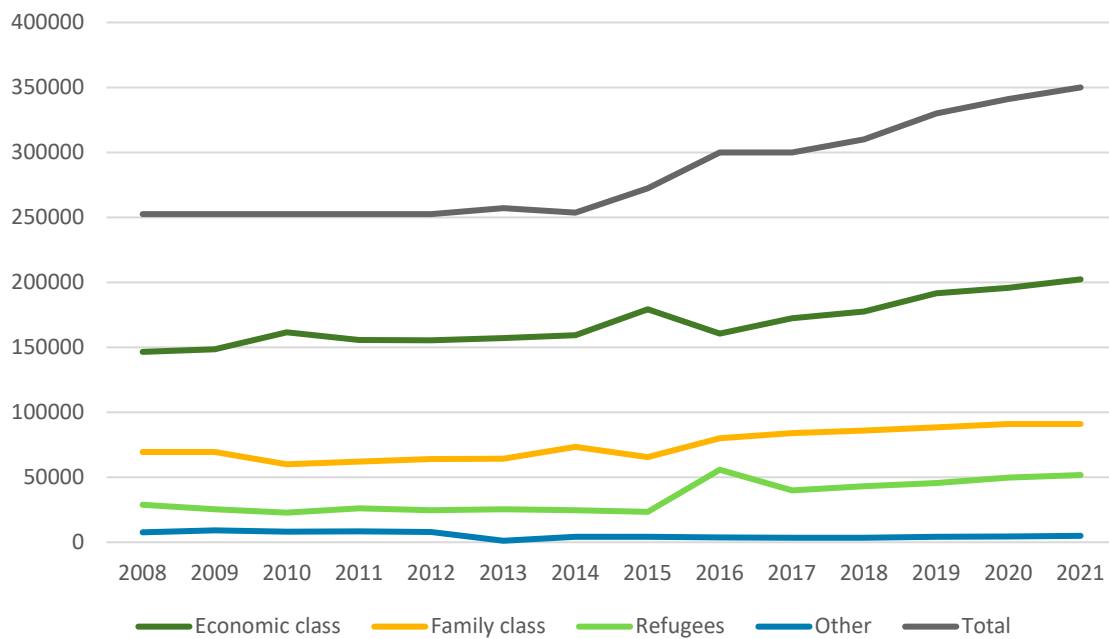
127 IRPA, section 3(1)(a).

128 The 2019-2021 Immigration Levels Plan does not have specific information related to Quebec's targets for admissions of new permanent residents because of the timing of elections in that province. In addition, immigration to Quebec must comply with the Canada-Quebec Accord: Quebec is responsible for the selection of its permanent residents and for its integration programs. Government of Canada, [Canada-Quebec Accord Relating to Immigration and Temporary Admission of Aliens](#), 5 February 1991; Julie Béchar, [Immigration: The Canada-Quebec Accord](#), Publication No. 2011-89-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, 5 April 2018.



of the economy and of communities to integrate newcomers. The Immigration Levels Plan is an important policy document that determines how the resources of IRCC are allocated. On 31 October 2018, the 2019 multi-year Immigration Levels Plan was tabled in the House of Commons along with the [2018 Annual Report to Parliament on Immigration](#).¹²⁹ It provides for an increase of overall planned permanent resident admissions to 350,000 persons in 2021. Pedro Antunes of the Conference Board of Canada set out the levels plan mix for the Committee: the economic class counts for 58% of all applications, the family class for 26% and the protected persons for 16%.¹³⁰ Figure 5 below shows the evolution and increase of the average number of new immigrants by category from 2008 to 2021.

Figure 5 – Average Number of New Immigrants Targeted per Year by Category, 2008–2021



Source: Figure prepared by the authors using data obtained from Immigration, Refugees and Citizenship Canada, Immigration Levels Plan, 2008 to 2021.

129 IRCC, [Notice – Supplementary Information 2019-2021 Immigration Levels Plan](#), Ottawa, 31 October 2018.

130 CIMM, [Evidence](#), 1 November 2018, 1545 (Pedro Antunes, Deputy Chief Economist and Executive Director, The Conference Board of Canada).

OPPORTUNITIES FOR CANADA'S ECONOMIC GROWTH

Kate Hooper of the Migration Policy Institute described Canada's immigration system as responsive to labour needs:

[A] rare, successful example in which policy-makers can use the evidence on immigrant outcomes and input from employers, industries, regions and localities to regularly adjust their system.¹³¹

This section summarizes the information on the labour market that the Committee heard and describes the various streams of immigration that benefit the Canadian economy. Although the term immigration is normally reserved for permanent residents, temporary residents are also discussed in this report.

Labour Market Supply and Demand

Josée Bégin, Director of the Labour Statistics Division of Statistics Canada, explained to the Committee key notions about labour supply, influenced by factors such as population aging, immigration, internal migration and trends in the labour force participation (the proportion of people in each age group who are either working or looking for work). Statistics Canada's long-term projections show that labour force participation is on the decline in Canada. Some regions are also more affected by this decline, while bigger cities, with their strong labour markets, continue to attract immigration and young adults. What is clear is that the contribution of immigrants to the labour force will continue to increase.¹³²

Ms. Bégin also spoke of recent trends such as the tightening of the labour market: the unemployment rate has fallen to levels not seen since the 1970s. For example, the agriculture sector experienced one of the highest job vacancy rates in Canada between 2015 and 2017 at approximately 7%, which was significantly higher than the national average of approximately 2.5%.¹³³ Ms. Bégin continued by saying that not only does the data show there are significant differences in the ratio of unemployment and job vacancies across the country, but even in areas of high unemployment, employers are having difficulty finding candidates with the skills needed.¹³⁴

131 CIMM, *Evidence*, 25 October 2018, 1650 (Kate Hooper, Associate Policy Analyst, Migration Policy Institute).

132 CIMM, *Evidence*, 28 February 2019, 1635 (Josée Bégin, Director, Labour Statistics Division, Statistics Canada).

133 Employment and Social Development Canada [ESDC], *Written response to a request for information made 18 March 2019: Question 7– Larry Maguire*.

134 CIMM, *Evidence*, 28 February 2019, 1640 (Josée Bégin).



Stephen Johnson, Director General, Labour Market Information Directorate at ESDC, spoke about the various tools available to forecast labour shortages. The 10-year forecasts produced by the Canadian Occupational Projection System (COPS) are updated every two years focussing on long-term trends in labour supply and demand at the national level for 292 occupations.¹³⁵ ESDC and Statistics Canada work together to establish and publish the National Occupational Classification (NOC) where skills levels – high or low – are indicated. These skills levels reflect the typical education and training for an entry-level position, assessed by looking at postings, talking to unions and employers.¹³⁶ Mr. Johnson told the Committee that:

Occupations that typically provide on-the-job training are forecast to have no labour shortages over the longer [10-year] horizon at the national level, while occupations that typically require university or college encompass most forecast shortage areas.¹³⁷

However, Elizabeth Long, an immigration lawyer, listed a few occupations to demonstrate that the distinction for high-skilled and low-skilled work can be confusing. She also stated that the assumption “that only high-skilled workers are valuable to Canada”¹³⁸ is problematic. Ms. Hooper described how the world of work is changing with new technology and policy-makers must look at what makes a prospective immigrant adaptable, which includes soft and cognitive skills, not just strong language skills or Canadian education and work experience.¹³⁹ She explained what these soft skills are:

[T]hings like creative skills, cognitive skills, abstract thinking, problem-solving, evaluating data and that kind of thing, as well as the social or interpersonal skills. Those are the skills that are likely to be the hardest to automate, but they will also become more valuable as we continue.¹⁴⁰

Ms. Hooper noted Canada’s immigration system does not currently have the means to assess these soft skills and pointed to the benefits of the O*NET database used by the U.S. Department of Labour to map out the different types of skills across occupations.

135 CIMM, [Evidence](#), 28 February 2019, 1650 (Stephen Johnson, Director General, Labour Market Information Directorate, Department of Employment and Social Development).

136 CIMM, [Evidence](#), 28 February 2019, 1720 (Stephen Johnson).

137 CIMM, [Evidence](#), 28 February 2019, 1655 (Stephen Johnson).

138 CIMM, [Evidence](#), 1 November 2018, 1530, 1535 (Elizabeth Long, Barrister and Solicitor, Long Mangalji LLP, As an individual).

139 CIMM, [Evidence](#), 25 October 2018, 1655 (Kate Hooper).

140 CIMM, [Evidence](#), 25 October 2018, 1710 (Kate Hooper).

Programs for Permanent Residents and Temporary Residents

IRCC offers a number of immigration streams leading to permanent residence such as the Federal Skilled Worker program, the Federal Skilled Trades, the Canadian Experience Class and the Provincial Nominee Program. International students can work during their studies and post-graduate work permits of at least two years provide a path for them to be eligible to transition to permanent residency.¹⁴¹

In addition, there are two distinct streams for temporary workers: the International Mobility Program and the Temporary Foreign Worker Program, led by ESDC, that includes the seasonal agricultural workers program.

Volumes

Mr. de Vlieger, of IRCC, discussed various programs and volumes of applications processed by IRCC. In the Express Entry application management system — the system that manages the intake for the high-skilled economic programs — there was a pool of 90,000 candidates as of 27 September 2018. On average, every two weeks, IRCC issues approximately 3,000 invitations to the top candidates to send in complete applications. The standard processing time to obtain a permanent resident visa through Express Entry is six months.¹⁴² Visitors, students and workers are issued temporary visas. In 2018 about 3.4 million of these temporary visas were issued.¹⁴³ There is a path for temporary residents to transition to permanent resident status. For example, in 2017, 50,000 temporary workers transitioned to permanent residence.¹⁴⁴

Innovation

Mr. de Vlieger spoke about innovation at IRCC. The first example he gave is the Provincial Nominee Program (PNP) that was created in 1998. It shifted some immigration away from Montreal, Toronto and Vancouver to the Prairies and Atlantic Canada.¹⁴⁵ Part of the PNP applications are processed through the Express Entry process where candidates get additional points for having been selected by a province. Since 12 March 2019, an

141 IRCC, *Post-Graduation Work Permit validity and application*.

142 CIMM, *Evidence*, 27 September 2018, 1645, 1650 (Matt de Vlieger).

143 CIMM, *Evidence*, 27 September 2018, 1645 (Matt de Vlieger).

144 CIMM, *Evidence*, 18 March 2019, 1740 (David Cashaback, Acting Director General, Immigration Branch, Department of Citizenship and Immigration).

145 CIMM, *Evidence*, 27 September 2018, 1715 (Matt de Vlieger).



additional 2,000 spaces were distributed to all the PNPs to allow temporary foreign workers to transition to the permanent workforce.¹⁴⁶

The second example of innovation that Mr. de Vlieger spoke about is the Atlantic Immigration Pilot Program (AIPP). Currently ongoing, the AIPP has the objective to retain permanent residents by fostering welcoming communities and engaging employers in the settlement process.¹⁴⁷ This permanent residence program builds strong partnerships between the business community and settlement service provider organizations in order to help fill labour gaps in the Atlantic region, offers pathways to permanent residence at various skill levels and, importantly, also seeks to ensure better newcomer retention in these jobs and communities.¹⁴⁸ The Economic Mobility Pathways Project (EMPP), in partnership with the organization Talent Beyond Boundaries, also seeks to remove barriers in the permanent economic pathways to allow refugees in Jordan or Kenya to be matched with employers requiring their specific skills, in addition to refugees that come to Canada through the resettlement program.¹⁴⁹

Another recent IRCC innovation is the Global Skills Strategy, that started as a pilot and became a permanent program, part of the temporary worker streams over the course of the Committee's study.

The global skills strategy was launched in 2017 to facilitate faster access to top talent, so that innovative companies can grow and create jobs and contribute to Canada's economy. As part of this strategy, IRCC provides expedited two-week work permit processing to select foreign nationals in management and professional occupations.¹⁵⁰

The Caregivers for Children Program and the Caring for People with High Medical Needs Program are two pilot programs that were created to address issues that were identified in the Live-in Caregiver Program, in which pathways to permanent residence exist for temporary low-skilled workers. These two programs end this year and will be replaced with two other pilots,¹⁵¹ which will offer caregivers a sectoral permit and not a work

146 CIMM, [Evidence](#), 18 March 2019, 1730 (David Cashaback); IRCC, [Government announces 2,000 additional spaces under the Provincial Nominee Program](#), 12 March 2019.

147 CIMM, [Evidence](#), 27 September 2018, 1715 (Matt de Vlieger).

148 CIMM, [Evidence](#), 30 October 2018, 1640 (Natasha Kim, Director General, Immigration Branch, Department of Citizenship and Immigration).

149 CIMM, [Evidence](#), 11 December 2018, 1545 (Bruce Cohen, Co-Founder, Talent Beyond Boundaries); CIMM, [Evidence](#), 11 December 2018, 1545 (Mustafa Alio, Co-Founder and Development Director, Jumpstart Refugee Talent); Immigrant Services Society of British Columbia, [Written Submission](#), p. 4.

150 CIMM, [Evidence](#), 18 March 2019, 1715 (David Cashaback).

151 At the time of drafting there was not more information available about these pilots.

permit tied to an employer, as well as the possibility for workers to come with their families.¹⁵² An interim pathway was also created to assist those caregivers that had misunderstood the terms of the previous pilots and were accordingly left without permanent resident status.¹⁵³

The Committee heard that IRCC implemented innovative economic class programs to address labour shortage and promote retention of skilled workers. The Committee therefore recommends:

Evaluating Pilots that Address Labour Shortages

Recommendation 1

That Immigration, Refugees and Citizenship Canada evaluate the Atlantic Immigration Pilot Program and the Rural and Northern Immigration Pilot, and continue to explore new and targeted ways to address labour shortages in different parts of Canada through immigration.

Increasing Opportunities for Skilled Refugees Through Canada's Pilot Project

Recommendation 2

That Immigration, Refugees and Citizenship Canada review the innovative pilot project administered in partnership with Talent Beyond Boundaries and the UNHCR and expand it in order to increase complementary pathways and opportunities for skilled refugees.

Temporary Foreign Worker Program

Philippe Massé, Director General of the Temporary Foreign Worker Directorate in the Skills and Employment Branch at ESDC, informed the Committee that less than 2% of all Canadian businesses use the Temporary Foreign Worker Program, and that temporary foreign workers represent less than 1% of the Canadian labour force. In 2018, 108,000 positions were approved by ESDC under this program.¹⁵⁴ In order to take advantage of

152 CIMM, [Evidence](#), 28 February 2019, 1540 (Syed Hussan, Coordinator, Migrant Workers Alliance for Change).

153 CIMM, [Evidence](#), 18 March 2019, 1745 (David Cashaback). On 23 February 2019, a general announcement was made: [Caregivers will now have access to new pathways to permanent residence](#). More information became public after the study, see IRCC, [Interim Pathway for Caregivers: About the process](#).

154 CIMM, [Evidence](#), 18 March 2019, 1715 (Philippe Massé, Director General, Temporary Foreign Worker Directorate, Skills and Employment Branch, Department of Employment and Social Development).



the program, employers must demonstrate that there is no Canadian available to do the job in question by submitting a Labour Market Impact Assessment (LMIA).

Mr. Massé explained the content of the LMIA application:

Applications are reviewed to ensure the employer and job offer are genuine, and that the employer has been in compliance with program rules and applicable labour laws.

Applications are also assessed against a number of labour market factors to ensure the hiring of a temporary worker will not have a negative impact on the Canadian labour market. Among these, the employer is required to demonstrate that they have advertised to and recruited Canadians and permanent residents, for example through common online platforms, including Canada's job bank, and their efforts must include efforts to reach out to under-represented groups.

Further, the onus is on the employer to explain whether and how the temporary foreign worker will have a positive effect on the local labour market by filling a labour shortage, transferring skills and knowledge to the local labour force, or supporting job creation and retention of Canadians.

Finally, employers must also certify that the hiring of a temporary foreign worker will not lead to offshoring or job losses for Canadians or permanent residents and will not negatively affect the settlement of labour disputes.

It's also important to note that to prevent suppression of local wages, employers are required to pay temporary foreign workers at the prevailing wage rate in their occupation and region.¹⁵⁵

Mr. Massé told the Committee that due to the tightening of the labour market there was an increase in demand by 26% this fiscal year compared to the same period last year. This has resulted in longer processing times. To mitigate the impact of this unanticipated increase in LMIA volumes, ESDC has temporarily reallocated resources to transfer the processing of Agriculture files from the Western Region and Territories to the Ontario Region.¹⁵⁶

Many witnesses stated that the long processing times for LMIA are an issue, to the point that they are causing Canadian job losses.¹⁵⁷ They put forward a number of suggestions

155 CIMM, [Evidence](#), 18 March 2019, 1715 (Philippe Massé).

156 ESDC, *Written response to a request for information made 18 March 2019: Question 8– Larry Maguire*.

157 CIMM, [Evidence](#), 27 February 2019, 1555 (Kathy Megyery, Vice-President, Strategy and Economic Affairs, Fédération des chambres de commerce du Québec); CIMM, [Evidence](#), 27 February 2019, 1610 (Marc Audet, President and Chief Executive Officer, AURAY Sourcing International Inc.); Manufacturiers et Exportateurs du Québec, [Written Submission](#), Appendix 1; CIMM, [Evidence](#), 27 February 2019, 1725 (Véronique Proulx, President and Chief Executive Officer, Manufacturiers et Exportateurs du Québec); CIMM, [Evidence](#), 28 February 2019, 1545 (Dennis Kuijpers, Owner, Farming, Superior Weanlings Ltd.).

to improve the process. Dennis Kuijpers, owner of the Superior Weanlings Ltd. farm, suggested that expedited applications for employers with a favourable track record be reinstated.¹⁵⁸ A couple of witnesses requested that the caps on temporary foreign workers in one organization be lifted.¹⁵⁹ Kathy Megyery, Vice-President, Strategy and Economic Affairs, Fédération des chambres de commerce du Québec, asked that the \$1,000 fee be reimbursed when an LMIA is denied so that Service Canada employees are more attentive and not reject an application based on administrative mistakes.¹⁶⁰ Jacobus Kriek also provides an example of a costly administrative error: ESDC makes unannounced changes to LMIA forms multiple times throughout the year, and when an outdated form is used it is shredded without being processed.¹⁶¹

Expedited Labour Market Impact Assessments for Trusted Employers

Recommendation 3

That Employment Skills Development Canada consider an expedited labour market impact assessment for employers who have a favourable track record.

A few witnesses also spoke about work permits issued at visa offices, a step that comes after the LMIA is approved. Current processing times range from two weeks to 39 weeks, whereas the Global Skills Strategy offers a two-week processing standard for temporary workers under that stream.¹⁶² The Global Skills Strategy does not require an LMIA, but a Labour Market Benefits Plan, which can for example provide a skills transfer to the Canadian workforce.¹⁶³ Also, some work permits were refused on the basis that the applicant had insufficient funds, even though they would be receiving a salary in Canada.¹⁶⁴

158 CIMM, [Evidence](#), 28 February 2019, 1550 (Dennis Kuijpers); CIMM, [Evidence](#), 27 February 2019, 1610 (Philip Mooney, Vice-President, AURAY Sourcing International Inc).

159 CIMM, [Evidence](#), 27 February 2019, 1555 (Kathy Megyery); CIMM, [Evidence](#), 27 February 2019, 1710 (Véronique Proulx).

160 CIMM, [Evidence](#), 27 February 2019, 1555 (Kathy Megyery).

161 Jacobus Kriek, [Written Submission](#), p. 7.

162 CIMM, [Evidence](#), 27 February 2019, 1610 (Philip Mooney, Vice-President, AURAY Sourcing International Inc).

163 ESDC, "Labour Market Benefits Plan," [Program requirements for the Global Talent Stream](#).

164 CIMM, [Evidence](#), 28 February 2019, 1540 (Dennis Kuijpers, Owner, Farming, Superior Weanlings Ltd.); CIMM, [Evidence](#), 28 February 2019, 1550 (Edward McElhone, Owner/Operator, Fox Sand Farming Limited).



Transitioning to Immigration Programs Based on Employers' Needs

Recommendation 4

That Employment Skills Development Canada evaluate replacing the requirement for labour market impact assessments with an approved-employer approach in order to respond to employers' needs in labour sectors with high shortages and where other measures or conditions exist to prevent lower wages or labour standards.

Mr. Mooney, Vice-President, AURAY Sourcing International Inc, also suggested that certain employers be exempted from having to prove labour shortages, similar to the Global Skills Strategy, and that ESDC focus on employer compliance program.¹⁶⁵

We've come a long way in the last 10 years, when an employee who was paid half the minimum wage to do a job was told that if they didn't like what the employer was paying them they could take them to civil court. Today, employers must pay the median wage and they are inspected. All of our clients get inspected virtually once a year. Even if they've been in business for a long time and they are doing all the right things, they get inspected.¹⁶⁶

ESDC explained that the TFW Program inspects more agriculture employers due to the sector's heavy use of the Program compared to other sectors. Furthermore, those employed are some of the most vulnerable, with language barriers and in isolated regions. In 2018-19, 24% of all inspections completed were in the Primary Agriculture Stream.¹⁶⁷

Danièle Bélanger, Full Professor at the Université Laval, informed the Committee that temporary workers in the Canadian labour market

may have an impact on working conditions of all workers because they are often dependent on their employers for their right to stay, their right to return to Canada, as in the case of workers in agriculture, or the ability to become permanent residents. For these reasons, they are often willing to work under different conditions, such as lower wages or longer hours. This creates inequalities among workers and tensions in the workplace....¹⁶⁸

Many witnesses hoped that temporary workers could have a pathway to permanent residence, recognizing that working in Canada for years is proof that they are

165 CIMM, *Evidence*, 27 February 2019, 1610 (Philip Mooney).

166 CIMM, *Evidence*, 27 February 2019, 1620 (Philip Mooney).

167 ESDC, *Written response to a request for information made 18 March 2019: Question 9—Larry Maguire*.

168 CIMM, *Evidence*, 30 October 2018, 1530 (Danièle Bélanger, Full Professor, Department of Geography, Université Laval, As an individual).

successfully settled.¹⁶⁹ Moreover, Jin Chien, Staff Lawyer at the Chinese and Southeast Asian Legal Clinic (CSALC), raised the question whether “many of these so called temporary jobs are more long-term in nature.”¹⁷⁰ Ms. Bélanger provided a revealing picture of the temporary foreign workers:

The reality of temporary workers is that many of them do not fill temporary labour needs at all. Many of them work in the most difficult jobs that provide essential services to our communities. They pick the local fruits and vegetables that we eat, change the beds in our hotels, clean toilets in private homes, take care of our elderly and our children, and will increasingly do these tasks. These labour needs are much longer term.¹⁷¹

Her research indicates that many workers in low-skill occupations are likely to stay in those jobs, given a chance to be permanent residents, since it is in those jobs that they acquired their Canadian work experience.¹⁷² However, she told the Committee that some workers may not want to stay in Canada:

For instance, in the case of agricultural workers from Guatemala, who have an illiterate spouse in Guatemala and several children, they know that as minimum wage earners in Canada they would not do very well. They prefer to circulate. They want better working conditions and open permits.

I think we need to send that message, that if we offer that option, it doesn't mean that suddenly all of them will decide to stay; absolutely not. Some want to be here for a few years, raise some money, build a new house and move on, start a business back home. Some might elect to stay, but certainly not all of them.¹⁷³

The Committee heard that temporary foreign workers would require new pathways to permanent residency. The Committee therefore recommends:

169 CIMM, [Evidence](#), 27 February 2019, 1610 (Philip Mooney); CIMM, [Evidence](#), 27 February 2019, 1725 (Mark Lewis, Legal Counsel, Carpenters' District Council of Ontario); CIMM, [Evidence](#), 28 February 2019, 1615 (Edward McElhone, Owner/Operator, Fox Sand Farming Limited); CIMM, [Evidence](#), 2 October 2018, 1725 (Doug Saunders); CIMM, [Evidence](#), 11 December 2018, 1640 (Syed Hussan).

170 CIMM, [Evidence](#), 1 November 2018, 1645 (Jin Chien, Staff Lawyer, Chinese and Southeast Asian Legal Clinic).

171 CIMM, [Evidence](#), 30 October 2018, 1535 (Danièle Bélanger).

172 CIMM, [Evidence](#), 30 October 2018, 1550 (Danièle Bélanger).

173 CIMM, [Evidence](#), 30 October 2018, 1625 (Danièle Bélanger).



Learning from Past Initiatives to Create New Pathways to Permanent Residency

Recommendation 5

That Immigration, Refugees and Citizenship Canada consider expanding permanent residency pathways for temporary foreign workers using lessons learned from the provincial nominee programs, the Atlantic Immigration Pilot Program and the Live-in Caregiver Program.

One barrier to permanent residence that was identified for temporary foreign workers was the language levels and test.¹⁷⁴ Mr. Mooney questioned to what extent the language tests being used were relevant for lower skilled workers:

French or English language skills are important to successful settlement, as we all know, but we question the appropriateness of the tests that are now used to qualify skilled workers. For example, the current language tests, namely IELTS and CELPIP, are not the best way to determine if welders who have lived in Canada with their families for three years can successfully settle here. They already have.¹⁷⁵

Language Testing for Low-Skilled Workers

Recommendation 6

That Immigration, Refugees and Citizenship Canada review how official languages are assessed to allow more opportunities for low-skilled workers who fulfill ongoing labour market needs to settle permanently in Canada.

In addition, Mark Lewis, Legal Counsel for the Carpenters' District Council of Ontario, asked that an industry-based approach be considered for the temporary foreign worker program, as construction contracts are difficult to plan for, although there is a labour shortage of construction workers.¹⁷⁶

The most in-demand category is the construction labourer, requiring minimum skills training but whose median wage is nearly double the minimum wage. Other in-demand categories include higher-skilled and more senior occupations such as carpenters, electricians and construction managers.¹⁷⁷

174 CIMM, [Evidence](#), 27 February 2019, 1655 (Mark Lewis); CIMM, [Evidence](#), 1 November 2018, 1610 (Elizabeth Long).

175 CIMM, [Evidence](#), 27 February 2019, 1615 (Philip Mooney).

176 CIMM, [Evidence](#), 27 February 2019, 1650 (Mark Lewis).

177 CIMM, [Evidence](#), 27 February 2019, 1600 (Marcy Burchfield, Vice-President, Economic Blueprint Institute, Toronto Region Board of Trade).

Another concern about the Temporary Foreign Worker Program that was raised is health and security training in the agriculture sector. Santiago Escobar, National Representative, United Food and Commercial Workers Union Canada, told the Committee that many temporary foreign workers in the agricultural sector do not receive health and security training. He suggested employers be incentivized with a trusted employer status that would also include relaxing the annual LMIA's.¹⁷⁸

International Students

Ms. Long explained the difficult situation faced by students as part of the Express Entry intake point system:

International students are clearly very desirable people to come to Canada. They're young. They have studied in Canada. They have work experience in Canada. And yet, many of them can't get through the express entry system because of things like age. When you're in your thirties, I'd say that every birthday is not a happy birthday, because every birthday your points are going to go down by five or six, up to 10 or 11 points.¹⁷⁹

Adam Brown, Chair of the Canadian Alliance of Student Associations, explained that administrative and regulatory barriers prevent students from fully participating in all the experiences studying in Canada can offer. For example, they must currently apply for work permits should they wish to work in a co-op internship, yet these work permits can take up to six months to obtain. International students also only have 90 days to apply for a post-graduate work permit, although it takes on average five months for a graduate to find employment.¹⁸⁰ Mr. Brown also highlighted the fact that students need immigration advice that is no longer easily available on campus. In 2011 the government introduced legislation to ensure that anyone offering advice for "consideration" received training and was regulated. Learning institutions such as universities were suddenly told to stop providing advice unless their staff were trained. Mr. Brown told the Committee that this requirement is too onerous for learning institutions and in turn makes it that much more difficult for international students to navigate Canada's immigration system.¹⁸¹

178 CIMM, *Evidence*, 27 February 2019, 1700 (Santiago Escobar, National Representative, United Food and Commercial Workers Union Canada).

179 CIMM, *Evidence*, 1 November 2018, 1615 (Elizabeth Long).

180 In February 2019, IRCC amended the guidelines and international students now have six months to find employment. IRCC, *Program delivery update: Processing instructions for the Post-Graduation Work Permit Program*.

181 CIMM, *Evidence*, 11 December 2018, 1535 (Adam Brown, Chair, Canadian Alliance of Student Associations).



Evaluating Increased Time to Find Post-Graduate Work

Recommendation 7

That Immigration, Refugees and Citizenship Canada evaluate the effect of the recent extension, from three to six months, of the period that international students have to apply for a post-graduate work permit.

Another issue that was raised in the context of international students with families concerned minor's rights under IRPA to go to school. The Committee was told that international students of a professional background coming for specialized training of a year or less were facing challenges to register their school-aged children in the public system in British Columbia.¹⁸²

Iranian Nationals

The Committee heard that Iranian nationals in Canada and in Iran faced significantly longer processing times for all immigration categories compared to immigrants from other countries of origin.¹⁸³ Since economic applicants from Iran are processed through the Paris visa office, the Committee sought information from that office regarding this specific question.

IRCC was aware of Iranian applicants' concern and was working on solutions. The department indicated that: "In 2015, the average wait time for Iranian permanent resident applications was 32.6 months longer than for citizens of all other countries. By July 2018, the difference was down to 10.5 months."¹⁸⁴ Table 1 below provides the processing times specifically for permanent resident applications submitted under the economic class in the Paris office. IRCC reported the processing time to finalize 80% of permanent resident applications submitted in the 12-month period ending in September 2018.

182 IRPA, section 30(2); Collingwood Neighbourhood House, [Written Submission](#).

183 CIMM, [Evidence](#), 25 October 2018, 1705 (Mahdi Yousefi Koopaei, As an individual); Iranian Canadian Congress, [Written Submission](#).

184 IRCC, *Response to a request for information made by CIMM on 30 October 2018*.

Table 1 – Processing Times in Paris, Economic Permanent Resident Applications, 2018

Economic Class Categories	For All Clients	For Iranian Nationals
Express Entry	10 months	10 months
Quebec Economic Classes - Investors, entrepreneurs, and self-employed persons	53 months	53 months
Quebec Economic Classes - Skilled workers	18 months	23 months
Provincial Nominees	18 months	19 months

Source: Table based on IRCC's response to a request for information made by the Standing Committee on Citizenship and Immigration on 30 October 2018.

FAMILY CLASS

Family reunification is one of the primary objectives of Canada's immigration program.¹⁸⁵ Family members are: a spouse (or common-law partner), a dependent child and a parent of a Canadian citizen or permanent resident.¹⁸⁶ Other relatives that may eventually be considered are listed in sections 116 and 117 of the *Immigration and Refugee Protection Regulations* (IRPR).¹⁸⁷ For family reunification to occur, a Canadian citizen or permanent resident makes an application to sponsor family members; the conditions the applicant in Canada must meet vary depending on the size of the family and who is being sponsored. Family members abroad also submit applications and are subject to medical, criminal and security screening. Processing times vary, although there is a standard of six months in place for spouses and children. In the case of spouses, partners and children, the levels plan for 2019 provide for a target of 68,000 new permanent residents. For parents and grandparents, the levels plan for 2019 provided for a maximum of 22,000 new permanent residents. While there is no limit on the number of applications to welcome spouses, partners and children, IRCC has an administrative process that limits the number of applications it accepts for parents and grandparents at any one time.

185 CIMM studied family reunification in 2016-2017. CIMM, *Report 8: Family Reunification*, 1st session, 42nd Parliament, March 2017.

186 IRPA, section 12(1).

187 *Immigration and Refugee Protection Regulations* [IRPR], SOR/2002-227.



The Conference Board of Canada in a recent report highlights the economic contributions of the family class:

Our findings suggest that while Canada has prioritized economic class admissions since the mid-1990s to address its labour market needs, family reunification should also be viewed as part of the economic development policy. Immigrant families fare well in relation to Canadian-born families in important economic metrics such as household income and ownership—not to mention other benefits of family reunification, such as boosting immigrant retention rates.¹⁸⁸

The CSALC emphasized the critical role of parents and grandparents in supporting the healthy development of young people. By providing childcare and contributing to domestic work, they allow their children to be active members of the labour market.¹⁸⁹ Because of these benefits, Ms. Go of the CSALC recommended that the family class be increased to represent 50% of the new permanent resident admissions in the Immigration Levels Plan.¹⁹⁰

However, Ms. Go informed the Committee that measures introduced in 2014 that raised the minimum necessary income, lengthened the undertaking period and required three full years of income tax returns, made it virtually impossible for many to sponsor their parents and grandparents. As such, she recommended: that the minimum necessary income for family sponsorship that is calculated by using the low-income cut-off plus 30%, be repealed; and that the undertaking period that makes the sponsor responsible for the basic necessities of life be a period of 10 years and not the current 20 years. Ms. Go also called for a “redesign” of the family class to allow for the sponsorship of siblings and other relatives, given the importance of extended families. Randy Boldt, an immigration consultant, urged the Government of Canada to undertake an economic analysis of the parent and grandparent group that would lead to a greater acceptance of them.¹⁹¹

188 El-Assal, Kareem and Daniel Fields, *Canada 2040: No Immigration Versus More Immigration*, The Conference Board of Canada, Ottawa, May 2018, pp. iii-iv.

189 Chinese and Southeast Asian Legal Clinic, *Written Submission*, pp. 6-7.

190 CIMM, *Evidence*, 1 November 2018, 1650 (Avvy Go).

191 CIMM, *Evidence*, 30 October 2018, 1535 (Randy Boldt, As an individual).

Reviewing Requirements for Parents and Grandparents' Sponsors

Recommendation 8

That Immigration, Refugees and Citizenship Canada review the demand for family reunification, including the program requirements and sponsorship eligibility, to facilitate the reunification of parents and grandparents in Canada.

Further underlining problems with the current family class system, Jamie Liew explained that if a family member is not disclosed on an application or examined before the sponsor came to Canada, then section 117(9)(d) of the IRPR excludes that member from ever coming to Canada as part of the family class. The regulations impose “a lifetime bar to refugees and other migrants from sponsoring their family due to non-disclosure of a family member. That has nothing to do with fraud in 90% of the cases that we examined. Tragic reasons like an assumed death of a child leads to permanent family separation.”¹⁹² Several witnesses called for section 117(9)(d) of the IRPR to be repealed.¹⁹³

Study of the Use and Purpose of the Section 117(9)(d) of the *Immigration and Refugee Protection Regulations*

Recommendation 9

That Immigration, Refugees and Citizenship Canada study how often a permanent resident or Canadian citizen has omitted a family member from their application in view of facilitating their own entry into Canada. If the study shows that the omission of a family member is overwhelmingly unintentional, consider amending section 117(9)(d) of the *Immigration and Refugee Protection Regulations*.

REFUGEES AND PROTECTED PERSONS

With respect to refugees, IRPA sets out two main objectives. The Canadian refugee system has the purpose of “saving lives and offering protection to the displaced and persecuted” as well as fulfilling “Canada’s international legal obligations with respect to

192 CIMM, *Evidence*, 18 October 2018, 1655 (Jamie Liew).

193 CIMM, *Evidence*, 18 October 2018, 1655 (Jamie Liew); CIMM, *Evidence*, 11 December 2018, 1635 (Yasmine Abuzgaya, Staff Lawyer, Barbra Schlifer Commemorative Clinic); Chinese and Southeast Asian Legal Clinic, *Written Submission*, pp. 8-9.



refugees and affirm[ing] Canada’s commitment to international efforts” to assist those in need of resettlement.¹⁹⁴

The Canadian refugee system has two main components. The first is for people outside Canada who need protection and is called the Refugee and Humanitarian Resettlement Program. The second is for people making refugee protection claims from within Canada and is named the In-Canada Asylum Program.¹⁹⁵ The following sections outline each of these overarching programs as well as the subcategories, with recommendations for improvement based on the testimony heard by the Committee.

Canada’s Refugee and Humanitarian Resettlement Program

Within the Refugee and Humanitarian Resettlement Program, there are three programs for the resettlement of refugees to Canada, who become permanent residents upon arrival in Canada. Under the Government-Assisted Refugees (GAR) Program, Convention refugees are referred to Canada for resettlement by a referral organization like the UNHCR. The first year of settlement is entirely supported by the Government of Canada or by the province of Quebec.¹⁹⁶ The Private Sponsorship of Refugees (PSR) Program allows individuals or organizations in Canada to refer a refugee, who is abroad, for resettlement to Canada. The individuals or organizations become private sponsors and agree to provide financial and social support for the refugee for one year.¹⁹⁷ Under the Blended Visa Office-Referred (BVOR) Program, refugees identified for resettlement by the UNHCR are matched with private sponsors in Canada. The federal government provides up to six months of income support, while private sponsors provide another six months of financial support and up to a year of social support.¹⁹⁸ In parallel to these three refugee resettlement programs, the Government of Canada provides, under the One Year Window (OYW) of Opportunity provision, the possibility for resettled refugees in Canada to be reunited with immediate family members that are still overseas.¹⁹⁹

194 IRPA, s. 3(2).

195 For more information, see IRCC, [How Canada’s refugee system works](#).

196 For more information, see IRCC, [Government-Assisted Refugees Program](#).

197 For more information, see IRCC, [Sponsor a refugee](#).

198 For more information, see IRCC, [Blended Visa Office-Referred Program: About the process](#).

199 Under the [One-year window \[OYW\] provision](#) “immediate family members are spouses, common-law partners and dependent children. To be eligible for this provision, an application must be made within one year of the resettled refugee arriving in Canada.” For more information, see IRCC, [Request to process overseas family members under the one-year window of opportunity provision \(OYW\)](#).

There are also humanitarian and compassionate grounds that may be used to admit people in exceptional circumstances.²⁰⁰ In addition, the Government of Canada can use public policy considerations to resettle individuals in need of protection, such as IDPs.²⁰¹ As Jean-Marc Gionet, from IRCC, noted, the most recent use of this mechanism was the resettlement of Yazidi women and children,²⁰² who, for the most part, were internally displaced and did not have access to the UNHCR for international protection.²⁰³ Muzna Dureid, the Liaison Officer for the White Helmets, called on the government to have more fast-tracked mechanisms of protection for those most in need, like the human rights defenders under threat or at risk.²⁰⁴

Case study: Immigration Processing at the High Commission of Canada in Tanzania

In June 2018, the Committee visited the High Commission of Canada in Dar es Salaam, Tanzania, which covers bilateral relations with Tanzania, Zambia, Seychelles and the Union of the Comoros. In addition to those four countries, the High Commission of Canada in Tanzania oversees the immigration processing for Uganda, Rwanda and Burundi.²⁰⁵ Committee members visited the High Commission's IRCC office, which has three processing units, namely the Permanent Resident Unit, the Refugee Resettlement Unit and Temporary Resident Unit.²⁰⁶

The Refugee Resettlement Unit processes GARs, PSRs and OYW²⁰⁷ family members of refugees resettled in Canada. Based on the Immigration Levels Plan for the year, IRCC's Resettlement Operations Centre in Ottawa (ROC-O) breaks down the numbers by region for each category and assigns a quota that each mission must meet by 15 December of

200 IRPA, [s. 25.1\(1\)](#).

201 CIMM, [Evidence](#), 26 November 2018, 1700 (Susan Greene, Senior Director, Resettlement and Protection Policy, Department of Citizenship and Immigration).

202 CIMM, [Evidence](#), 27 September 2018, 1700 (Jean-Marc Gionet, Senior Director, International Network, Department of Citizenship and Immigration)

203 CIMM, [Evidence](#), 4 October 2018, 1705 (Abid Shamdeen, Director, Nadia's Initiative).

204 CIMM, [Evidence](#), 11 December 2018, 1620, (Muzna Dureid, Liaison Officer, The White Helmets).

205 The bilateral relations with those three countries are overseen by the High Commission of Canada in Kenya.

206 CIMM, Meeting with the Committee for Mission Management at the High Commission of Canada in Tanzania, Dar es Salaam, Tanzania, 4 June 2018; CIMM, Immigration, Refugees and Citizenship Canada Office Visit at the High Commission of Canada in Tanzania, Dar es Salaam, Tanzania, 4 June 2018.

207 It is important to note that OYW cases need to be processed rapidly. For that reason, the unit has a pre-assessment procedure that ensures eligibility and admissibility requirements are met before it sends it for review to a decision-maker. Often, OYW cases require clarifications on the relations between family members.



each year. During the Committee’s visit, IRCC officers raised concerns with the immigration levels plans, especially for PSRs. For instance, there are currently 46,000 PSR cases waiting to be processed, but the government’s targets are 18,000 in 2018 and 19,000 in 2019. That leaves 9,000 cases unprocessed by the end of the 2019 and does not take into account the new applications which will be received in 2018 and 2019.²⁰⁸ The numbers provided by ROC-O are not broken down by country of origin and the Unit must give priority to the oldest files²⁰⁹ that were referred while also looking at the urgent cases²¹⁰ referred to it. Referrals²¹¹ generally come from the UNHCR, but the Unit also worked with HIAS in Uganda²¹² up until January 2018. HIAS is an American refugee protection organization that serves the most vulnerable refugee populations. It had to close its operations in Uganda at the start of 2018 due to funding restrictions. The mission in Dar es Salaam is currently looking at partnering with another organization that can provide referrals for cases that are difficult for the UNHCR—explained further below—to refer for resettlement.²¹³

While the Permanent Resident Unit does not review refugee applications, the Committee noted that it had some overlap with the Refugee Resettlement Unit, as it processes primarily Family Class Priority and Protected Person applications. The Unit also processes applications for skilled workers, provincial nominees, dependants, parents and grandparents, although there are very few economic cases among these applications. Most applicants come from Burundi, the DRC, Rwanda, Tanzania and Uganda. Of interest to the Committee, the cases of dependants whose parents are resettled refugees living in Canada are very complex because applications are often submitted without the required supporting documentation. This requires significant follow-up with clients both in the country of residence (sometimes even in the country of origin) as well as in Canada. Some dependants are refugees themselves, which

208 CIMM, Immigration, Refugees and Citizenship Canada Office Visit at the High Commission of Canada in Tanzania, Dar es Salaam, Tanzania, 4 June 2018.

209 The oldest applications in Dar es Salaam are Burundi refugees located in the DRC.

210 Urgent cases include women at risk and LGBTQ [Lesbian, Gay, Bisexual, Transgender and Queer] cases.

211 The UNHCR and IOM will flag a case that is referred to more than one country. At the time of the Committee’s trip in June 2018, Norway and Denmark accepted referrals for resettlement. Australia and the United States also accepted referrals, even though the number was quite low.

212 HIAS is an American refugee protection organization that serves the most vulnerable refugee populations across the world, such as survivors of sexual and gender-based violence, separated and unaccompanied minors, older refugees, refugees with disabilities and other at-risk refugees. HIAS had to close its operations in Uganda in January 2018 due to unforeseen funding restrictions, but it is still operational in Kenya. HIAS was formerly known as the Hebrew Immigrant Aid Society. For more information, see HIAS, [HIAS in Uganda](#).

213 CIMM, Immigration, Refugees and Citizenship Canada Office Visit at the High Commission of Canada in Tanzania, Dar es Salaam, Tanzania, 4 June 2018.

necessitates liaison with IOM to assist with exit formalities and the UNHCR in the case of Best Interest of the Child Determinations and document verification.²¹⁴

Case Study: Referral and Determination Processes for LGBTQ Refugees

During the hearings in Ottawa and the meetings with refugees and organizations that work with refugees in Dar es Salaam and Kampala, the Committee learned of concerns with respect to refugee referral and determination processes. The following section focuses on the issues raised by LGBTQ refugees and partner organizations, specifically in Uganda, but that are also in relation to Canada's resettlement of LGBTQ refugees.

Bibe Kalalu, president of the Angels Refugee Support Group Association, explained to the Committee how difficult it was for LGBTQ refugees arriving in Uganda to receive refugee status from the authorities because homosexuality is a criminal offence in the Ugandan penal code, with a possible life sentence for "unnatural offences." He commented that:

To claim refugee status, a person must first go to the police who are responsible for receiving refugees. It is the police in the intelligence service. When a person approaches them, they are investigated and, if their gender identity is discovered, their claim is automatically denied, without warning, assistance or negotiation. The majority of [LGBTQ] persons living in Uganda do not have refugee status. We have been wondering how we could obtain it. Some have been lucky and were granted it, but that is not the case for the majority. It is at the interview stage with the police from the intelligence service that refugee status applications are flatly denied. [UN]HCR officials say they are bound by Ugandan law and encourage us to go to the police. Yet the police and the prime minister of Uganda do not want to grant asylum to [LGBTQ] persons, even if they are in a very deep abyss.²¹⁵

Refugees' ability to claim asylum based on gender identity or sex orientation is essential. However, it is a challenge for LGBTQ asylum seekers and refugees in Uganda, because if they go to the police, as it is currently required, they can be arrested immediately.²¹⁶

Chris Nolan, Director of the Refugee Law Project (RLP), confirmed that the UNHCR needs to see the Ugandan government reject an application for protection—meaning that the Ugandan government will not grant refugee status and has rejected the appeal—before

214 CIMM, Immigration, Refugees and Citizenship Canada Office Visit at the High Commission of Canada in Tanzania, Dar es Salaam, Tanzania, 4 June 2018.

215 CIMM, *Evidence*, 23 October 2018, 1555 (Bibe Kalalu, President, Angels Refugee Support Group Association).

216 CIMM, *Evidence*, 23 October 2018, 1540 (Witness-Témoign 1, As an individual).



it can provide protection. While it is well known that police in Kampala routinely reject refugee claims based on sexual orientation, the UNHCR cannot interfere early in the Uganda determination process.²¹⁷ He also noted that the RLP can advise LGBTQ refugees but may not sit in on the refugee determination process.²¹⁸

Representatives from the UNHCR Head Office in Kampala nevertheless stressed that the UNHCR provides protection to all in need, regardless of the views of host countries. As evidence of this, they informed the Committee that follows its established vulnerability criteria and work with the Ugandan authorities to identify people in need of protection. They also added that the UNHCR occasionally moves shelters in order to protect vulnerable individuals under its care.²¹⁹

According to Erin Brouse, Migration Program Manager at the High Commission of Canada in Tanzania, this is the reason organizations such as HIAS are so important. As opposed to the UNHCR, they can refer sexual orientation cases right away to Canada as they are not as concerned about falling out of favour with the government. Ms. Brouse recommended that another mobile, nimble and smaller partner on the ground in Uganda is needed. A partnership could be designed under section 143(1) of the IRPR, which permits Canada to sign Memorandums of Understanding with referral organizations.²²⁰ The Committee also learned that, after the closure of HIAS in Uganda, the IOM Operation office in Kampala recently hired two former HIAS staff members with the goal of providing refugee determination referrals.²²¹

The recommendation to have additional referral partners to the UNHCR was echoed by Majed El Shafie, from One Free World International. He argued that local organizations and groups could sometimes be more efficient than the UNHCR in working with specific groups. He felt that it was important for Canada to have a balance between local and international organizations that work to offer international protection to those in need.²²²

Jennifer Bond, Managing Director and Chair of the Global Refugee Sponsorship Initiative at the Refugee Hub, reminded the Committee that there is a program stream in Canada specifically designed for LGBTQ refugee sponsorships: the Rainbow Refugee Assistance

217 CIMM, Meeting with the World Refugee Council and the Refugee Law Project, Kampala, Uganda, 8 June 2018.

218 CIMM, Meeting with the World Refugee Council and the Refugee Law Project, Kampala, Uganda, 8 June 2018.

219 CIMM, Visit to UNHCR Head Office in Kampala, Kampala, Uganda, 8 June 2018.

220 CIMM, Meeting with the World Refugee Council and the Refugee Law Project, Kampala, Uganda, 8 June 2018.

221 CIMM, Working lunch with IOM Field Staff, Kampala, Uganda, 7 June 2018.

222 CIMM, [Evidence](#), 29 November 2018, 1640 (Majed El Shafie, Founder and President, One Free World International).

Pilot Program (RRAPP).²²³ As with the three programs under the Refugee and Humanitarian Resettlement Program, resettlement cases for those who are persecuted because of their sexual orientation, gender identity and gender expression can be referred to the federal government by the UNHCR, other referral organizations and private sponsors.²²⁴

Nevertheless, Patti Tamara Lenard, professor at the University of Ottawa, underlined that the RRAPP is a temporary program without permanent funding, which causes sponsors to operate under increased stress every time the RRAPP is due to expire. This uncertainty about RRAPP's future can also deter sponsors from using the program, which is a loss for everyone, including the refugees and the federal government. She recommended making the RRAPP a permanent program of Canada's refugee resettlement system.²²⁵

Mr. Beuze added that, while not all LGBTQ refugees need resettlement, some of them are being discriminated against, arrested or returned, and are, therefore, prioritized by the UNHCR for resettlement to a third country like Canada.²²⁶ Mr. Beuze asked that Canada and other resettling countries offer that "LGBTQ, rape survivors, journalists at risk, indigenous leaders, and human rights defenders ... be protected through the solution ... of being resettled to a third country."²²⁷

To ensure Canada's visa offices have the adequate partnerships to deliver on the government's priorities abroad, the Committee recommends:

Supporting the Objectives of the Refugee and Humanitarian Resettlement

Recommendation 10

That Immigration, Refugees and Citizenship Canada analyze its current use of referral organizations and propose, in partnership with the UNHCR, referral organizations that can additionally support the objectives of the Refugee and Humanitarian Resettlement Program.

223 CIMM, *Evidence*, 18 October 2018, 1535 (Jennifer Bond, Managing Director and Chair of the Global Refugee Sponsorship Initiative, The Refugee Hub). A previous study solely on the Rainbow Refugee Assistance Pilot Program was done in 2017. CIMM, *Report 12: LGBTQ+ At Risk Abroad: Canada's Call to Action*, 1st session, 42nd Parliament, June 2017.

224 For more information, see IRCC, *LGBTQ2 refugees*; IRCC, *Rainbow Refugee Assistance Pilot Program extended*.

225 CIMM, *Evidence*, 6 November 2018, 1550 (Patti Tamara Lenard, Associate Professor, Graduate School of Public and International Affairs, University of Ottawa, As an individual).

226 CIMM, *Evidence*, 27 September 2018, 1610 (Jean-Nicolas Beuze).

227 CIMM, *Evidence*, 27 September 2018, 1615 (Jean-Nicolas Beuze).



To maintain Canada’s commitment to LGBTQ rights internationally, the Committee recommends:

Making the Rainbow Refugee Assistance Pilot Program Permanent

Recommendation 11

That Immigration, Refugees and Citizenship Canada make the Rainbow Refugee Assistance Pilot Program a regular, ongoing program as a permanent part of the government’s Refugee and Humanitarian Resettlement Program.

Case study: Reuniting Yazidi Refugees with Family Members

Highlighting another area for improvement in the Refugee and Humanitarian Resettlement Program, witnesses drew the attention of the Committee to the difficulties of resettled Yazidi refugees in Canada to reunite with their family members.²²⁸ In 2017, the Government of Canada has welcomed more than 1,400 survivors of Daesh, mostly Yazidi women and children.²²⁹ This was done under special measures as the concerned individuals were mostly internally displaced in Northern Iraq. However, several families are still separated due to the conflict and the on-going situation in Iraq with Daesh. Adiba, a Yazidi refugee who arrived in Canada in 2017, asked the federal government to continue to work with Yazidi refugees and help them bring their families to Canada.²³⁰ Abid Shamdeen, from Nadia’s Initiative, was concerned that Yazidi refugees were no longer resettled in Canada.²³¹

Mr. Gionet informed the Committee that IRCC has been identifying and prioritizing cases that fall under the one-year window for family members of Yazidi refugees. He specified that cases are “being processed in a couple of months” and “not the 30 months that is the average for the one-year window category.”²³² IRCC wrote to the Committee that, in light of the unique challenges faced by this population, and to further support family

228 CIMM, [Evidence](#), 4 October 2018, 1720 (Abid Shamdeen); CIMM, [Evidence](#), 29 November 2018, 1640 (Majed El Shafie); CIMM, [Evidence](#), 29 November 2018, 1645 (Adiba Yezidi, Representative and Volunteer, One Free World International).

229 IRCC, *Response to a request for information made by CIMM on 27 September 2018*. A previous study solely on resettlement issues related to Yazidi women and children was done in 2017-2018. CIMM, [Report 18: Road to Recovery: Resettlement Issues of Yazidi Women and Children in Canada](#), 1st session, 42nd Parliament, March 2018.

230 CIMM, [Evidence](#), 29 November 2018, 1645 (Adiba Yezidi).

231 CIMM, [Evidence](#), 4 October 2018, 1720 (Abid Shamdeen).

232 CIMM, [Evidence](#), 27 September 2018, 1725 (Jean-Marc Gionet).

reunification for this cohort, IRCC is implementing a temporary extension of the OYW program, prioritizing the processing of family members released from captivity.²³³

In-Canada Asylum Program

A person becomes an asylum claimant in Canada after arriving and filing a refugee claim with the Canada Border Services Agency (CBSA) or with IRCC. If the claim is eligible for consideration, it is referred to the Immigration and Refugee Board of Canada (IRB), an independent and quasi-judicial tribunal. If a person's claim is rejected, a request to review the decision can be made, but if the request is denied, the person must leave Canada.²³⁴ A person whose claim is accepted by the IRB becomes a refugee,²³⁵ which allows him or her to stay and apply to become a permanent resident of Canada.

Mr. de Vlieger informed the Committee that, in recent years, asylum claims in Canada have increased. In 2017, there were 50,000 asylum claims, which is the highest number of claims made in Canada in the last 15 years.²³⁶ He reported that about 60% of those claims were made "in the regular manner at regular ports of entry."²³⁷ However, due to this increase in the numbers of claims, witnesses submitted to the Committee that processing time at the IRB have now risen to approximately 18 months. Witnesses stressed that this long wait at the IRB puts asylum claimants in difficult position. They must live with scarce resources, with limited access to jobs, adequate housing, and inadequate health and mental healthcare. This can add a further layer of trauma and delay their integration process into Canadian society.²³⁸ As such, witnesses recommended that the federal government increase the resources to the IRB to ensure an adequate number of IRB members and improve the wait times for asylum claimants.²³⁹

233 IRCC, *Response to a request for information made by CIMM on 27 September 2018*.

234 IRCC, *Claiming asylum in Canada – what happens?*.

235 IRPA uses the term "protected person." IRPA, s. 95(2).

236 For more information, see IRCC, *Asylum claims by year*.

237 CIMM, *Evidence*, 27 September 2018, 1645 (Matt de Vlieger).

238 Journey Home Community, *Written submission*, p. 2; Multi-Agency Partnership BC, *Written submission*, p. 2.

239 CIMM, *Evidence*, 6 November 2018, 1625 (Hon. Allan Rock, Special Advisor, World Refugee Council); Chinese and Southeast Asian Legal Clinic, *Written submission*, p. 4; Journey Home Community, *Written submission*, p. 2; Immigrant Services Society of British Columbia, *Written submission*, p. 3; Association of Municipalities of Ontario, *Written submission*, p. 3; Multi-Agency Partnership BC, *Written submission*, p. 2.



Children Recognized as Refugees in Canada

Aleksandar Jeremic, immigration and refugee lawyer at Anchor Law, spoke to the Committee about a specific issue he encountered in his practice. He explained that

a child who, because of her own risk, independent of her parent's risk, is accepted as a refugee but the parent isn't. That parent is often the sole provider for that child as their caregiver in Canada. In this instance, an eight-year-old girl has every right to remain in Canada, but her mother has no automatic mechanism to stay, because her own risk, as assessed by the tribunal, is not seen to be significant enough to grant her protection.²⁴⁰

Mr. Jeremic described that, in Canada, refugee status for a child does not automatically include one for the parent. In the case he provided to the Committee, the parent had to apply for permanent residence through humanitarian and compassionate grounds, which would take into account the best interest of the child under section 25.1(1) of IRPA. He argued, however, that this unnecessarily "engages the bureaucracy in an application that will almost certainly be approved."²⁴¹

He recommended a change to the regulations that would allow refugee children to include their parents in their permanent resident applications. He clarified that "[i]t works in the reverse. If a parent is accepted but for whatever reason a child is not, that child is that adult's dependant, so when the adult applies for permanent residence, the child gets it as well."²⁴²

240 CIMM, [Evidence](#), 1 November 2018, 1540 (Aleksandar Jeremic, Barrister and Solicitor, Anchor Law, As an individual).

241 CIMM, [Evidence](#), 1 November 2018, 1540 (Aleksandar Jeremic).

242 CIMM, [Evidence](#), 1 November 2018, 1615 (Aleksandar Jeremic).

INTEGRATION IN CANADA

Many witnesses expressed the need for settlement services and supports to integrate and retain newcomers across Canada. Higher immigration levels would require more accessible settlement services.²⁴³ The Committee heard about specific issues that may hinder integration and how they could be alleviated with adequate supports. The Immigrant Services Society of British Columbia submits that untreated trauma, whether among children, youth or adults, impacts refugees' settlement process, including their ability to learn and retain information, retain employment and learn English.²⁴⁴ Many witnesses from British Columbia spoke to the lack of affordable housing.²⁴⁵

Mr. Antunes told the Committee:

It's not just bringing in immigration in terms of numbers. It's also very important to ensure...that people have the ability to participate more fully in the workforce.²⁴⁶

He identified language training and credential recognition as settlement services that were very important to labour market outcomes.²⁴⁷ Ms. Go highlighted to the Committee an issue of particular importance in the context of integration, noting that there was an equity barrier to the Canadian labour market that slows down integration. She said:

Many studies have shown, that if you are a newcomer or from a racialized group, you are more likely to earn less money and not be able to get that job that you were trained to do.²⁴⁸

The CSALC submits that “[d]espite their education and skills, many immigrants face systemic challenges in accessing well-paid jobs in the labour market.” These barriers are “the result of a lack of Canadian experience, restrictive professional accreditation systems and discriminatory employer practices.”²⁴⁹ The CSALC recommends that the

243 S.U.C.C.E.S.S., *Written Submission*, p. 3.

244 Immigrant Services Society of British Columbia, *Written Submission*, p. 4.

245 Multi-Agency Partnership BC, *Written Submission*; Journey Home Community, *Written Submission*; Inasmuch Community Society, *Written Submission*; Jenny Francis, *Written Submission*; La Boussole, *Written Submission*; S.U.C.C.E.S.S., *Written Submission*; Kinbrace Community Society, *Written Submission*.

246 CIMM, *Evidence*, 1 November 2018, 1550 (Pedro Antunes).

247 CIMM, *Evidence*, 1 November 2018, 1555 (Pedro Antunes); Umoja Operation Compassion Society of British Columbia, *Written submission*, p. 1.

248 CIMM, *Evidence*, 1 November 2018, 1655 (Avvy Go).

249 Chinese and Southeast Asian Legal Clinic, *Written Submission*, p. 3.



government develop comprehensive reforms to eliminate systemic barriers to equal employment opportunities, and the Waterloo Region Immigration Partnership urges

The federal government to recognize that racism and discrimination against immigrants and refugees exists, to support programming that aims to eliminate this and to strengthen the ability of Canadian anti-racism and anti-discrimination bodies to respond aggressively.²⁵⁰

The Waterloo Region Immigration Partnership had surveyed immigrants and refugees in their community and discovered that learning English and securing a job were the biggest challenges immigrants and refugees faced, although social connections and networks had helped to address these.²⁵¹ Mustafa Alio, Co-Founder and Development Director of Jumpstart Refugee Talent, spoke about a national program for mentorship created in partnership with LinkedIn called “Welcome Talent Canada.” He referred to a recent study by LinkedIn that indicated 70% of job placements were a result of connections, and not advertised jobs.²⁵²

La Trinidad Mina shared with the Committee the results of her master’s thesis focused on adolescent immigrants in Canada. She told the Committee about Maria, a student who was close to finishing high school and entering post-secondary education, and some of the difficulties she had faced. She recommended that settlement programs for youths be strengthened, including the settlement workers in schools (SWIS) program. As Ms. Mina told the Committee, “[t]hese immigrant children are the future citizens of Canada” and they should receive all the support needed to navigate school and university systems in Canada.²⁵³

The Committee is grateful for this testimony and understands the importance that settlement services can have for integration. Of note, the Committee heard how “immigrant voices matter in Canada more than they do in most places.”²⁵⁴ This was attributed to Canada’s policies regarding citizenship, that in time, saw large communities of migrants express themselves through the political process. The Committee is currently doing a study on settlement services that will be the subject of a report soon.

250 Waterloo Region Immigration Partnership, [Written Submission](#), pp. 1-2.

251 Waterloo Region Immigration Partnership, [Written Submission](#), p. 2.

252 CIMM, [Evidence](#), 11 December 2018, 1605 (Mustafa Alio, Co-Founder and Development Director, Jumpstart Refugee Talent).

253 CIMM, [Evidence](#), 11 December 2018, 1655 (La Trinidad Mina, Coordinator and Instructor, Language Instruction for Newcomers to Canada, Cowichan Intercultural Society, As an individual).

254 CIMM, [Evidence](#), 1 November 2018, 1640 (Michael Donnelly, Assistant Professor, Political Science and Munk School of Global Affairs and Public Policy, University of Toronto, As an individual).

INTERNATIONAL MIGRATION INITIATIVES

The final chapter of this report describes Canada's migration initiatives at the bilateral, multilateral and international levels. It includes agreements and international instruments that specifically target migration, such as the Canada—U.S. Safe Third Country Agreement (STCA), the Global Compact for Safe, Orderly and Regular Migration (GCM) and the Global Compact on Refugees (GCR). It also provides recommendations for improving Canada's humanitarian aid and development assistance. The latter has become part of the solution to the global migration challenges, with witnesses identifying it as a key way to tackle the root causes of migration.

THE CANADA–U.S. SAFE THIRD COUNTRY AGREEMENT

Under IRPA, the Minister of Immigration, Refugees and Citizenship may designate a country as a safe third country to which asylum seekers may be returned to make their claim for protection.²⁵⁵ Canada and the U.S. signed the STCA²⁵⁶ in December 2002 and it came into effect in December 2004.²⁵⁷ The goal of the STCA is to allow both governments to better manage access to their respective refugee systems for people crossing the Canada—U.S. land border.²⁵⁸ Under the STCA, persons seeking refugee protection must make a claim in the first safe country they arrive in, either Canada or the U.S., unless they qualify for an exception to the Agreement. The four types of exceptions are for those with family members in Canada; unaccompanied minors; those holding documents that permit them to enter Canada; and public interest exceptions.

255 IRPA, s. 102(2). This is considered an acceptable application of the international refugee regime. For more information, see, UNHCR, *Monitoring Report Canada-United States "Safe Third Country" Agreement*, June 2006.

256 The official name is the *Agreement between the Government of Canada and the Government of the United States of America for cooperation in the examination of refugee status claims from nationals of third countries*.

257 CIMM, *Evidence*, 4 October 2018, 1550 (Idil Atak, Associate Professor, Department of Criminology, Ryerson University, As an individual).

258 CIMM, *Evidence*, 6 November 2018, 1610 (Hon. Allan Rock); CIMM, *Evidence*, 22 November 2018, 1710 (Hon. Lloyd Axworthy, Chair, World Refugee Council).



Despite qualifying for one of the exceptions, asylum seekers must still also meet all other eligibility criteria²⁵⁹ of Canada's immigration legislation to make a refugee claim.²⁶⁰

However, the STCA does not apply to asylum seekers who have entered Canada at a location that is not an official point of entry. Therefore, when a person crosses the U.S.-Canada border irregularly and makes a refugee protection claim in Canada, the applicant will not be ineligible to make a claim. The In-Canada Asylum process explained above then applies and the claim will be referred to the IRB for a hearing.

Like other countries, such as those in Europe, Canada has experienced an increase in its irregular migration movements. In 2017, about 20,000 asylum seekers entered the country between official crossing points in the Canada—U.S. border, thus avoiding application of the STCA to make a refugee protection claim within Canada.²⁶¹

Mr. Saunders offered that the STCA is

what is causing irregular crossings between entry points on the Canada—U.S. border. There is no other factor. If people could present themselves at a legal crossing point for an asylum claim, they would do so. As I've said before, people are not crossing at irregular points because it's an easy way into Canada; they're crossing in the hardest and most expensive way into Canada because it's the only way under the safe third country.²⁶²

He reminded the Committee that the two largest groups of irregular migrants into Canada were Haitians and Nigerians. Mr. Saunders clarified that, after 2017, Haitians represented only 5% of those entering Canada irregularly. He also added that Nigerians have a 40% positive refugee determination rate.²⁶³

Witnesses informed the Committee that these irregular migrants are coming because the current situation in the U.S. does not lead to safe conditions for refugees or asylum seekers. Rosa Baum, Senior Research Fellow at the Aleph Policy Initiative, drew attention to the deteriorating refugee protection environment in the U.S. According to her research,

259 For example, a person seeking refugee protection will not be eligible to make a refugee claim in Canada if he or she has been determined to be inadmissible to Canada on grounds of security, violating human or international rights, or criminality.

260 Public interest, for instance, could apply to a person charged with or convicted of an offence that could subject them to the death penalty in the U.S. For more information, see IRCC, [Canada-U.S. Safe Third Country Agreement](#).

261 CIMM, [Evidence](#), 27 September 2018, 1645 (Matt de Vlieger). For more information, see IRCC, [Asylum claims by year](#).

262 CIMM, [Evidence](#), 2 October 2018, 1710 (Doug Saunders).

263 CIMM, [Evidence](#), 2 October 2018, 1710; 1720 (Doug Saunders).

[i]n fiscal year 2014, 77%, or 44,228 individuals, were detained while seeking asylum, and 73% of those were held in privately run prisons. Many of these facilities have been criticized for their human rights violations, including inadequate medical attention and sexual abuse. Article 31(1) of the [UN] refugee convention prohibits this widespread detention of asylum seekers and penalization based on irregular entry or presence.²⁶⁴

She reported that the current U.S. administration has “exacerbated these practices of large-scale detention, expedited removal without concern to due process, and prosecution of unauthorized entry.”²⁶⁵ She maintained that overall refugees or asylum seekers’ rights are not being protected in the U.S. through due process and

specific mechanisms that are internationally accepted in order to see if they do have that fear of returning. They’re not being provided with the interviews. They’re not going through legal channels. This really does defeat the most important aspect of this agreement, which recognizes a safeguarding that should be happening in the United States but unfortunately, with this buildup of different policies over quite some time now, is no longer happening.²⁶⁶

As such, Anna Purkey, professor at St. Jerome’s University, noted that the premise of the STCA, which is that the country that individuals are being returned to is safe, no longer stands.²⁶⁷ Allan Rock, Special Advisor at the World Refugee Council, stated that, although he was in Cabinet when the STCA was signed, he no longer believes that the U.S. is a safe place for refugees and asylum seekers.²⁶⁸

Nevertheless, the Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, House of Commons, Matt DeCoursey, stated that IRCC officials

have been satisfied that it [the U.S.] still meets the safe third country definition that was part of the original signing. I can assure you that it’s part of the responsibility of government to constantly be reviewing our international agreements to make sure that countries we’re in agreements with are still maintaining the responsibilities they have in signing them.²⁶⁹

264 CIMM, [Evidence](#), 4 October 2018, 1715 (Rosa Baum, Senior Research Fellow, Aleph Policy Initiative).

265 CIMM, [Evidence](#), 4 October 2018, 1645 (Rosa Baum).

266 CIMM, [Evidence](#), 4 October 2018, 1715 (Rosa Baum).

267 CIMM, [Evidence](#), 18 October 2018, 1725 (Anna Purkey, Assistant Professor, Department of Sociology and Legal Studies, St. Jerome's University, As an individual).

268 CIMM, [Evidence](#), 6 November 2018, 1615 (Hon. Allan Rock).

269 CIMM, [Evidence](#), 26 November 2018, 1635 (Matt DeCoursey).



Witnesses disagreed and have called on the federal government to suspend or abolish the STCA.²⁷⁰ Mr. Smith indicated that

the rationale for suspending [the STCA] is to make it safer for people who don't feel safe in the U.S. to make asylum claims in Canada so that they can enter through regular border crossings. Also, it would address the things that people are worried about, which are the extraneous costs and moving CBSA and RCMP officials around. It would also remove the kind of spectacular context and images of irregular migration, which are the things that serve as the fodder for populist discourse around unsafe borders and asylum seekers.²⁷¹

Mr. Saunders suggested that the suspension “could be part of a managed solution that could reduce the numbers.”²⁷²

Audrey Macklin, professor at the University of Toronto and representative of the Canadian Association of Refugee Lawyers, reminded the Committee that, in 2002, the Committee studied the STCA as it was being signed by Canada and the U.S. She highlighted that one of the Committee's recommendations was that if

there was an increase in the number of irregular entries because of the agreement, the committee should be prepared to recommend to the government that it suspend or terminate the agreement.²⁷³

She urged the Committee to follow through with its own recommendation.

As previously stated, irregular migrants who make refugee claims within Canada are processed at the IRB. Idil Atak, professor at Ryerson University, asserted that Canada's refugee protection system is strong, much more robust than in the early 2000s.²⁷⁴ Ms. Liew agreed and stated that Canada has a “well-oiled immigration system in place.”²⁷⁵

270 CIMM, [Evidence](#), 2 October 2018, 1710 (Doug Saunders); CIMM, [Evidence](#), 4 October 2018, 1550 (Idil Atak); CIMM, [Evidence](#), 4 October 2018, 1715 (Rosa Baum); CIMM, [Evidence](#), 18 October 2018, 1720 (Audrey Macklin, Director, Centre for Criminology and Sociolegal Studies, University of Toronto, Canadian Association of Refugee Lawyers); CIMM, [Evidence](#), 1 November 2018, 1645 (Jin Chien, Staff Lawyer, Chinese and Southeast Asian Legal Clinic); CIMM, [Evidence](#), 2 October 2018, 1710 (Megan Bradley); CIMM, [Evidence](#), 6 November 2018, 1610 (Hon. Allan Rock); CIMM, [Evidence](#), 6 November 2018, 1615 (Patti Tamara Lenard); CIMM, [Evidence](#), 22 November 2018, 1710 (Hon. Lloyd Axworthy); CIMM, [Evidence](#), 29 November 2018, 1640 (Christina Clark-Kazak, Associate Professor, School of Public and International Affairs, University of Ottawa, As an individual); CIMM, [Evidence](#), 4 December 2018, 1640 (Steve Stewart); Chinese and Southeast Asian Legal Clinic, [Written submission](#), p. 3.

271 CIMM, [Evidence](#), 4 December 2018, 1720 (Craig Damian Smith).

272 CIMM, [Evidence](#), 2 October 2018, 1710 (Doug Saunders).

273 CIMM, [Evidence](#), 18 October 2018, 1640 (Audrey Macklin).

274 CIMM, [Evidence](#), 4 October 2018, 1550 (Idil Atak).

275 CIMM, [Evidence](#), 18 October 2018, 1725 (Jamie Liew).

At the time of writing this report, Canadian government officials had indicated that they were in informal talks with their American counterparts to re-open the STCA. Media accounts revealed that the U.S. Department of Homeland Security sent a request to the Department of State, which handles international affairs, to start the formal process required to reopen international treaties.²⁷⁶

THE GLOBAL COMPACTS

As stated by Lloyd Axworthy, Chair of the World Refugee Council, migration is a global-wide phenomenon which requires international, multilateral, collaborative and co-operative solutions.²⁷⁷ While there is an established international protection regime, which includes the 1951 Convention and its 1967 Protocol, regional refugee treaties and other human rights instruments,²⁷⁸ there was no comprehensive agreement on migration.²⁷⁹ Recognizing that no state acting on its own can effectively address migration, the international community recently developed new tools to help countries face increasingly complex mixed flows of migration.²⁸⁰

These two tools are the United Nations Global Compact for Safe, Orderly and Regular Migration (GCM) and the Global Compact on Refugees (GCR). The Global Compacts are non-binding instruments that represent the international community's commitment to put in place objectives and best practices in terms of addressing flows of refugees and migrants.²⁸¹ Witnesses outlined that the GCM and the GCR create a structure for global migration governance, by proposing to better manage migration through international cooperation.²⁸² These new frameworks will provide an innovative way to manage the

276 Michelle Zilio and Adrian Morrow, [“Canada, U.S. move to redraft border treaty to cut flow of asylum seekers,”](#) The Globe and Mail, 1 April 2019; Amanda Connolly, [“U.S. inches closer to allowing talks to amend Safe Third Country Agreement,”](#) Global News, 1 April 2019; Michelle Zilio and Adrian Morrow, [“Asylum seekers should make claims through ‘appropriate’ channels: Canadian envoy to U.S.,”](#) The Globe and Mail, 3 April 2019.

277 CIMM, [Evidence](#), 22 November 2018, 1545 (Hon. Lloyd Axworthy); CIMM, [Evidence](#), 22 November 2018, 1530 (Michele Klein Solomon, Director, Global Compact for Migration, International Organization for Migration).

278 UNHCR, [Written Submission](#), p. 3.

279 CIMM, [Evidence](#), 22 November 2018, 1530 (Michele Klein Solomon).

280 CIMM, [Evidence](#), 27 September 2018, 1640 (Glen Linder); CIMM, [Evidence](#), 22 November 2018, 1530 (Michele Klein Solomon); CIMM, [Evidence](#), 26 November 2018, 1700, (Susan Greene); CIMM, [Evidence](#), 26 November 2018, 1745 (Deirdre Kent, Director General, International Assistance Policy, Department of Foreign Affairs, Trade and Development); CIMM, [Evidence](#), 29 November 2018, 1540 (Craig Damian Smith); Global Forced Displacement Working Group, [Written Submission](#), p. 4.

281 CIMM, [Evidence](#), 27 September 2018, 1640 (Glen Linder).

282 CIMM, [Evidence](#), 29 November 2018, 1540 (Craig Damian Smith); Craig Damian Smith et al., [Written Submission](#), 29 November 2018, p. 1.



movement of people in a manner that is safe, effective and predictable,²⁸³ but also equitable and sustainable.²⁸⁴ The Global Compacts aim “to complement each other on issues relevant to both, such as addressing xenophobia and intolerance, trafficking and smuggling, rescue at sea, and data collection and analysis.”²⁸⁵ Witnesses highlighted that effective migration and asylum regimes as well as receptive and integrating communities for people on the move benefit to states, local communities and migrants.²⁸⁶

The Global Compact for Safe, Orderly and Regular Migration

The GCM sets out some common principles as well as 23 objectives – outlined in Appendix A – that aim to address all dimensions of migration, other than the refugee protection system which is found under the GCR. The GCM looks, in part, at regular migration pathways, human rights, trafficking in persons and migrant smuggling, border management, and integration of newcomers. It emphasizes the benefits of comprehensive, well-managed migration systems, while also acknowledging the serious challenges that irregular migration poses.²⁸⁷ Michele Klein Solomon, Director of the Global Compact for Migration at IOM, explained that the GCM ensures

that the movement of people today is safer, more orderly, and more predictable and that we work together to reduce both the abuses that take place and the risks, both to individuals and communities, associated with unsafe and irregular migration.²⁸⁸

Ida Kaastra-Mutoigo, from World Renew ACT Alliance, highlighted that it is a tool that “fosters collaborative relationships in its implementation” and effective whole-of-government approaches to migration. The GCM is based on “something that Canada is quite good at and has been at the forefront of, which is reinforcing a whole-of-society kind of approach.”²⁸⁹ In Canada, there is expertise of “multiple stakeholders that are

283 CIMM, [Evidence](#), 22 November 2018, 1635 (Jérôme Elie, Senior Policy Officer, Forced Displacement, International Council of Voluntary Agencies); 1530 (Michele Klein Solomon); 1545 (Ida Kaastra-Mutoigo, World Renew, Board Member, ACT Alliance).

284 CIMM, [Evidence](#), 22 November 2018, 1635 (Jérôme Elie); CIMM, [Evidence](#), 26 November 2018, 1725 (Stephen Salewicz, Director General, International Humanitarian Assistance, Department of Foreign Affairs, Trade and Development); Global Forced Displacement Working Group, [Written Submission](#), p. 5.

285 UNHCR, [Written Submission](#), p. 3.

286 CIMM, [Evidence](#), 29 November 2018, 1615 (Craig Damian Smith); UNHCR, [Written Submission](#), p. 3; Craig Damian Smith et al., [Written Submission](#), p. 1.

287 CIMM, [Evidence](#), 27 September 2018, 1640 (Glen Linder).

288 CIMM, [Evidence](#), 22 November 2018, 1530 (Michele Klein Solomon).

289 CIMM, [Evidence](#), 22 November 2018, 1545 (Ida Kaastra-Mutoigo, Board Member, World Renew, ACT Alliance).

already well equipped, including civil society organizations like ours, which provide strong support services for new immigrants and refugees,” which is one of the principles of the GCM.²⁹⁰

The Global Compact on Refugees

The GCR translates the notions of responsibility and burden-sharing, which are at the heart of the international protection system, into practical and concrete measures.²⁹¹ The GCR aims to cover all aspects of the refugee journey – from reception to durable solutions. It aims to ease pressure on hosting countries, enhance refugees’ self reliance, expand access to third-countries as solutions, and support conditions in countries of origin to allow refugees to return safely and with dignity.²⁹²

Mr. Beuze explained to the Committee that, overall, there are three main solutions to refugee movements. A refugee can return to the country of origin if the initial displacement-inducing situation is resolved. Other options are local integration into host countries, such as Uganda, or resettlement to third countries, such as Canada.²⁹³

One of the objectives of the GCR is to expand access to third-country solutions, and witnesses highlighted this as an opportunity for countries to create and expand alternative pathways to migration, which are durable and sustainable solutions.²⁹⁴ Ms. Purkey stated that countries should offer “alternative pathways for migration, and complementary protection, for instance, through educational opportunities and alternative work programs, and this in addition to the three durable solutions of resettlement, repatriation and local

290 CIMM, [Evidence](#), 22 November 2018, 1545 (Ida Kaastra-Mutoigo).

291 CIMM, [Evidence](#), 18 October 2018, 1645 (Anna Purkey); CIMM, [Evidence](#), 6 November 2018, 1650 (James Milner); CIMM, [Evidence](#), 6 November 2018, 1620 (Hon. Allan Rock); CIMM, [Evidence](#), 22 November 2018, 1635 (Jérôme Elie); CIMM, [Evidence](#), 22 November 2018, 1655 (Shaughn McArthur); CIMM, [Evidence](#), 26 November 2018, 1720 (Stephen Salewicz); CIMM, [Evidence](#), 29 November 2018, 1530 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 29 November 2018, 1540 (Craig Damian Smith); UNHCR, [Written Submission](#), p. 3; Danish Refugee Council, [Written submission](#), p. 3; Jennifer Hyndman, [Written submission](#), p. 3; Craig Damian Smith et al., [Written Submission](#), p. 3.

292 UNHCR, [Written Submission](#), p. 3.

293 CIMM, [Evidence](#), 27 September 2018, 1545 (Jean-Nicolas Beuze).

294 CIMM, [Evidence](#), 18 October 2018, 1650 (Anna Purkey); CIMM, [Evidence](#), 29 November 2018, 1635 (Christina Clark-Kazak); CIMM, [Evidence](#), 11 December 2018, 1625 (Bruce Cohen, Co-Founder, Talent Beyond Boundaries); CIMM, [Evidence](#), 11 December 2018, 1545 (Mustafa Alio); UNHCR, [Written Submission](#), p. 3; Danish Refugee Council, [Written submission](#), p. 3; Talent Beyond Boundaries, [Written submission](#), p. 4; Jennifer Hyndman, [Written submission](#), p. 3.



integration.”²⁹⁵ Christina Clark-Kazak, professor at the University of Ottawa, agreed and offered as an example her experience as a faculty advisor to refugee students who have come to Canada through programs offered by the World University Service of Canada (WUSC).²⁹⁶ She stressed that these alternatives pathways are in addition to Canada’s continued resettlement programs. Susan Greene, from IRCC, confirmed that Canada is working on complementary pathways alongside the traditional resettlement programs. She mentioned the WUSC programs and that there “are also pilots that are being worked on with the department to bring in economic refugees: people who can come, are skilled labourers and are able to work right away.”²⁹⁷

Further, Jennifer Hyndman, professor at York University, pointed out that the GCR, even though it encourages responsibility and burden-sharing, does not change the distribution of refugees around the world; more than 85% of refugees are still going to be hosted by countries of the Global South.²⁹⁸ James Milner, professor at Carleton University, agreed and added that the “responsibility for refugees is the result of accidents of geography, with states in regions of refugee origin hosting the vast majority of the world's refugees.”²⁹⁹ However, Jérôme Elie, from the Forced Displacement International Council of Voluntary Agencies, pointed out that this disproportionate responsibility applies to countries that are financial contributors to the international protection regime as well as to refugee hosting countries.³⁰⁰

The Comprehensive Refugee Response Framework

As part of the GCR, the international community also created a mechanism that tries to relieve the current burden on hosting countries by providing them with more humanitarian and development contributions: the Comprehensive Refugee Response Framework (CRRF).³⁰¹

Like the GCR, the CRRF aims to provide more predictable and sustainable responses to large movements of refugees. Mr. Smith explained to the Committee that the

295 CIMM, [Evidence](#), 18 October 2018, 1650 (Anna Purkey).

296 CIMM, [Evidence](#), 29 November 2018, 1635 (Christina Clark-Kazak).

297 CIMM, [Evidence](#), 26 November 2018, 1730 (Susan Greene).

298 Jennifer Hyndman, [Written submission](#), p. 3.

299 CIMM, [Evidence](#), 6 November 2018, 1650 (James Milner).

300 CIMM, [Evidence](#), 22 November 2018, 1635 (Jérôme Elie).

301 CIMM, [Evidence](#), 29 November 2018, 1545 (Craig Damian Smith); UNHCR, [Written Submission](#), p. 3.

CRRF calls for new and additional international contributions at the nexus of humanitarian and development aid, or as they called it at the World Humanitarian Summit, the new way of working. The main goal of linking humanitarian and development programming through the CRRF is to foster the inclusion and self-reliance of displaced people and to concurrently relieve the burden on host states. It's as much a forward-looking way of dealing with displaced people as it is a political recognition that most of them are not going to go home or be resettled.³⁰²

The GCR and the CRRF allow host countries to engage the World Bank as well as regional development banks in providing loans or different financing mechanisms to be able to develop the infrastructure that is necessary for those refugees and the host communities.³⁰³ Ms. Hyndman wrote that these mechanisms provide more development opportunities for refugee hosting countries, “specifically more loans or loan-forgiveness to host countries to incentivize continued hosting most of the world’s refugees.”³⁰⁴

With the incentives of investments, Mr. Bach explained to the Committee that more and more host countries

engage in non-camp solutions and much more durable solutions, where refugees can get access to jobs, to land, and to education and health services. They can therefore engage in a community where they will be better protected.³⁰⁵

That resonates with what the Committee saw in Uganda. As the Committee learned during its mission to the country, Uganda has an “Open Door Policy” towards refugees and provides them with legal, physical and social protection; public health services; a plot of land; universal primary and lower secondary education; and economic activity.³⁰⁶ While the country began implementing the CRRF in 2017, Uganda in fact had adopted this openness towards refugees well before that.

Mr. Milner told the Committee that Uganda is now an example for many refugee hosting countries. For example, seeing the investment received by Uganda as well as the economic benefits from allowing refugees to contribute to the local economy,

302 CIMM, [Evidence](#), 29 November 2018, 1545 (Craig Damian Smith).

303 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze); CIMM, [Evidence](#), 6 November 2018, 1700; 1715 (James Milner); CIMM, [Evidence](#), 6 November 2018, 1600 (Hina Jilani, Co-Chair, World Refugee Council).

304 Jennifer Hyndman, [Written submission](#), p. 5.

305 CIMM, [Evidence](#), 4 October 2018, 1705 (Christian Friis Bach).

306 CIMM, Meeting with the State Minister for International Affairs at the Foreign Affairs Ministry, Kampala, Uganda, 5 June 2018.



got Ethiopia thinking about the potential utility of attracting concessional loans from the World Bank to open up a special economic zone so that 800,000 refugees were no longer in camps but working in special economic zones. That has now had an impact on Kenya, etc.³⁰⁷

The CRRF is currently implemented in 15 countries, including Uganda, Rwanda, Kenya, Zambia, Ethiopia and Djibouti.³⁰⁸

Reallocation of Frozen Assets

The Committee also heard proposals of additional innovative funding practices from representatives of the World Refugee Council. As part of his testimony on the Global Compacts, Mr. Axworthy spoke about the need to hold

accountable the thugs and the dictators and all the people who are causing the conflicts that create the refugees.... That's one reason that we're very strong in bringing in and having countries endorse the idea of setting up a reallocation of frozen assets so that there is no impunity in terms of being able to protect your ill-gotten treasures, when in fact they can be attached through a proper legal process and be returned to help support the serious gaps in funding that refugee groups now have.³⁰⁹

Mr. Rock clarified that countries could “confiscate frozen assets of crooked foreign leaders and use that money for the benefit of the population that they’ve swindled.”³¹⁰

He added that what the World Refugee Council proposes is

legislation—it could be an amendment to Magnitsky or free-standing legislation—that would authorize the Attorney General of Canada, or someone else, with her consent, to apply to a superior court of the provinces for an order authorizing the confiscation of those assets and their repurposing. Either send them back to the country of origin, or, if that country is still in the grip of a corrupt government, provide that money to an international agency like UNHCR, or an NGO that is accountable to the court. Every dollar would be tracked, and the court would get a report as to how the money is being spent. The court would make that order on notice to all interested parties, so you have transparency, accountability and the rule of law, but you’d put these assets to use.³¹¹

307 CIMM, [Evidence](#), 6 November 2018, 1700 (James Milner).

308 UNHCR, [Written Submission](#), p. 4.

309 CIMM, [Evidence](#), 22 November 2018, 1645, 1715 (Hon. Lloyd Axworthy).

310 CIMM, [Evidence](#), 6 November 2018, 1545 (Hon. Allan Rock).

311 CIMM, [Evidence](#), 6 November 2018, 1545 (Hon. Allan Rock).

Mr. Axworthy concluded that “it’s more money for the system, and it’s also a way of putting a real deterrent to the actions of people right now who are so much the cause of the refugee movements.”³¹² As such, the Committee recommends:

Considering the Reallocation of Frozen Assets

Recommendation 12

That the Government of Canada consider supporting legislation to use frozen assets for the purpose of redistributing them to international and local organizations working with displaced people in humanitarian crises.

The Committee’s Interim Report

In its interim report for this study, published in December 2018, the Committee focused on the GCM and the GCR and recommended:

That the Government of Canada vote in favour of the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees[; and]

That the Government of Canada leverage the fora provided by the Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees to participate in shaping the future global best practices to address migration by: a) sharing Canada’s best practices and participating in the development of responses to the challenges facing internally displaced persons, including victims of genocide like the Yazidi and other victims of Daesh; b) sharing Canada’s best practices and participating in the development of programs to support migrating women and girls globally; c) offering to host future international conferences in support of the objectives of the Compacts; d) dedicating resources to combat myths and misinformation on the Compacts and migration, generally, to reassure Canadians that the Compacts do not threaten Canada’s sovereignty and indeed that safe, orderly and regular migration is important to our future prosperity.³¹³

In its government response to the interim report, IRCC confirmed that the first recommendation was implemented.

On December 19, 2018, Canada voted for the adoption of the Global Compact for Migration at the United Nations General Assembly (UNGA).... On December 17, 2018,

312 CIMM, *Evidence*, 22 November 2018, 1645, 1715 (Hon. Lloyd Axworthy).

313 CIMM, *Report 23: New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report*, 1st session, 42nd Parliament, December 2018.



Canada voted for the adoption of the Global Compact on Refugees as part of the annual UNHCR Omnibus Resolution at UNGA.³¹⁴

Regarding the second recommendation, IRCC noted that the Government of Canada supports the Committee's proposals and implements them through various initiatives. For example, "Canada will continue to support a coordinated multi-stakeholder approach to IDP assistance, protection and solutions" as well as to engage multilateral partners to "bring more attention to this issue."³¹⁵ IRCC also noted that it

currently engages with bilateral and multilateral partners on sustainable capacity building efforts for example, sharing best practices around travel document integrity, strengthening asylum systems and piloting complementary pathways for refugees to migrate using economic immigration pathways.³¹⁶

IRCC highlighted that, in 2019, Canada will host several international conferences specific to migration that will permit Canada to share its best practices and learn from others.

Reaffirming Canada's Leadership and Commitment to the Global Compacts

Recommendation 13

That Immigration, Refugees and Citizenship Canada reaffirm Canada's leadership and commitment to advancing the goals of the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees, and continue to work closely with the international community to improve countries' ability to deal with migration challenges and opportunities.

The Global Refugee Sponsorship Initiative: A Shared Best Practice

One concrete example of Canada working internationally to expand access to third-country solutions is the Global Refugee Sponsorship Initiative, which aims to help other countries open new pathways for refugee protection.³¹⁷ As explained by Ms. Bond, the

314 CIMM, *Government Response to the Report of the House of Commons Standing Committee on Citizenship and Immigration Entitled "New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report,"* 5 April 2019.

315 CIMM, *Government Response to the Report of the House of Commons Standing Committee on Citizenship and Immigration Entitled "New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report,"* 5 April 2019.

316 CIMM, *Government Response to the Report of the House of Commons Standing Committee on Citizenship and Immigration Entitled "New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report,"* 5 April 2019.

317 CIMM, *Evidence*, 22 November 2018, 1640 (Jérôme Elie).

Global Refugee Sponsorship Initiative is being led by the Government of Canada, the UNHCR, the Giustra Foundation, the Open Society Foundations, and the University of Ottawa Refugee Hub. The initiative is designed to provide training and advice to countries interested in replicating the Canadian model of refugee resettlement through community sponsorship. The GRSI is currently working in over 15 countries that are interested in exploring the possibility of sponsorship programs. The goal is to mobilize citizens and create alternative pathways for admission of refugees.³¹⁸

Expanding the Global Refugee Sponsorship Initiative

Recommendation 14

That Immigration, Refugees and Citizenship Canada expand the work of the Global Refugee Sponsorship Initiative to continue to share Canada's best practices and expertise and to encourage other countries to adopt programs similar to Canada's Private Sponsorship of Refugees programs.

The Internally Displaced: A Challenge Not Addressed

Nevertheless, witnesses highlighted that the Global Compacts leave some migration challenges unaddressed. Several witnesses remarked on the absence of solutions in the Global Compacts to the challenges that IDPs face.³¹⁹ Mr. Milner indicated that paragraph 12 of the GCR does allude to the needs of IDPs and that the UNHCR and IOM could be called upon to assist.³²⁰ However, in broad terms, IDPs do not fit under the 1951 *UN Convention Relating to the Status of Refugees* definition and do not have the same rights as refugees because they have not crossed an international border. They are still within the jurisdiction of their country and are therefore particularly very vulnerable since they have no real framework for their protection without the will of the state. It is still the country's responsibility to protect its citizens. Mr. Beuze highlighted that persecution "can come both from state agents or non-state actors."³²¹ In the context of the Global Compacts, Alexandra Bilak, Director at the Internal Displacement Monitoring Centre, remarked that not addressing internal displacement has a number of knock-on effects

318 CIMM, *Evidence*, 18 October 2018, 1535 (Jennifer Bond).

319 CIMM, *Evidence*, 23 October 2018, 1705 (Rebekah Sears, Policy Analyst, Mennonite Central Committee Canada); CIMM, *Evidence*, 29 November 2018, 1640 (Christina Clark-Kazak); Global Forced Displacement Working Group, *Written Submission*, p. 3.

320 CIMM, *Evidence*, 6 November 2018, 1705 (James Milner).

321 CIMM, *Evidence*, 27 September 2018, 1620 (Jean-Nicolas Beuze).



that can slow down a country's development trajectory.³²² For those reasons, some witnesses have suggested that Canada play a lead role in developing a more predictable response to the plight of the IDPs who, like refugees located outside of their country, also do not leave their homes by choice.³²³

HUMANITARIAN AID AND DEVELOPMENT ASSISTANCE

Witnesses indicated to the Committee that humanitarian aid and development assistance are the key to addressing the root causes of displacement and migration flows. They also suggested that Canada is in a position to help lead the way in this respect.³²⁴

To support comprehensive solutions to migration challenges, Ms. Bond argued that the international community has to invest in the countries that are hosting the vast majority of the global refugee population. She explained that "there are continuous budget deficits through all of the international agencies that are offering support in those states."³²⁵ She recommended that countries, such as Canada, identify, within their humanitarian and development envelopes, how that support can be offered and increased.³²⁶ Mr. Beuze provided the Committee with an overview of the UNHCR funding requirements; in 2018, the UNHCR asked for USD\$8 billion from the international community, knowing that as in the past, it would receive about 50% of its budget requirement. Canada contributed about USD\$73 million.³²⁷ He, however, pointed out that

depending on the location of the crisis, the funding differs a lot. The Syria-Iraq operation received approximately 60% of the funding that is required. When you go to sub-Saharan Africa, we receive between 30% and 40% of the funding. In some of those operations, it doesn't go up to 20%, such as with the Burundians in Tanzania. If you go to Central America, which is a growing crisis with Venezuela, Nicaragua and the north of

322 CIMM, [Evidence](#), 4 October 2018, 1530 (Alexandra Bilak).

323 CIMM, [Evidence](#), 29 November 2018, 1640 (Christina Clark-Kazak); Global Forced Displacement Working Group, [Written Submission](#), p. 3.

324 CIMM, [Evidence](#), 4 October 2018, 1725 (Christian Friis Bach); CIMM, [Evidence](#), 4 October 2018, 1620 (Alexandra Bilak); CIMM, [Evidence](#), 18 October 2018, 1605 (Jennifer Bond); CIMM, [Evidence](#), 23 October 2018, 1645 (John Clayton, Director of Programs and Projects, Samaritan's Purse Canada); CIMM, [Evidence](#), 6 November 2018, 1725 (James Milner); CIMM, [Evidence](#), 22 November 2018, 1540 (Stéphane Vinhas); CIMM, [Evidence](#), 29 November 2018, 1535 (Craig Damian Smith); Global Forced Displacement Working Group, [Written Submission](#), p. 1; Save the Children Canada, UNICEF Canada, World Vision Canada and Christian Children's Fund of Canada, [Written Submission](#).

325 CIMM, [Evidence](#), 18 October 2018, 1545 (Jennifer Bond).

326 CIMM, [Evidence](#), 18 October 2018, 1545 (Jennifer Bond).

327 CIMM, [Evidence](#), 27 September 2018, 1555 (Jean-Nicolas Beuze).

Central America, we always end the year at around 20% of the funding we need to assist the people.³²⁸

Ms. Klein Solomon stated that Canada's commitment, in addition to other governments around the world,

to the longer-term sustainable development agenda of reducing insecurity and conflict ends up fostering development and improving conditions for people to live safe and dignified lives at home and not to be in a context that forces them to move, including from the results of increasing environmental degradation exacerbated by climate change. Many things that affect both migratory and refugee policies and practices can be done to improve conditions and to limit the risks to individuals.³²⁹

Deirdre Kent, Director General of International Assistance Policy at Global Affairs Canada, clarified to the Committee that Canada's "international assistance is focused on the poorest and most vulnerable and that includes support to countries that are sources of migrants and hosts for migrants."³³⁰

However, witnesses noted that, in general, humanitarian and development responses need to be more coordinated and coherent.³³¹

Mr. Bach noted as an example that, in Uganda, water and food supplies are sent by trucks instead of facilitating "livelihoods and proper wells with solar cells that can provide water to both [local] communities and refugees."³³² By ensuring a humanitarian-development nexus, instances such as the one described by Mr. Bach can be avoided. Simran Singh, from CARE Canada, added that building individuals' capacities to generate income and become self-reliant relieves the pressure on the current humanitarian system.³³³ Mr. Milner recommended that countries, such as Canada, should link its humanitarian and development efforts with its diplomatic ones, as well as with questions of governance and engagement with the core commitments of the UN Charter.³³⁴ Specifically, for Canada, Mr. Smith also pointed to the need to better align the

328 CIMM, [Evidence](#), 27 September 2018, 1540 (Jean-Nicolas Beuze).

329 CIMM, [Evidence](#), 22 November 2018, 1615 (Michele Klein Solomon).

330 CIMM, [Evidence](#), 26 November 2018, 1745 (Deirdre Kent).

331 CIMM, [Evidence](#), 4 October 2018, 1725 (Christian Friis Bach); CIMM, [Evidence](#), 6 November 2018, 1725 (James Milner); CIMM, [Evidence](#), 22 November 2018, 1655 (Shaughn McArthur); CIMM, [Evidence](#), 29 November 2018, 1545 (Craig Damian Smith).

332 CIMM, [Evidence](#), 4 October 2018, 1725 (Christian Friis Bach).

333 CIMM, [Evidence](#), 22 November 2018, 1655 (Simran Singh, Senior Humanitarian and Gender Advisor, CARE Canada).

334 CIMM, [Evidence](#), 6 November 2018, 1725 (James Milner).



humanitarian and development branches of Global Affairs Canada in order to ensure a fulsome response when helping people on the move.³³⁵

Stephen Salewicz, Director General of International Humanitarian Assistance at Global Affairs Canada, commented that the department is currently “looking at approaches that actually benefit host countries through their own development requirements but that also stretch out to meet the requirements of the refugees.”³³⁶ He provided Jordan as an example, where Canada provides humanitarian assistance to respond to refugee needs, but

we’re also supporting development activities in Jordan—for instance, through the education ministry there, to expand opportunities and quality of education for Jordanians and to also within this approach support refugees at the same time.³³⁷

Other witnesses recommended that Canada can be more of a leader and contribute much more financially, for example, in its official development assistance (ODA).³³⁸ Mr. Vinhas suggested to the Committee that Canada should leverage its funds to provide predictable, flexible and multi-year support to meet the Sustainable Development Goals, including reducing inequalities which lead to forced displacement.³³⁹ Mr. Smith proposed that this can be done by aiming to reach the objectives of the Organisation for Economic Co-operation and Development (OECD)—a contribution of 0.7% of the gross national product dedicated to ODA. Currently, Canada is contributing 0.26%, which is a decrease from 0.31% in 2012.³⁴⁰ The overall decrease in humanitarian aid and development assistance around the world was a catalyst for most of the irregular migration movements in the last few years.³⁴¹

Global Affairs Canada wrote that

[f]ollowing the increase of refugee inflows to many donor countries in recent years, the proportion of ODA provided as in-donor refugee support increased for the majority of donors, including Canada. However, while some countries diverted funds from their regular ODA budgets, this was not the case for Canada since in-donor refugee expenses are not funded from the International Assistance Envelope. Any increase in in-country

335 CIMM, [Evidence](#), 29 November 2018, 1545 (Craig Damian Smith).

336 CIMM, [Evidence](#), 26 November 2018, 1725 (Stephen Salewicz).

337 CIMM, [Evidence](#), 26 November 2018, 1725 (Stephen Salewicz).

338 CIMM, [Evidence](#), 22 November 2018, 1535 (Stéphane Vinhas); CIMM, [Evidence](#), 29 November 2018, 1535 (Craig Damian Smith).

339 CIMM, [Evidence](#), 22 November 2018, 1535 (Stéphane Vinhas).

340 CIMM, [Evidence](#), 29 November 2018, 1535 (Craig Damian Smith).

341 CIMM, [Evidence](#), 29 November 2018, 1535 (Craig Damian Smith).

refugee costs does not divert Canadian aid from developing countries. For reference, Canada spent \$606.13 million on ODA-eligible in-country refugee costs in 2017.³⁴²

Considering the nexus of humanitarian aid and development assistance, the Committee recommends:

Reviewing the Humanitarian and Development Envelopes

Recommendation 15

That the Government of Canada review its humanitarian and development envelopes to find efficiencies and better align them with the funding requirements of UNHCR and other non-governmental organizations working in the field supporting populations in need.

342 Global Affairs Canada, *Response to a request for information made by CIMM on 27 September 2018*.

APPENDIX A

OBJECTIVES OF THE GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION

The 23 objectives in the Global Compact for Safe, Orderly and Regular Migration are:

1. Collect and utilize accurate and disaggregated data as a basis for evidence-based policies
2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin
3. Provide accurate and timely information at all stages of migration
4. Ensure that all migrants have proof of legal identity and adequate documentation
5. Enhance availability and flexibility of pathways for regular migration
6. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work
7. Address and reduce vulnerabilities in migration
8. Save lives and establish coordinated international efforts on missing migrants
9. Strengthen the transnational response to smuggling of migrants
10. Prevent, combat and eradicate trafficking in persons in the context of international migration
11. Manage borders in an integrated, secure and coordinated manner
12. Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral
13. Use migration detention only as a measure of last resort and work towards alternatives
14. Enhance consular protection, assistance and cooperation throughout the migration cycle
15. Provide access to basic services for migrants
16. Empower migrants and societies to realize full inclusion and social cohesion
17. Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration
18. Invest in skills development and facilitate mutual recognition of skills, qualifications and competences
19. Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries

20. Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants
21. Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration
22. Establish mechanisms for the portability of social security entitlements and earned benefits
23. Strengthen international cooperation and global partnerships for safe, orderly and regular migration.

APPENDIX B LIST OF WITNESSES

The following table lists the witnesses who appeared before the Committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the Committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
Department of Citizenship and Immigration Erin Brouse, Migration Program Manager High Commission of Canada to Tanzania Mark Giralt, Director General International Network	2018/05/10	109
Department of Foreign Affairs, Trade and Development Marc-André Fredette, Director General Southern and Eastern Africa Bureau Stephen Salewicz, Director General International Humanitarian Assistance	2018/05/10	109
Amnesty International Canada Alex Neve, Secretary General	2018/05/22	110
As an individual Christina Clark-Kazak, Associate Professor School of Public and International Affairs, University of Ottawa	2018/05/22	110
Centre for International Governance Innovation Fen Osler Hampson, Distinguished Fellow Director of Global Security and Politics Program	2018/05/24	111
World Refugee Council Hon. Lloyd Axworthy, Chair	2018/05/24	111
World University Service of Canada Chris Eaton, Executive Director Michelle Manks, Student Refugee Program	2018/05/24	111

Organizations and Individuals	Date	Meeting
Office of the United Nations High Commissioner for Refugees Jean-Nicolas Beuze, Representative in Canada Michael Casasola, Senior Resettlement Officer	2018/05/29	112
Department of Citizenship and Immigration Matt de Vlieger, Director General Strategic Policy and Planning Jean-Marc Gionet, Senior Director International Network Mark Giralt, Director General International Network Glen Linder, Director General International and Intergovernmental Relations	2018/09/27	122
Office of the United Nations High Commissioner for Refugees Jean-Nicolas Beuze, Representative in Canada Michael Casasola, Senior Resettlement Officer	2018/09/27	122
As individuals Megan Bradley, Associate Professor Department of Political Science, McGill University Doug Saunders, Writer International Affairs, The Globe and Mail	2018/10/02	123
Aleph Policy Initiative Rosa Baum, Senior Research Fellow Vartan Shadarevian, Executive Director	2018/10/04	124
As an individual Idil Atak, Associate Professor Department of Criminology, Ryerson University	2018/10/04	124
Danish Refugee Council Christian Friis Bach, Secretary General	2018/10/04	124
Internal Displacement Monitoring Centre Alexandra Bilak, Director	2018/10/04	124

Organizations and Individuals	Date	Meeting
Nadia's Initiative Abid Shamdeen, Director	2018/10/04	124
Delegation of the European Union to Canada Brice de Schietera, Deputy Head of Delegation H.E. Peteris Ustubs, Ambassador	2018/10/16	125
As individuals Jamie Liew, Associate Professor and Refugee Lawyer Faculty of Law, Common Law Section, University of Ottawa Anna Purkey, Assistant Professor Department of Sociology and Legal Studies, St. Jerome's University	2018/10/18	126
Canadian Association of Refugee Lawyers Audrey Macklin, Director Centre for Criminology and Sociolegal Studies, University of Toronto	2018/10/18	126
The Refugee Hub Jennifer Bond, Managing Director and Chair of the Global Refugee Sponsorship Initiative	2018/10/18	126
Angels Refugee Support Group Association Bibe Kalalu, President	2018/10/23	127
As an individual Witness-Témoin 1	2018/10/23	127
Mennonite Central Committee Canada Rebekah Sears, Policy Analyst Anna Vogt, Director Ottawa Office	2018/10/23	127
Samaritan's Purse Canada John Clayton, Director of Programs and Projects	2018/10/23	127

Organizations and Individuals	Date	Meeting
<p>As individuals</p> <p>Tanya Basok, Professor Department of Sociology and Anthropology, University of Windsor</p> <p>Bernard Duhaime, Full Professor Département des sciences juridiques, Faculté de science politique et de droit, Université du Québec à Montréal</p> <p>Mahdi Yousefi Koopaei</p>	2018/10/25	128
<p>International Crisis Group</p> <p>Sofía Martínez Fernández, Analyst, Central America</p>	2018/10/25	128
<p>Iranian Canadian Congress</p> <p>Pouyan Tabasinejad, Vice-President</p>	2018/10/25	128
<p>Migration Policy Institute</p> <p>Kate Hooper, Associate Policy Analyst</p>	2018/10/25	128
<p>As individuals</p> <p>Danièle Bélanger, Full Professor Department of Geography, Université Laval</p> <p>Randy Boldt</p>	2018/10/30	129
<p>Department of Citizenship and Immigration</p> <p>Natasha Kim, Director General Immigration Branch</p> <p>Helene Panagakos, Director Temporary Resident Program Division</p>	2018/10/30	129
<p>Department of Employment and Social Development</p> <p>Tara Cosgrove, Executive Director Temporary Foreign Worker Program and International Mobility Program, Integrity Services Branch of Service Canada</p> <p>Philippe Massé, Director General Temporary Foreign Worker Directorate, Skills and Employment Branch</p>	2018/10/30	129

Organizations and Individuals	Date	Meeting
As individuals Michael Donnelly, Assistant Professor Political Science and Munk School of Global Affairs and Public Policy, University of Toronto Aleksandar Jeremic, Barrister and Solicitor Anchor Law Elizabeth Long, Barrister and Solicitor Long Mangalji LLP	2018/11/01	130
Chinese and Southeast Asian Legal Clinic Jin Chien, Staff Lawyer Avvy Go, Clinic Director	2018/11/01	130
The Conference Board of Canada Pedro Antunes, Deputy Chief Economist and Executive Director	2018/11/01	130
As individuals Patti Tamara Lenard, Associate Professor Graduate School of Public and International Affairs, University of Ottawa James Milner, Associate Professor Department of Political Science, Carleton University	2018/11/06	131
World Refugee Council Hina Jilani, Co-Chair Hon. Allan Rock, Special Advisor	2018/11/06	131
ACT Alliance Ida Kaastra-Mutoigo, Board Member World Renew	2018/11/22	133
CARE Canada Shaughn McArthur, Policy and Influence Lead Simran Singh, Senior Humanitarian and Gender Advisor	2018/11/22	133
Development and Peace-Caritas Canada Stéphane Vinhas, Emergencies Coordinator	2018/11/22	133
International Council of Voluntary Agencies Jérôme Elie, Senior Policy Officer, Forced Displacement	2018/11/22	133

Organizations and Individuals	Date	Meeting
International Organization for Migration Michele Klein Solomon, Director Global Compact for Migration	2018/11/22	133
World Refugee Council Hon. Lloyd Axworthy, Chair	2018/11/22	133
Department of Citizenship and Immigration Matt DeCoursey, M.P., Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship Susan Greene, Senior Director Resettlement and Protection Policy Glen Linder, Director General International and Intergovernmental Relations	2018/11/26	134
Department of Foreign Affairs, Trade and Development Deirdre Kent, Director General International Assistance Policy Stephen Salewicz, Director General International Humanitarian Assistance	2018/11/26	134
As individuals Christina Clark-Kazak, Associate Professor School of Public and International Affairs, University of Ottawa Craig Damian Smith, Associate Director Global Migration Lab, University of Toronto	2018/11/29	136
Office of the United Nations High Commissioner for Refugees Jean-Nicolas Beuze, Representative in Canada	2018/11/29	136
One Free World International Majed El Shafie, Founder and President Adiba Yezidi, Representative and Volunteer	2018/11/29	136
As individuals Tanya Basok, Professor Department of Sociology and Anthropology, University of Windsor Craig Damian Smith, Associate Director Global Migration Lab, University of Toronto	2018/12/04	138

Organizations and Individuals	Date	Meeting
Canadian Council for International Co-operation Steve Stewart, Co-Chair Americas Policy Group	2018/12/04	138
International Crisis Group Ivan Briscoe, Program Director Latin America and Caribbean	2018/12/04	138
As an individual La Trinidad Mina, Coordinator and Instructor Language Instruction for Newcomers to Canada, Cowichan Intercultural Society	2018/12/11	139
Barbra Schlifer Commemorative Clinic Yasmine Abuzgaya, Staff Lawyer	2018/12/11	139
Canadian Alliance of Student Associations Adam Brown, Chair	2018/12/11	139
Jumpstart Refugee Talent Mustafa Alio, Co-Founder and Development Director	2018/12/11	139
Migrant Workers Alliance for Change Syed Hussan, Coordinator	2018/12/11	139
Talent Beyond Boundaries Bruce Cohen, Co-Founder Dana Wagner, Canadian Partnerships Advisor	2018/12/11	139
The White Helmets Muzna Dureid, Liaison Officer	2018/12/11	139
As individuals Rachel Kiddell-Monroe, Professor Institute for the Study of International Development, McGill University Craig Damian Smith, Associate Director Global Migration Lab, University of Toronto	2019/02/25	145
Migration Policy Institute Rodrigo Dominguez Villegas, Independent Consultant	2019/02/25	145
Office of the United Nations High Commissioner for Refugees Jean-Nicolas Beuze, Representative in Canada	2019/02/25	145

Organizations and Individuals	Date	Meeting
AURAY Sourcing International Inc. Marc Audet, President and Chief Executive Officer Philip Mooney, Vice-President	2019/02/27	146
Carpenters' District Council of Ontario Mark Lewis, Legal Counsel	2019/02/27	146
Fédération des chambres de commerce du Québec Michel Cournoyer, Economic Consultant Alexandre Gagnon, Director Labour and Occupational Health and Safety Kathy Megyery, Vice-President Strategy and Economic Affairs	2019/02/27	146
Manufacturiers et Exportateurs du Québec Isabelle Limoges, Director Public and Government Affairs Véronique Proulx, President and Chief Executive Officer	2019/02/27	146
Toronto Region Board of Trade Marcy Burchfield, Vice-President Economic Blueprint Institute	2019/02/27	146
United Food and Commercial Workers Union Canada Santiago Escobar, National Representative	2019/02/27	146
Department of Employment and Social Development Gilles Bérubé, Director Labour Market and Skills Research Division Stephen Johnson, Director General Labour Market Information Directorate Geoffrey Oliver, Director Policy Research Analysis and Geomatics	2019/02/28	147
Fox Sand Farming Limited Edward McElhone, Owner/Operator Llewellyn Opperman, Supervisor	2019/02/28	147
Migrant Workers Alliance for Change Syed Hussan, Coordinator	2019/02/28	147

Organizations and Individuals	Date	Meeting
<p>Statistics Canada</p> <p>Josée Bégin, Director Labour Statistics Division</p> <p>Vincent Dale, Assistant Director Labour Statistics Division</p>	2019/02/28	147
<p>Superior Weanlings Ltd.</p> <p>Dennis Kuijpers, Owner Farming</p>	2019/02/28	147
<p>Department of Citizenship and Immigration</p> <p>David Cashaback, Acting Director General Immigration Branch</p> <p>Paulette Lefebvre, Director Biometric Program Division</p> <p>Helene Panagakos, Director Temporary Resident Program Division</p>	2019/03/18	148
<p>Department of Employment and Social Development</p> <p>Katie Alexander, Executive Director Temporary Foreign Worker Program, Program Operations, Service Canada</p> <p>Philippe Massé, Director General Temporary Foreign Worker Directorate, Skills and Employment Branch</p>	2019/03/18	148

APPENDIX C LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who submitted briefs to the Committee related to this report. For more information, please consult the Committee's [webpage for this study](#).

1, Witness-Témoïn

2, Witness-Témoïn

Association of Municipalities of Ontario

AURAY Sourcing International Inc.

Barbara Schlifer Commemorative Clinic

Basok, Tanya

Benson, Nathan

Bowie, Melissa

Canadian Council for International Co-operation

CARE Canada

Chinese and Southeast Asian Legal Clinic

Christian Children's Fund of Canada

City of Montreal

Collingwood Neighbourhood House

Danish Refugee Council

Development and Peace-Caritas Canada

Francis, Jenny

Global Forced Displacement Working Group

Hyndman, Jennifer

Immigrant Services Society of British Columbia

Inasmuch Community Society

Indigenous Refugees Movement

Iranian Canadian Congress

Journey Home Community
Jumpstart Refugee Talent
Kinbrace Community Society
Kriek, Jacobus
La Boussole
Manufacturiers et Exportateurs du Québec
Mennonite Central Committee Canada
Milner, James
MOSAIC
Multi-Agency Partnership BC
Office of the United Nations High Commissioner for Refugees
Oxfam Canada
Oxfam-Québec
S.U.C.C.E.S.S.
Save the Children Canada
Smith, Craig Damian
Talent Beyond Boundaries
The White Helmets
Umoja Operation Compassion Society of British Columbia
UNICEF Canada
Vancouver Association for Survivors of Torture
Waterloo Region Immigration Partnership
World Vision Canada

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* (Meetings Nos. 109 to 112, 114, 121 to 131, 133, 134, 136 to 140, 145 to 149, 162, 164 and 165) is tabled.

Respectfully submitted,

Nick Whalen
Chair

Supplementary Report of Her Majesty's Official Opposition The Conservative Party of Canada

Hon. Michelle Rempel, Member of Parliament for Calgary Nose Hill
David Tilson, Member of Parliament for Dufferin – Caledon
Larry Maguire, Member of Parliament for Brandon - Souris

INTRODUCTION

What should the vision for Canada's immigration policy be, and how should we implement it? People are on the move, and Canada, with our pluralism, open democracy, freedom, economic opportunity and generous social programs, is a destination that many hope to reach.

This supplementary report provides additional recommendations for an appropriate Canadian response to the global migration crisis. Specifically, we feel that the committee's report was lacking strong enough recommendations regarding Internally Displaced Persons, prioritization of vulnerable minorities, the UNHCR referral process, Canada's response to border crossings, the Temporary Foreign Worker Program, and solutions to Canada's economic immigration needs.

Internally Displaced Persons

Currently, over 44 million people are internally displaced due to conflict and humanitarian issues.¹ Because internally displaced persons (IDPs) have not crossed an international border, they are not considered "refugees" by the United Nations and therefore are not eligible for resettlement to a safe country. As a result, IDPs often fall through the cracks of broader debates on migration "even though they are in fact an integral part of the global migratory picture and are among the world's most vulnerable communities and individuals."² As Lloyd Axworthy stated, "[i]nternally displaced people are affected by exactly the same conditions—conflicts, starvation, extermination, police brutality, whatever the case may be [...]"³

In response to this issue, Megan Bradley, Associate Professor at McGill University, stated:

More concerted political and development support is needed to increase access to durable solutions for both refugees and IDPs. I would argue that Canada should co-operate with key actors, including UNHCR, other donors and states that face internal displacement situations, to ensure that durable solution strategies are holistic and that they are appropriately resourced. Canada should

¹ Mr. Jean-Nicholas Beuze (UNHCR Representative in Canada), September 27, 2018, CIMM-122, (1545).

² Ms. Alexandra Bilak (Director, Internal Displacement Monitoring Centre), October 4, 2018, CIMM-124, (1535).

³ Hon. Lloyd Axworthy (Chair, World Refugee Council), November 22, 2018, CIMM-133, (1700).

insist that UNHCR explicitly address related internal displacement issues in its efforts to advance solutions for refugees.⁴

She also recommended that, “Canada should make improved protection and assistance to IDPs an explicit priority in its interventions in the humanitarian system. As a key pillar in this strategy, Canada should push for the prompt appointment of a new special representative of the UN Secretary-General, with a specific mandate for IDPs.”⁵ As of right now, “no single UN agency is formally responsible for the internal displacement agenda.”⁶

Vulnerable Minorities

When discussing refugee resettlement to Canada, there is inevitably a debate regarding how to prioritize people for settlement. We are also tasked with prioritizing where our international aid goes and how we are using our place in the international community to advocate for change. The Conservatives continue to posit that genocide survivors should be at the top of our priority list. One such group that has faced this level of extreme persecution are the Yazidi people. Abid Shamdeen, Director of Nadia's Initiative, stated:

Today, about 350,000 Yazidis remain in the IDP camps in northern Iraq and about 67,000 in Greece and Turkey. Of those Yazidis that were taken in captivity by ISIS in 2014—mostly women and some children—1,200 to 1,300 remain in captivity, mostly in Syria, though we believe some of them are also in Turkey. We believe that, even though ISIS has been defeated militarily in Iraq, Yazidis are still a target of ISIS. Both the Government of Iraq and the Kurdistan Regional Government have imposed a blockade on Yazidi areas in Sinjar. Some of the roads that lead to Sinjar have been blocked for over a year. Even those who would like to return to their homes and try to rebuild their lives are not able to go back due to the restrictions put on the Sinjar area. Likewise, international NGOs such as UN agencies, UNDP and others, are not able to implement some of their projects because of those access issues. We believe that taking more Yazidis, especially the women who survived from ISIS captivity, is very necessary.⁷

Mr. Shamdeen also stated that the existing refugee resettlement process has not been fair to Yazidis, and that the UNHCR should consider IDPs for refugee resettlement.⁸ We know that registering with the UNHCR is a problem for other religious minorities as well. Mr. Vartan Shadarevian stated that religious minorities “hesitate or refuse to register with UNHCR and other agencies for fear of reprisals. Less than 1% of each minority

⁴ Ms. Megan Bradley (Associate Professor, Department of Political Science, McGill University, As an Individual), October 2, 2018, CIMM-123, (1645).

⁵ Ms. Megan Bradley (Associate Professor, Department of Political Science, McGill University, As an Individual), October 2, 2018, CIMM-123, (1645).

⁶ Ms. Alexandra Bilak (Director, Internal Displacement Monitoring Centre), October 4, 2018, CIMM- 124 Oct 4, (, 1600).

⁷ Mr. Abid Shamdeen (Director, Nadia's Initiative), October 4, 2018, CIMM-124, (1700).

⁸ Mr. Abid Shamdeen (Director, Nadia's Initiative), October 4, 2018, CIMM-124, (1715).

community in Syria has registered with refugee agencies in Iraq, Egypt, Jordan and Lebanon, which means either they are not migrating despite the particular dangers to them, or they are not registering once they leave.”⁹

Vulnerable minorities in Pakistan were another concern that was highlighted. Ms. Hina Jilani, Co-Chair of the World Refugee Council, stated: “The climate for all non-Muslim minorities is not good, but there are certain minorities, such as the Ahmadiyya community, who suffer much more.”¹⁰ Ms. Jilani also raised some concerns with the current refugee resettlement regime, saying: “It is lacking in any kind of visionary initiatives, both at the international level and at the level of the UNHCR. We believe that the international community has to make better arrangements for resettlement, which must be expeditious so that refugees are not left for long periods in refugee status in which they have no predictable way to see when their plight is going to end. We also believe that governance reform must be significant and are proposing changes in the UN Secretariat itself.”¹¹

Witnesses also expressed concern that the UNHCR is failing to protect women and girls in their refugee camps. Mr. Christian Friis Bach, Secretary General of the Danish Refugee Council, stated: “I agree that this is a severe problem.”¹² He explained that he recently visited the Moria camp on Lesbos where the UNHCR did a study on women and girls that have faced sexual abuse passing through Greece. This study found that 25% of them experienced sexual assault inside of the camps. Mr. Friis Bach concluded: “It is not acceptable. It is defeating all our principles of human rights and human dignity. Definitely, we need to scale up our protection response inside of camps.”¹³

Mr. Shadarevian pointed out that the situation facing women and LGBT people face problems that predate conflicts and that “beyond these drivers, there is a question of how accessible immigration structures are to those facing these problems.”¹⁴ For example, a witness revealed that in some countries “[...] it is a challenge for LGBTI asylum seekers and refugees, because if you claim asylum based on your gender or sexual orientation, you risk being arrested immediately”.¹⁵ Given this, Bibe Kalau, President of Angels Refugee Support Group Association recommended that: “LGBT issues have to be continually raised with African governments.”¹⁶

⁹ Vartan Shadarevian (Executive Director, Aleph Policy Initiative), October 4, 2018, CIMM-124, (1650).

¹⁰ Ms. Hina Jilani (Co-Chair, World Refugee Council), November 6, 2018, CIMM-131, (1615).

¹¹ Ms. Hina Jilani (Co-Chair, World Refugee Council), November 6, 2018, CIMM-131, (1545).

¹² Mr. Christian Friis Bach (Secretary General, Danish Refugee Council), October 4, 2018, CIMM-124, (1710).

¹³ Mr. Christian Friis Bach (Secretary General, Danish Refugee Council), October 4, 2018, CIMM-124, (1710).

¹⁴ Mr. Vartan Shadarevian (Executive Director, Aleph Policy Initiative), October 4, 2018, CIMM-124, (1645).

¹⁵ Witness-Témoins 1 (As an individual), October 23, 2018, CIMM-127, (1540).

¹⁶ Bibe Kalau (President, Angels Refugee Support Group Association), October 23, 2018, CIMM-127, (1545).

The committee also heard that the Canadian response to international crises is slow and ineffective. One witness suggested that IRCC should have fully developed data analysis and prediction capabilities so that resettlement can be swift when it is known that atrocity crimes are likely to occur or beginning to occur.¹⁷ This should also be done with stricter data recording requirements so that decision-making regarding refugee resettlement can be transparent. As Mr. Shadarevian stated, “if there’s an impending crisis or potential biases in the way cases are treated within the IRCC, the government and Parliament should be the first to learn about it.”¹⁸

Border Crossings at Canada’s Southern Border

Rather than use established refugee or immigration processes, Canada has seen an increase in illegal crossings into the country to circumvent existing pathways under the Trudeau government. The Committee also heard from witnesses about this and the challenges it poses to the sustainability of our immigration and social assistance programs. For example, Mr. Doug Saunders stated that:

One of the factors that attracts people to go through a process where they present themselves for asylum, even if they are part of the perhaps 50% of applicants who are not legitimate asylum cases, is the knowledge that there's enough time—due to the understaffing of these authorities—to allow them to earn back their investment in this return. I think we know from the experience of other countries that if we were to staff up our authorities enough to reduce the delay times—because the backlog is entirely due, as far as I can tell, to understaffing—it would reduce the demand. That would lead me to suggest that if this was approached as an emergency issue, it could be approached as a temporary emergency issue.¹⁹

The longer the issue is not resolved, the more this will cost Canada, and when resources are finite, this reduces our capacity to help other vulnerable populations seeking refuge in Canada. This is problematic, because Canada’s refugee priorities should be reserved for addressing the most serious problems and helping those most at risk. Mr. Saunders pointed out that those crossing Canada’s border are not the most vulnerable:

They do not come from the poorest countries, and they don't come from the poorest communities in the countries that they come from. Irregular crossings are expensive, upwards of 2,000 euros per person to get on one of those rafts, and we have anecdotal evidence that Canada and U.S. crossings involve fairly large

¹⁷ Mr. Vartan Shadarevian (Executive Director, Aleph Policy Initiative), October 4, 2018, CIMM-124, (1650)

¹⁸ Mr. Vartan Shadarevian (Executive Director, Aleph Policy Initiative), October 4, 2018, CIMM-124, (1655)

¹⁹ Mr. Doug Saunders (Writer, International Affairs, The Globe and Mail, As an Individual), October 2, 2018, CIMM-123, (1650) (1710).

payments to smugglers and other agents, as well. Many migrants have borrowed heavily to make the trip. At a minimum, they hope for a return on this investment. Understanding this can help shape policies of return and deterrence.²⁰

In a briefing from the Vancouver Association for Survivors of Torture, they recommend a change to the asylum hearing process in order to “provide a clear timeline (without adjustments) to refugee claimants.” In early 2018, the Immigration and Refugee Board abandoned legislated timeframes and announced that the wait for a hearing could reach 20 months. Many people waiting for their hearing either had their appointments canceled or did not know when they would ever receive their hearing. The Vancouver Association for Survivors of Torture stated that: “The trend of receiving notices of hearing delays [...] is troubling.”²¹ Same observation from the Immigrant Services Society of British Columbia which recommended that “sufficient staffing resources [be] put in place at the Immigration Refugee Board (IRB) to reduce wait times for hearings and better meet previously-established service standards”.²²

We also know that the border crossings are causing hardship on the provinces and municipalities. The City of Montreal wrote to our committee saying that the influx in border crossings is, “putting significant pressure on the institutions and agencies that provide front-line and settlement support services to asylum seekers in the greater Montreal area.”²³ In light of this, the city is calling for the Government of Canada to speed up processing asylum claims. Similarly, the Association of municipalities of Ontario urged the federal government to increase funding to municipalities who are impacted by the increase in asylum claimants.²⁴

Temporary Foreign Worker Program

In the last couple of decades, the number of temporary foreign workers in Canada has significantly increased. Yet, there are persistent issues with the Temporary Foreign Worker Program (TFWP) that remain unaddressed by this government. Currently, the program is not designed to meet Canada’s labour challenges. There is also the lack of rights for foreign workers, the potential for the TFWP to lead to undocumented people, and the negative impact that temporary work has on the economy.

Professor Danièle Bélanger-noted that the precarious situation of TFWs could lead to some people not renewing their visa but staying in Canada and increasing Canada's undocumented migrant population.²⁵

²⁰ Mr. Doug Saunders (Writer, International Affairs, The Globe and Mail, As an Individual), October 2, 2018, CIMM-123, (1650).

²¹ Vancouver Association for Survivors of Torture’s written submissions, October 30, 2018, p. 2.

²² Immigrant Services Society of British Columbia Written submission, November 20, 2018, p. 3.

²³ City of Montreal’s written submission, November 30, 2018, p. 8.

²⁴ Association of Municipalities of Ontario’s written submission, August 29, 2018, p. 3.

²⁵ Professor Danièle Bélanger (Full Professor, Department of Geography, Université Laval, As an Individual), October 30, 2018, CIMM-129, (1530).

Furthermore, since TFWs are dependent on their employers for their right to stay and their right to return to Canada, they “are often willing to work under different conditions, such as lower wages or longer hours. This creates inequalities among workers and tensions in the workplace.”²⁶ Since TFWs will not demand better working conditions or wages due to their precarious work situation, it can depress wages for Canadian workers and leaves employers with no incentives to improve working conditions. The Chinese and Southeast Asian Legal Clinic had the same experience with the Program, stating that the worker’s “status is often tied to time-constrained and employer-specific jobs, which makes them exceptionally susceptible to exploitation and abuse”.²⁷

Further compounding these issues is the fact that many of the positions that temporary foreign workers are filling are not temporary at all. This has been illustrated by the Migrant Workers Alliance for Change, which stated that the association has “members who've been coming into the seasonal agriculture program for 35-plus years”.²⁸

To meet Canada’s labour shortage and allow workers who want to remain in Canada, many witnesses proposed the option of a pathway to permanent residency for the temporary foreign workers. These witnesses include the Migrant Workers Alliance for Change, the Chinese and Southeast Asian Legal Clinic and Doug Saunders. Employers would also benefit from this option, as Avvy Go, the Clinic Director of the Chinese and Southeast Asian Legal Clinic stated:

Once they work here for four years and they are gone, the employer also loses. That's why so many of the employers are pushing for a permanent residence pathway for the temporary foreign workers. They have trained these people, and they want to keep them on.²⁹

There is also a disparity between high-wage and low-wage programs that disadvantage the majority of temporary foreign workers. As Mr. Hussan said, high-wage workers “can come here with their families and have access to permanent residency. Most temporary foreign workers do not have those rights, and they should have those rights.”³⁰

Economic Immigration

The Fourth Industrial Revolution will, and already is, having an enormous impact on the labour needs of Canada’s economy. According to the Manpower Group, 41 percent of Canadian employers already have difficulty filling jobs, especially for skilled trades.³¹ It

²⁶ Professor Danièle Bélanger (Full Professor, Department of Geography, Université Laval, As an Individual), October 30, 2018, CIMM-129, (1530).

²⁷ Chinese and Southeast Asian Legal Clinic’s written submission, November 2018, p. 5.

²⁸ Syed Hussan (Coordinator, Migrant Workers Alliance for Change), December 11, 2018, CIMM-139, (1725).

²⁹ Avvy Go (Clinic Director, Chinese and Southeast Asian Legal Clinic), November 1, 2018, CIMM-130, (1710).

³⁰ Mr. Syed Hussan (Coordinator, Migrant Workers Alliance for Change), February 28, 2019, CIMM-147, (1600).

³¹ Talent beyond boundaries’ written submission, December 2018, p. 2.

is imperative that Canada's immigration streams are flexible and nimble enough to incorporate and respond to labour market information in a timely fashion.³² Ms. Hooper stated that:

This includes creating responsive systems that can admit all categories of low, semi-skilled and skilled workers as needed and as indicated by labour market information, and making sure that the system is really easy for immigrants and employers alike to navigate. Changing work arrangements also carry implications for selection policies. For example, remote work arrangements may reduce the need to admit some immigrants on a permanent basis, and employer sponsored channels may become less relevant, given the proliferation of self-employed workers who freelance and collaborate with a number of different employers.³³

We also heard from a witness that there are gaps in our data related to labour shortages. Mr. Stephen Johnson, from the Department of Employment and Social Development, said:

There is also increasing discussion about skills shortages or skills mismatches, sometimes characterized as pockets of high unemployment alongside unmet demand in parts of the country. This is an area of increasing interest, and one in which we have somewhat limited information available.³⁴

Having timely and accurate access to labour market information is necessary for Canada to have flexible and nimble immigration programs. This would allow for "[s]tronger matching of local labour market needs with federal immigration priorities and streams", which would benefit communities across Canada.³⁵

A witness also stated that with new technological developments, the labour market will significantly change. This was noted when Ms. Hopper stated that:

"The automation of certain routine tasks is likely to transform or even eliminate certain jobs, but those jobs that rely heavily on creative skills, cognitive skills such as abstract thinking, or interpersonal skills are likely to be much harder to automate."³⁶

With these developments in technology and its impact on the labour market, the very least that Canada should do is have frequent and timely updates on labour market data. This is necessary for understanding gaps in our labour market and using our immigration programs to supplement these needs. Our economic streams would then

³² Ms. Kate Hooper (Associate Policy Analyst, Migration Policy Institute), October 25, 2018, CIMM-128, (1655).

³³ Ms. Kate Hooper (Associate Policy Analyst, Migration Policy Institute), October 25, 2018, CIMM-128, (1655).

³⁴ Mr. Stephen Johnson (Director General, Labour Market Information Directorate, Department of Employment and Social Development), February 29, 2019, CIMM-147, (1655).

³⁵ Waterloo Region Immigration Partnership' written submission, November 2018, p. 2.

³⁶ Ms. Kate Hooper (Associate Policy Analyst, Migration Policy Institute), October 25, 2018, CIMM-128, (1650).

be improved to ensure Canada remains a competitive country that attracts the top talent around the world.³⁷

Conclusion

It is evident that the committee's final report does not address all the significant challenges facing Canada with regards to migration in the 21st century. We believe that significant action by the government is still needed to address the concerns brought forward by many witnesses in this study. This includes needed reforms to the UNHCR and its refugee selection criteria, assistance to IDPs in resettlement, immediate action on the border crossing influx from the United States, better collection of labour market data, and needed reforms to the Temporary Foreign Workers Program. Therefore, we submit the following recommendations to address these significant challenges affecting Canada's immigration and refugee programs.

Recommendations

1. **That the Government of Canada advocate for the UNHCR to review its refugee selection criteria;**
2. **That Global Affairs Canada make assistance to internally displaced populations an explicit priority;**
3. **That IRCC develop and implement a predictive and transparent system for determining refugee resettlement that prioritizes victims of atrocity crimes;**
4. **That IRCC, the Immigration and Refugee Board, and CBSA treat the influx of border crossings as an emergency and immediately reduce the backlog and wait times for asylum determinations to be made;**
5. **That the Government of Canada completely revamp the data collection of labour market information that incorporates real-time job vacancies as reported by Canadian employers for the use of departments such as IRCC, ESDC, and Statistics Canada;**
 - a. **That such a revamp of timely and accurate labour market data collection be used to model Canada's economic immigration programs, such that they address gaps found in this data.**
6. **Dramatically reduce the number of Temporary Foreign Workers and increase, in equal measure, the number of workers coming to Canada through a permanent economic stream like Express Entry;**
7. **Work with international partners to advocate for the LGBT community and ensure their safety.**

³⁷ Mr. Bruce Cohen (Co-Founder, Talent Beyond Boundaries), December 11, 2018, CIMM-139, (1545).

Dissenting Opinion of the New Democratic Party

The New Democratic Party (NDP) has long supported taking a holistic approach to social, economic, environmental and political issues. We believe it is important to recognize the intersectionality of the issues that impact humanity. Addressing global migration patterns is no exception.

With respect to this study however, it is the view of the NDP that the committee should have taken a more focused approach as opposed to this catch all approach, which produced at times, only a superficial review of the issues. Smaller more focused studies would have allowed the Committee to more thoroughly and meaningfully examine of the various aspects of the study.

The NDP believes that nearly every aspect that was touched upon in this study could have and arguably should have been its own dedicated and complete study. In fact, for some aspects of the immigration system and global migration, the committee had actually already conducted a standalone study of, or held briefing meetings on.

This study officially began on 10 May 2018 and lasted over 30 meetings.

It included an international trip from 2 June 2018 to 9 June 2018, which sent a committee delegation to Uganda and Tanzania.

There was a 46 page Interim Report dedicated to specific meetings on the Global Compact on Migration (GCM) and Global Compact on Refugees (GCR)

The Main Report is over 100 pages.

Yet, due to rules forced upon opposition parties, any supplementary or dissenting opinion is limited to the same 10 pages maximum threshold, regardless of the scope of the study and length of the main report. What this means is that the length of the report for the GCM and GCR study would be the same as the report for all aspects of forced and voluntary migration globally along with all of Canada's immigration streams.

Various attempts including a unanimous consent motion was made by the NDP in the House of Commons on 7 June 2019 to allow the length of the report to increase to 16 pages was denied by both Liberal government members and Conservative Opposition members.

The NDP will not give legitimacy to the undemocratic decisions that effectively means muzzling the opinion of the opposition through such inadequate report length constraints.

The testimony and recommendations put forward by witnesses cannot justly be summed up in 10 pages.

As such, the NDP has posted a more robust, though still limited view of the NDP on this study on MP Jenny Kwan, Vice-Chair of the Standing Committee on Immigration website. It can be found here:

https://www.jennykwandp.ca/in_committee

