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The Honourable Andrew Telegdi

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• (1310)

[English]

The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)): I would like to reconvene the committee, and we're going to be hearing from Gerry Clement, Assistant Deputy Minister of Immigration and Multiculturalism, and Madam Munoz.

Gerry mentioned to us he'd heard about our travel schedule, and he said we are not a "standing" committee, we are a "moving" committee.

Some hon. members: Oh, oh!

The Chair: Thank you very much for that observation.

Go ahead and make a 10-minute presentation, and then we'll go to questions from across the way. We'll send you all the input we hear across Canada on these hearings. Clearly, recognition of credentials is something that's very frustrating for a lot of people and something we as a committee very much would like to help resolve, with your help and the help of all our provincial counterparts.

Thank you for coming.

Mr. Gerry Clément (Assistant Deputy Minister, Immigration and Multiculturalism, Manitoba Legislative Assembly): Thank you very much, Mr. Telegdi, and thank you to all the committee members for the opportunity to share some of the elements of Manitoba's qualification recognition strategy. By strategy, basically I'm referring to a process we initiated a few years ago, one that has required a lot of commitment on the part of the provincial government, the staff, and of course all of our partners.

Last Friday I forwarded to you electronically copies of some of our background documents. I apologize that they didn't get to you sooner. I've been away from my office for a couple of weeks, taking in some of the sun from Cuba. You will have those on your return, and we brought some copies here.

I will start with a prepared text, and then we'll certainly be open to any of your questions. Mrs. Ximena Munoz will be here as well to help me.

Over the last couple of years Manitoba has demonstrated initiative, creativity, innovation, and caring that has allowed much work to be accomplished in the area of qualifications recognition. It is through stakeholder support and involvement that we have a Manitoba framework for qualifications recognition and concrete action under way. Qualifications recognition continues to be a priority of the Government of Manitoba. We are committed to

leading an effective QR strategy that will overcome barriers in our systems and compliment our immigration and settlement priority.

Our strategy is based on the active contributions of those who assess qualifications and regulate professions; those who hire newcomers, provide training, education, and settlement support; and the funding body. Ultimately, the issue of qualifications recognition is a shared responsibility. The recognition and employment entry challenges that newcomers face are complex and systemic.

We coordinated a systems approach to address these challenges and work toward meaningful, widespread, and long-term change. In addition to our provincial leadership and development role, we are planning to extend leadership through the formation of sectoral groups involving regulatory bodies, educational institutions, employers, and labour. These groups will be established to support innovation in specific occupations, to share best practices, and provide direction.

To guide the development of new approaches, we are also undertaking extensive consultations to develop standards of assessment. These standards will ensure that newcomers are assessed for their skills, knowledge, and experience in fair and effective ways. Qualifications recognition practices should not waste anyone's time but should address the many barriers that immigrants face in labour market entry and advancement. We also need to build the expertise and skills required to assist those who will be conducting new assessment processes.

One of the major barriers is accessing financial support to enable immigrants to participate in training programs that fill gaps in their experience or training and provide entry or bridging into employment. More work needs to be done with partners to increase immigrants' access to these opportunities.

As well, more work needs to be done to increase access to employment. Too many catch-22s exist when Canadian experience is required before skilled immigrants can get jobs. At the same time, skilled immigrants can gain from increased opportunity to observe and assess their own skills and experience in work placement. Immigrants are currently ineligible for programs, and new ones need to be developed.

We recognize that employers have to be brought into the discussion on qualifications recognition in order for them to effectively address skill shortages. In Steinbeck, Manitoba, we are working closely with the trucking industry to identify their human resource needs and assess skilled immigrants, both inland and offshore. We are also working collaboratively to develop appropriate gap training programs to ensure the quickest entry into vacant jobs. Through these initiatives we are learning that much more can be done to engage employers.

● (1315)

Other local projects will give you a sense of the momentum of Manitoba strategy, projects such as the internationally educated engineers qualification program, the cultural bridging program of pharmacists, and the enhanced language training and Manitoba licensure program for internationally trained medical graduates. These are all examples of the cooperation needed for effective systemic change. And change we must.

Manitoba has recognized that growing through immigration is an exceptionally positive means for supporting population and labour force growth, addressing skill shortages, diversifying our communities, and strengthening our multicultural heritage. Recognizing that future net labour force and population growth will be attributed to immigration, Manitoba is making a concerted effort to reach our proportional share of immigration to Canada and to ensure that newcomers fully participate in our province.

We are making measurable progress towards our goal of receiving 10,000 newcomers annually by 2006. In 1999, not that long ago, 3,700 immigrants immigrated to Manitoba. Last year, with 7,414 newcomers, we set a 10-year record for immigration to our province. This remarkable increase of more than 14%, and the doubling of the annual level since 2000, occurred when most provinces decreased their share of Canada's immigration.

While we need to attract more newcomers to Manitoba, it is essential that they stay here. We are committed to welcoming and settling new Manitobans quickly and effectively while providing help to find jobs that use their skills, training, and experience, schools for their children, and safe neighbourhoods to call home. I am confident that our province is well on its way to achieving a balance between the demand for labour and the supply of well-trained workers.

Effective policies to recruit skilled immigrants complement local labour initiatives. Enhanced settlement, adult English as a second language training, and qualifications recognition are central to our immigration and retention strategy. A strong QR strategy and systems that support recognition and entry to practice will strengthen our efforts to attract and retain newcomers. The creation of improved assessment, recognition, and employment for newcomers is the responsibility of all who will benefit from people who choose to come here as a result of our efforts. Newcomers become an incredible wealth of knowledge, skills, and abilities, all of which have cost us nothing. They come with the expectation that we will put these attributes to good use and that they will be able to contribute to their new country in a meaningful way through employment. It is our responsibility to ensure that this talent is not

wasted and that newcomers are able to experience a quality of life that we, as Manitobans, expect for ourselves and our children.

To achieve this, much more needs to be done, and it will require input from all of us. Through the Canada-Manitoba Immigration Agreement, we currently invest \$8 million to support settlement and language training services across the province to meet the needs of increasing immigration. With the additional \$500,000 recently obtained through the federal enhanced language training initiative, we will expand advanced ESL and newcomer integration into the labour market. We are striving for equitable investment in settlement and qualifications recognition that will adequately support Manitoba's immigration objectives and strengthen the capacity of local services and initiatives.

The provincial government also has a process in place to review our own track record in this area. We are developing recommendations for interdepartmental action to improve qualifications recognition. In order to demonstrate our commitment to the challenge of qualifications recognition, we feel it is essential to lead by example. We are making every effort to secure the resources necessary to move the qualifications recognition initiative forward, including working with our federal partners. We will continue to collaborate with Citizenship and Immigration Canada and Human Resource Skills Development Canada to support and develop a new Manitoba model that effectively involves local stakeholders and meets local needs. Our approaches can be shared and evolved into a broader Canadian model as we ensure that they are all effective within our jurisdiction.

From what we hear from our colleagues in other provinces, Manitoba has come a long way and is showing true leadership. I am confident that we will continue to work with our colleagues and work with and collaborate with our neighbour provinces to continue the talk of leadership.

Thank you very much for this opportunity.

● (1320)

The Chair: Thank you very much.

The challenge I'm going to have is to get everyone in who wants to ask questions. This is Mr. Mark's home province, and it's appropriate that he ask the first questions.

Mr. Mark.

Mr. Inky Mark (Dauphin—Swan River—Marquette, CPC): Thank you, Mr. Chairman.

Welcome to the committee.

You're certainly correct to say that we receive the skilled immigrants at no cost, and they really are a great investment to the future of this province. There's no doubt in Manitoba that the provincial nominee program has been very successful. We know, as Manitobans, that immigration is really our source for population growth.

The question I have is this. Considering from what you outlined that we're trying to do the right things and yet still have a nursing shortage and still have a doctor shortage, and that people with foreign credentials still have a problem having their credentials recognized, what do you think is the biggest hurdle? Is it the gatekeeping on the part of the professional bodies themselves? Is language a big problem? What do you think are some of the hurdles?

Mr. Gerry Clement: Maybe I'll start, and then Ximena can add on.

For the longest time, anyone trying to address this issue tried to find one cause for the problem, which would make it easy. We could point the finger at the bad guy, make that change, and then everything would fall into place. But what we found very quickly was that licensing bodies were open and prepared to change their methods—and it's not a quick process—but to have evolution they needed the partnership from academic institutions.

Academic institutions needed to open up their processes, because their funding is based on curriculum that is well defined in teaching certain courses. How do you teach a doctor Canadian methods when you're actually training new trainees to be doctors? It doesn't necessarily mesh.

Then finally, how do you get employers to recognize that even if you're not a graduate of the University of Manitoba, if you're a graduate of the university of the world with these skills and trainings, where you got your degree is not as important as what exactly you can do on the job, that your competencies could be assessed?

We have worked hard to create, first of all, a framework where everyone collaborates. We've had two summits in this province that have brought all of the stakeholders together and have achieved significant consensus. Our next step is to try to find the programs that actually do the bridging, to bring people across. Immigrants come with the same requirements any other individual has; that is, they have to support their families and they have to look for employment. And quite often, if we're telling them they have to go into a bridging program, the question is where the resources come from to take the course and to maintain their family at the same time.

I think if there's any one big challenge, it's the resources for the bridging that will really assist, because all the other partners are open to come.

Ms. Ximena Munoz (Director, Program Integration, Manitoba Legislative Assembly): Let me add a little bit to what Gerry said.

I've been working on this for many years and have talked to many of the stakeholders. My sense of things is that we still have a pretty old-fashioned way of assessing what people know and can do. I think we need to move with the times and look at Canada not as the only country, with the best way possible of training doctors compared with anybody else, but as one of many in the world that are training professionals. I think there are still too many immigrants being assessed on things that are irrelevant to the actual occupation and activity they're going to engage in.

As Gerry said, more and more we find regulators and others—and employers particularly—open to doing it differently. They don't know how to do it differently, and so people go for the easiest thing, which is to look at the papers people bring. We want to shift that here

in Manitoba and say, let's look away from the papers and focus on the person coming, and look at what that person can do and knows, and base our assessment on that.

The other thing is that once people are assessed and have met many of the standards but haven't met them all, the challenge is where they go to get the standards they don't meet. We find again that the post-secondary institutions are very set on a rigid program of studies that may last four years or three years. They're not necessarily open to allowing somebody to take just one course or two courses and give them recognition.

So there's a lot that needs to be done in terms of gap training. How do immigrants get that other piece of what they don't have to meet the Canadian standards? A large piece, as well, is the financial support immigrants need in order to go through those processes.

• (1325)

The Chair: Thank you.

Monsieur Clavet.

[Translation]

Mr. Roger Clavet (Louis-Hébert, BQ): Thank very much, Mr. Chairman.

My question is for Mr. Clément. What does the Province of Manitoba do to welcome newcomers, particularly Francophones—this is an issue that interests me particularly—and help in their resettlement? When all those increased targets are established, are realities taken into account? I have lived here for five years and I know that there were some difficulties at a certain time. I do not know to what extent the inclusion and integration of French-speaking immigrants has improved, but what concrete steps can Manitoba take to improve its support to new French-speaking immigrants?

Mr. Gerry Clement: First of all, Manitoba is very proud of its integration programs. The members of your Committee may know that, in 1998, the Province had signed an agreement in which it had become responsible for all integration programs. Of course, it is federal funds to which the Province adds a certain amount. We have a whole gamut of programs to support newcomers not only in Winnipeg but in all areas of Manitoba where a number of immigrants choose to settle. There are quite a few that have settled in Southern Manitoba.

We try to improve our language training and labour market integration programs so that we can quickly react. It is something that requires a partnership. We wish to ensure that employers who complain about labour shortages in some sectors of Manitoba's economy can get the manpower they need and that people can identify those employers to find a job. This is a continuous task. We must continuously review what we are doing in order to be more efficient because resources are scarce. Recently, we were very pleased to see in the Main estimates that program funding would be increased for the first time in the last six years.

Mr. Roger Clavet: I wish to ask a supplementary concerning not the French-speaking immigration but immigration in general in Manitoba. You said that some immigrants are not eligible for several programs. Could you give me a few examples of programs that immigrants cannot access in Manitoba?

Mr. Gerry Clement: To be eligible for existing training programs which are mostly financed by HRSDC and other departments, you have to be a welfare or employment insurance recipient. As immigrants do not want to be on welfare—it is rare in the province to find people on it—most of them move between the two. They must find a job and leave it as soon as they become entitled to EI so that they can access training programs or they must be on welfare. Most people have two jobs. They find one job to survive and they try to find another job in their field of training, which is difficult. Even if you have been trained as an engineer, if you started to work as a carpenter, employers consider you as a carpenter rather than an engineer. We must try to find programs that will really help those people and that will be more open than programs that are only accessible to employment insurance or welfare recipients. This is the kind of investment that we might make for immigrants. I think that the programs on the horizon might bring us some answers.

• (1330)

Mr. Roger Clavet: Is the target of 10,000 immigrants in 2006 realistic? Considering the situation in Manitoba, is it realistic to think that figures will increase that rapidly? I am referring to the target for 2006. Is the province able to receive that many newcomers in the long term?

Mr. Gerry Clement: We are certainly able to receive 10,000 immigrants per year, men, women and children. We also have some hiring and assessment tools to help us increase our numbers.

We must certainly review services that are in place to welcome immigrants as programs established for 10,000 people cannot be the same as for 3,000. Each and every year, we have proportionally increased those resources. Our programs must be flexible enough to meet the needs in Steinbeck and Winkler as in much larger centres like Brandon and Winnipeg.

We wish to welcome all classes of immigrants: family reunification, refugees and economic class. We do not want to accept only economic class immigrants. We also wish to open our doors to refugees and support... [*Inaudible*]

[*English*]

Ximena, do you want to add something?

Ms. Ximena Munoz: I want to add an example of programs that immigrants are not eligible for. I have one concrete example that we're now facing.

We have a special program at the University of Manitoba for engineers. The program is essentially eight months of studying courses at a higher level and four months of co-op work experience. The people who take the positions have to find ways in which to support themselves during the eight months. The four months are paid work experience. They're not eligible, for example, for the Canada student loan program, because it is only for people who are returning students. People, such as immigrants in this case, who are only going to take the eight-month program at the engineering faculty are not considered to be eligible.

There are many examples like this that we immigrants face on a regular basis. Those are the kinds of things we need to look at and make some changes in so that we enable them to be eligible to take the gap training, because they don't get those kinds of support.

The Chair: Thank you.

Mr. Siksay.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Thank you, Mr. Chair.

Thank you for the presentation this morning. It's very helpful.

If Hedy Fry were here, as the point person federally on international credentials she would probably have reminded us by now of the complicated nature of the question and how there are 14 federal government departments, and how there are provincial governments, and provincial government departments, and professional associations, and licensing bodies, and educational institutions—the whole works. I wonder if you can help me understand a little more about the jurisdictional issues, the ones you see as provincial jurisdiction and those where you think there's federal jurisdiction.

Part of the question comes from some of the frustration we've been hearing from some of the people who work directly with new immigrants and people who are struggling to have their credentials recognized, and how they feel that there's lots of talking going on and lots of building of relationships, but we still don't see many concrete examples of how to actually solve the problem and get people to work in their field.

I wonder if you could talk a little bit about what the provincial jurisdictions are—for instance, whether the licensing bodies are provincially regulated, whether they're established by provincial government statutes, and that kind of thing.

Ms. Ximena Munoz: The areas in which immigrants face the most barriers, we find, are with many of the self-regulated bodies, and in Manitoba there are about 32 of them. They are all professional associations that are self-regulated by their members. There are a few occupations that are regulated in the same manner, but by government and provincial government, and teachers are an example of that.

Generally what we find, and I'm being very candid here, is that for many of those bodies there's a lot of self-interest in terms of determining who gets in and who doesn't. I think, after a couple of years of working with them, they're not the bad guys they've been painted to be, though. I think many of them would like to have systems in place that are different. They just don't know what they are. They may be an expert architect or a nurse, but they're not necessarily a settlement expert, so they don't know what would be a better system.

Government legislates them. They're regulated by government, but generally when it comes to establishing the standards for the occupation, that is left totally up to them. Generally the bodies have argued that they can't lower the standards in order to let immigrants in.

What we have been talking to them about is not the standards of practice, but rather the standards of assessment. So it's not to change what standards are required for a doctor to be recognized as a doctor, but to look at how they go about assessing somebody to see if they meet the standards to be a doctor. That's one of the areas where we're hoping to do more work, and they are very open to getting that work done.

One of the major challenges we're facing with that right now, even with the ones that are open, is that we may develop a pilot project, we may try a new idea of how it could be done better, and it's relatively easy to get funding for a pilot project, but it's very difficult to get funding for sustainable programs that will be for more people. That's what a lot of the agencies helping immigrants are finding very frustrating, because the programs we have may be on the pilot case for 10 to 15 people, but there are many more waiting. What we're finding a very difficult time with is getting the ongoing sustainable funding, and we get into jurisdictional issues when it comes to that.

HRSDC right now has the lead on the FCR file, and there is funding available. But they very clearly said they don't pay for training, because training is a provincial jurisdiction. So what happens is that, for example, with the program for the engineers at the University of Manitoba, the biggest expense is salaries for new professors, for example, to make the program ongoing. The challenge is who will pay for that salary. So that's where the issues of jurisdiction come into play.

My ideal would be that there is funding available for provinces to work on this and provide a one-stop shop, if you want, for anybody who is assessing immigrants, whether it's a regulator, whether it's an employer, whether it's an academic institution, where they can go for assistance with expertise on how to change the way in which they do the assessments, to do it more fairly, to do it faster.

We also need to do a lot more work with employers. It is exactly the same thing. Employers say, how do I know this person can do what I need? The easiest thing is just to look at a resumé, which doesn't necessarily tell you much. And if the resumé clearly says the person has no Canadian work experience, nine out of ten times that resumé gets turned away because the person has no Canadian work experience. The immigrants say, how am I going to get that Canadian work experience? They always ask employers, and everybody, to give them a chance to show what they can do.

●(1335)

There are other issues, such as the unions. The immigrants are shocked that the labour movement, which they think will be a natural supporter of immigrants, in fact have a lot of issues with allowing immigrants to do volunteer work, for example, in a workplace to show the employer what they can do. Many employers can't do it, because they would face problems with the unions in the workplace.

That's my roundabout answer.

The Chair: Thank you very much.

I've got a challenge. Three people want to ask questions, so we're going to have to be quick on the questions and quick on the answers.

Mr. Temelkovski is next, then Nina, and then David.

Mr. Lui Temelkovski (Oak Ridges—Markham, Lib.): Thank you very much, Mr. Chair.

Thanks very much for coming out and making a presentation.

My question is very direct: is Manitoba willing to consider national foreign credential recognition?

●(1340)

Mr. Gerry Clement: I don't think it's for Manitoba to say yea or nay. If you look at every licensing body that exists in this country, each one has jurisdiction in their particular province. To get all of them to accept that, you'd probably have a little revolt. When the doctors, lawyers, engineers, architects, and accountants all get together and oppose something, it's very difficult to go forward.

I think we would get more collaboration if we could come up with some best practices. If they exist in Manitoba, their membership is increased, and the quality of the individuals who are enabled to practise goes up, we will all benefit. If we try to impose anything on these bodies, we're going to be up against a lot of resistance. We're going to lose time, and we don't have time to lose. I think we have to figure out ways to collaborate and make things happen.

The Chair: Thank you.

Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair.

Thank you to the witnesses for appearing before us. We have certainly learned a lot from you.

As I asked the previous witnesses as well, what are the main hindrances and barriers in recognizing foreign credentials, in very simple words?

Ms. Ximena Munoz: Knowing what they mean is the challenge for the people here. What does this mean—what this person studied? What does it mean to be a doctor from the Philippines? What does it mean to be an engineer from Guatemala? People here just don't know what that means, so they try to find out by sending people to assessment service centres. They look at a database that shows them the university in a particular city in a particular country and the programs they have. It gives them an idea, but it doesn't necessarily tell them what the person can do.

So we have many immigrants in Canada who have very nice pieces of paper from assessment services, but employers don't know what they mean and won't accept them, and the regulators say they don't know what they mean and won't accept them.

I think the major challenge we all face is how do we know what that person can offer? We are saying that the answer lies in doing competency-based assessment. Find out what that person knows and can do, not how good the university they went to is, or how good the program of studies they took is. That requires resources and expertise.

The Chair: Thank you.

Mr. Anderson.

Hon. David Anderson (Victoria, Lib.): Thank you.

Thank you for coming. I feel a certain frustration, because my father requalified to practise medicine in Canada. It took him two years, and that was over 50 years ago. You have told me exactly the same thing as he has told me. Half a century has gone by, and nothing appears to be better.

That is my starting point—the frustration. We as a committee of federal politicians are looking at this from the point of view of the urgency of dealing with the credentials issue, but immigration is a split jurisdiction. It's just as much provincial as it is federal. There are only two jurisdictions of this type: agriculture and immigration. In addition, the provinces have much more responsibility for education, training, and licensing than we do. For instance, all those professional organizations you listed operate under provincial licences or authorization.

So is there the same urgency at the provincial level in Manitoba to get this problem dealt with, perhaps by knocking a few heads together at the level of the licensing body, and filling some of those gaps you've talked about that are largely because of jurisdiction, where the feds are limited in what they can do by manpower or work training? Is there a provincial desire that you see to really get this problem solved, or at least dealt with to a more satisfactory level?

Mr. Gerry Clement: Very much so, Mr. Anderson. Once the material we've shared with you gets circulated, I think you'll see that the framework for this strategy very clearly starts at the level of government, government assuming that responsibility. It certainly moves on to the difficulties of getting all the partners to come together. We've seen a lot of progress in health, in engineering, in those professions where we have the greatest number of individuals who have sought Manitoba as a place of residence.

We have tried ourselves within provincial departments to bring the resources together that we can to put together an action plan—which is also shared in the document—that clearly enunciates the steps we have to go through. Yes, we need collaboration on the part of licensing bodies. We also need that collaboration on the part of universities. And finally, we need it on the part of employers who are going to open their doors. The province is one of the players, not the only player.

As I heard the Premier of Ontario say at one point, if we lay out all the conditions and we still have resistance, then we may have to seek the means that governments can take to bring people and force them to the table.

At this point in time we've seen a lot of good collaboration. What we need from our federal counterpart is the kind of flexibility in the funding that will allow us and help us to do the kinds of training and the bridging from work into profession that is required. I think we have some good models we can use. And hopefully, with the new announcement from the HRSDC minister, we'll have those resources as well coming to Manitoba to make best practices work here, too.

• (1345)

The Chair: Thank you very much.

Mr. Anderson, I listened to your reference to your father, and I must say that the same thing happened to my father when he went to Vancouver. For five years nobody would recognize his degrees, so he ended up moving to Toronto, where he got a job as a planner with the City of Toronto.

This is certainly an area where we look for a great deal of collaboration with the provinces, and I think we really have to come to a solution. To use an example from my riding, we're short about 50 physicians. This story is repeated country-wide, and the reality is

that we have more than 50 physicians who have passed the International Medical Association exams. The tragedy is not only for the person involved, a physician who cannot practise in this country, but it's also for all the patients who cannot get a family physician. We have to do better.

Thank you very much. We really appreciate your input.

• (1348)

(Pause)

• (1352)

The Chair: Mr. Matas, you're on.

Mr. David Matas (Immigration Lawyer, As an Individual):

Thank you for hearing me twice in one day. This afternoon I'm representing just myself, not an organization.

I have just one point to make. Today is Refugee Rights Day. I want to deal specifically with a technical problem relating to family reunification and refugees.

The old legislation created a dilemma for the government. Where there was non-disclosure of a non-accompanying dependant who had to be disclosed and a subsequent sponsorship, the Department of Immigration had a restrictive choice: the department could move to revoke the permanent residence of the sponsor because of the non-disclosure, or the department could allow the sponsor to stay in Canada. In many cases the ties of the sponsor to Canada were compelling, and the department was not prepared to seek removal of the sponsor from Canada. However, in that situation the sponsor was entitled to have the undisclosed relative come to Canada. The department was caught in a situation it was trying to avoid: the creation of humanitarian situations calling out for the admission of the inadmissible to Canada. Of course, not every undisclosed dependant is inadmissible, but some are, and once the sponsoring relative is ensconced in Canada, the humanitarian reasons for unification of the inadmissible abroad with the sponsoring relative in Canada are often compelling.

The new law was designed to avoid that situation. Rather than the department choosing between removing a sponsor with good reason to be in Canada and admitting an inadmissible dependant, it would have to be the sponsor who chose or, rather, who would be stuck with the past choice. The sponsor could choose to be reunited abroad with the undisclosed dependant. But if the sponsor chose not to disclose a dependant and wanted to stay in Canada, the non-disclosure would become in effect a rupture. The non-accompanying undisclosed dependant would cease to be part of the family class. That's what the new law does.

The department could always unravel this situation with discretionary admission, but the onus would be on the sponsor and the undisclosed dependant to justify that admission through a separate application. Immigration regulations brought into force with the new Immigration and Refugee Protection Act retroactively remove from the family class any person who would otherwise have been a family member but was not examined at the time the sponsor came to Canada.

The Canadian Bar Association has a submission, which you'll hear subsequently, that says there should be an appeal of that decision. I'm certainly in support of that. But that's not the issue I'm dealing with here.

The regulation was designed to deal with the situation of non-disclosure of a dependant who had to be disclosed where the non-disclosure was a material misrepresentation and where the non-disclosure foreclosed inquiries about inadmissibility. The department realized after the regulation was enacted that it might inadvertently apply to resettled refugees, though that was not the government's intention. The government attempted to avoid this problem through a regulatory change after the new law came into force...and then I quote the change.

The current regulation, as amended, still poses problems for refugees and their families. It catches the undisclosed whom there was no requirement to examine at the relevant time. The Federal Court, in the case in which I was counsel, has held this to be so. Even if non-accompanying dependants of refugees had been disclosed, they would not have been examined. Even if examined and found inadmissible, they would still have been admitted.

Non-accompanying family members of refugees did not and do not have to meet the requirements of the act and regulation. Because this is so, there could not legally possibly be any material for closure of inquiries about their inadmissibility by their non-disclosure. It was not just that the department has a practice of not examining such people; legally, examinations to determine the admissibility of such people are irrelevant to the admissibility of refugees.

Refugees are often separated from their family members. They may not know whether separated family members are alive or dead. A requirement to examine non-accompanying dependants of refugees would have been unduly onerous, so it was not imposed. As well, undisclosed family members may well be, and normally are, in the country of nationality of the immigrant. A person not in need of protection always has the choice of abandoning Canada and returning to the country of nationality in order to achieve family reunification. Resettled refugees do not have that choice. Returning to the country of nationality would mean returning to the fear of persecution, exposing the refugee to danger. Family reunification must happen in Canada or not at all.

•(1355)

Undisclosed family members may also be in the very country from which the refugee has resettled. In this case, family unity in the country from which resettlement has occurred is often not an option, because the refugee, once resettled, may have no legal right to return to the country of temporary refuge.

However, once family members of refugees are undisclosed, so that the officer is prevented from making the only determination he could make not to examine them, they cease to be part of the family class and are not sponsorable. Purposely, it makes no sense to penalize refugees and their families for immaterial misrepresentation.

The regulation, as amended, needs a further amendment. The simple amendment I would propose is that instead of the phrase, "because an officer determined that they were not required...to be

examined", there would be only the phrase that "they were not required...to be examined."

That's my brief submission.

The Chair: Thank you very much.

Mr. Zaifman.

Mr. Kenneth Zaifman (President, Immigration Lawyer, Zaifman Associates): I'd like to tell you a story that is maybe not untypical of what you might hear from a constituent. That story goes something like this.

I sponsored my family in 2003. It consisted of my parents. In 2006 I received a letter from the case processing centre in Mississauga saying I was no longer eligible to sponsor my parents and that the file would be sent, in this case, to Delhi, where it would be refused. I then would have to wait another year until I could get before the appeal board, and probably another six months after that, I would have my appeal heard and probably allowed.

I say it's a story because I want to now add some of the material facts. When this individual sponsored their parents—and this is in fact a real story, a real file in our office—they met the financial obligations. They met it in 2003, they met it in 2004, they met it in 2005, and up to February 1 of this year they met it as well. The refusal, or in fact the notification that they didn't meet it, came in March 2005, and they were short less than \$100.

What's the rule? The rule is, one would think, that you could go back to the case processing centre in Mississauga and ask whether they will reconsider this. The clear answer is that we are not allowed to reconsider it; all we are allowed to reconsider is whether someone no longer meets it. In other words, it's a downward assessment.

One would also think that an applicant, a sponsor, should not have to wait an additional year and a half for that, but that's not the state of the law. We are creating—leaving aside a whole host of other issues—a circumstance where, through no fault of the sponsor, if it took three years, they were assessed at the time the officer assessed the sponsorship application.

I know this committee has heard presentations, and will hear presentations, of policy and all sort of things, which are important, but this is in some ways more important. As many of you know, this is a real-life situation that no one seems to be able to fix. We're talking about a three-year delay, less than a hundred dollars. What is the solution? It is that you have to go, the application has to be refused, and you have to appeal.

I want to then step back for a moment, because I know this particular panel has heard many presentations. I've had the good fortune to view some of them. I know Mr. Anderson has been on the appeal board, Mrs. Grewal sponsored a sponsorship private member's bill, and I was very taken by Mr. Temelkovski's remarks to the minister about some insurance schemes.

We have maintained the same structure of sponsoring relatives for the last 20 years. What is an undertaking of a sponsor? It is effectively a guarantee by a sponsor that if their family members come to Canada and require social assistance, they will be responsible for the payment. So we have a whole cottage industry in the department of assessing financial qualifications, reviewing them—what's income, what's not income. If there's default, it goes to the province. They have to enforce it. I have for many years maintained that it should not be more difficult to sponsor a parent than to get a mortgage on your house, and in fact the same rules should apply.

• (1400)

We have an income test to sponsor. We don't have an asset test. It is a very simple issue for someone to assess the risk, and that's why I was taken by your remarks. What is the risk of default? A financial institution, an insurance provider, or a credit union may very well be prepared to underwrite the risk if there's a default in a sponsorship undertaking and, in effect, if someone goes on social assistance, write a cheque to the province for that amount. In fact, they will become the insurer, and they will charge a premium. They will pay. They will charge the applicant a fee for doing it, and it will be no different from a normal kind of financial relationship.

This whole undertaking should be taken out of the immigration context.

The Chair: Thank you very much.

Mr. Denton, I'm sorry I missed your turn.

Mr. Thomas R. Denton (As an Individual): Thank you very much for this opportunity.

I was here three years ago to tell you about the work of the National Working Group on the Small Centre Strategy and how to get immigrants to go to small centres and stick. I'm happy to mention very briefly to you today that the work of that national group has culminated in the production of a document, which I can only flash at you but can't release, because it is in the process now in Ottawa of having the French version prepared. It is embargoed until such time as the French translation is complete and is formatted in the same attractive colours and cover as this one is. I am just mentioning it to you to alert you to the fact that this document is coming out, probably within the next six weeks.

What I want to speak to you about today is family reunification. I do so on my own behalf because, with the various organizational hats that I wear, I thought it would be better if I didn't compromise them by saying things they mightn't always agree with.

I do mention in my paper, which is available to you in French and English, that you're in the heartland of the private sponsorship movement in Canada.

Incidentally, the French translation isn't as good as I would have liked it to be. It was done by my friend Martin Mulimbwa, who comes from the Congo and is a very educated and talented individual, but he's not entirely familiar with Canadian idioms and the bureaucratic lingo that we use here.

Anyway, you're in the heartland of private sponsorship. The Manitoba Refugee Sponsors organization that I co-chair accounts for

about half of all the people in the queue overseas. Winnipeg accounts for half of the entire queue, and there are over 13,000 people in the total queue, so we have 6,000 or 7,000 of those people. It is a real concern for us here. I lump this under the heading of family reunification, because at least 95% of these cases are what we call family reunification in disguise. It's the only practical way to bring people into Canada, and so the refugee sponsoring route is the route that is used.

The issue of family reunification concerns not only the Manitoba Refugee Sponsors, but also the Canadian Council for Refugees, so much so that the consultation that we will have in Fredericton at the beginning of June has made it the overarching theme for the entire consultation. It's a huge issue, and I'm sure you're well aware of the size of the queue overseas right now; you've probably heard a lot about it, so I won't dwell on it here.

I did want to turn quickly to what, I would respectfully suggest, might be some solutions.

I talk in the paper about three glass ceilings. The basic problem is that Canada has too small an entry window for a country where almost one person in five was born outside the country. With the exception of Australia, which has a similar percentage of foreign born, no other developed country hosts so many people with resulting close ties abroad. It is small wonder, then, that we have the demand for family reunification that we have. It occurs directly within our family class rules and, not so obviously, within the refugee stream, whether sponsored or claimant, and indeed within the economic classes and their provincial nominee derivatives. So long as Canada's annual immigrant target is in the 235,000 range, the problem will continue and unhappy people will badger your constituency offices and inspire immigration advocates. No amount of tinkering will make any difference to the overall numbers when the overseas queue totals 750,000 people, 120,000 in the family class alone, and when the overseas processing capacity, exclusive of inland capacity, is only 185,000 a year. That's what it is now: 185,000 a year.

• (1405)

Canada should move immediately to the 1% target and bring in 320,000 immigrants a year, staffing the overseas posts accordingly. We shouldn't stop there. We should move upward from that figure to 400,000 a year, a figure we last achieved in 1913, and a figure that I heard demographers espouse as far back as 1997 as being the number necessary to maintain our population size in the longer term.

I'm sure you know about all the demographic facts, the demographic meltdown the country is facing, and I'm not going to dwell on that. They're suggesting we're going to peak at 37 million or 38 million. I'm concerned to see that the United States is going to increase its lead on us by 100 million people in that period of time.

The other glass ceiling I would mention briefly is the 60-40 split. I'm sure you're familiar with the 60-40 split, where economic classes are 60% and humanitarian classes are 40%. I'm suggesting in the paper that you look at the possibility of shifting this to 50-50, or even temporarily to 40-60, to relieve the pressure on the family class. I know the 60-40 is not scientific. The deputy minister, speaking here in Winnipeg not long ago, made that point. She admitted that it's not scientific. I think it would relieve the pressure on your constituency offices enormously.

• (1410)

The Chair: Thank you very much, Mr. Denton.

We're running over a bit.

Next we have Ms. Langner-Pennell, for five minutes.

Ms. Baerbel Langner-Pennell (Chair (Manitoba Branch), Citizenship and Immigration Law Section, Zaifman Associates, Canadian Bar Association): Thank you. I'd like to thank the committee for the opportunity to appear this afternoon.

As you can see from our brief that I provided this afternoon, there are a number of issues that the national citizenship and immigration law section of the Canadian Bar Association would like to bring to your attention. I don't know if that has been distributed by your able assistants.

The Chair: Do we have that? Will it be distributed?

A voice: Only if it's bilingual.

Ms. Baerbel Langner-Pennell: It is bilingual, yes.

The Chair: We're going to get it distributed very quickly.

We'll keep going.

Ms. Baerbel Langner-Pennell: Essentially, there are a number of points in our brief, and I just wanted to clarify that I won't be repeating all of the points, because my colleagues Michael Greene and Gordon Maynard will be appearing before the committee in Calgary on April 6. I will just be addressing two of the points, which are located on pages 3 and 5 of our brief, specifically with respect to the disparity in processing times for spouses and partners at various visa offices and with respect to inland applications for parents or grandparents on humanitarian and compassionate grounds.

In that regard I'd like to start with page 5 of our brief, which is with respect to the disparity in processing times for spouses and partners.

CIC stated its commitment to adopt a six-month processing standard for family class applications for spouses, partners, and dependent children back in 2002. The vision was that once the new process was fully implemented, within one year 80% of cases would be processed within six months, with a view to the quick reunification of families.

As the facts now show, the desired six-month standard is not being met. We just wanted to highlight that for the committee to see if there are any measures that could be taken to address the disparity in the processing times.

The statistics for 2004—more than one year since the new kit was implemented, where medicals were done up front—show that 80%

of cases are finalized in New Delhi in three months and in Beijing in four months, yet it ranges from 30 months in Accra to 26 months in Abidjan to 22 months in Bogota and 20 months in Buffalo. Those statistics for all of the visa offices, of course, are referenced in our brief. When you look at the full statistics, you'll note that in effect the six-month processing timeline is not being met across the board.

Of interest is that the disparity in processing times does not appear to be related to issues of program integrity, given that two of the busiest visa offices, i.e., New Delhi and Beijing, where fraudulent and unreliable documents have been known to surface, are able to process the spousal applications in three to four months.

It's also important when we look at the statistics on the website for the processing that another month be factored into those processing timelines for the time the application is in Mississauga for the sponsorship component.

Our recommendation is that CIC should review the disparity in processing times at the visa offices and implement measures to process applications for spouses or partners consistently at all visa offices. It's hard to explain to our clients when they come into our office why it's taking—as I've indicated, for example—30 months in Accra.

Another point to keep in mind in looking at those processing timelines is that now the medical examinations are done up front, and they're generally valid for only one year. Thus, our recommendation is that these types of applications be processed within that one year to avoid further medical examinations having to take place.

I'd now like to very briefly turn to page 3 of our brief, which is with respect to inland applications for parents or grandparents on humanitarian and compassionate grounds. In that regard I'd like to share with you a case we've recently had.

We had a widowed elderly lady from New Delhi with an only child and only grandchild in Canada and no one of any close relationship whatsoever back home. Her inland humanitarian and compassionate application was refused, indicating that notwithstanding the close ties with the son here in Canada, having seen the grandchild grow up from birth to the age of two or three, and babysitting, notwithstanding those types of factors and the current processing timelines, of course, for the out-of-Canada parental sponsorship, there was no undue hardship.

In that regard we submit that chapter IP 5, the inland processing chapter that provides guidance to officers, is very harsh and is being interpreted harshly, as we see it today, in that parents are not routinely being approved in the inland humanitarian and compassionate stream, even when there is the only child in Canada.

• (1415)

Our recommendation is that lengthy processing times for out-of-Canada parental sponsorship should be taken into account as a factor in assessing inland sponsorships. It's not good enough just to say the parent can go home and apply from back home, when it may take, based on current processing timelines, perhaps 10 or 20 years for that parent to return.

Furthermore, chapter IP 5 should be revised to reflect a more expansive definition of humanitarian and compassionate factors, such as the reasonable person test derived from the Chirwa case. This 1970 case described a reasonable person test as looking at those facts established by the evidence that would excite in a reasonable man in a civilized community a desire to relieve the misfortunes of another. If that test were to be applied, I would submit, the case I addressed earlier would have been approved.

In conclusion, we request that consideration be given that chapter IP 5 should be amended, at the very least for those cases where the only child or the children in Canada are doing the sponsorship, so that should be approved, and finally, that some consideration be given for an inland parent class.

Those are my comments.

Thank you.

The Chair: Thank you very much.

We're going to be challenged to get everybody to ask one question, so let's be quick.

Mr. Mark.

Mr. Inky Mark: Thank you, Mr. Chairman.

Again, welcome to the committee.

Well, family reunification is certainly dear to my heart. If it weren't for family reunification, I wouldn't be sitting here today. Thank God the doors opened in the early fifties. I'm sad, though, that my father waited for over 25 years to be reunified with his wife, only because of the history of this country.

I'll ask two questions, and then you can respond. The first one is to David and the second one is to Kenneth.

The first one is, how often does non-disclosure occur, and what does the government fear if people don't disclose?

For Kenneth it's on the issue of surety bonds. Why do you think the government is fearful of going down that path, and what other countries have used the same procedure?

Mr. David Matas: Indeed, this issue is an effective contrast to the issue I was asked about this morning. People are being removed all the time for non-disclosure of dependants where in fact they've done nothing wrong except not disclose the dependant, whereas when it comes to war crimes, nothing happens. That's what I complained about earlier.

That's part of the problem, which is actually a point David Anderson was raising earlier, that there's this escalator effect. People are caught in non-disclosure at an early stage and therefore they get booted out, whereas with war criminals it's at a later stage, so it's a lot more problematic dealing with them.

The reality is that non-disclosure happens a lot because people either don't know the system and think disclosure would harm them, even though it's the non-disclosure that harms them, or sometimes they don't even know. You can be penalized for innocent non-disclosure, and I've seen this in my practice. Obviously, a man could father an illegitimate child and not even know about the existence of the child until he arrives in Canada, but that's considered non-

disclosure, and the child is inadmissible because of the non-disclosure. You do get innocent non-disclosures because people don't know or because people mistakenly think they're going to be disadvantaged.

Or what happens sometimes is that people's situations change after they're already partway through an extremely long process. They may get married or have a kid three years down the line, and they don't want to start all over again. They figure they'll deal with it once they come here, but then they can't. It's a big problem.

The response of the government is draconian in the extreme, and there needs to be more flexibility. As I say, with refugees, if there had been a disclosure, they wouldn't have done anything about it. There's no law preventing people from coming even with inadmissible non-accompanying dependants if they're refugees.

Not only are they draconian about non-disclosure, they're draconian about non-material disclosure, and there needs to be some flexibility in the system. The bar suggests they can appeal, of which I'm in favour. I also suggest the law shouldn't even be there at all.

• (1420)

The Chair: Thank you.

Mr. Zaifman.

Mr. Kenneth Zaifman: I'll be brief.

In my view, with rights come responsibilities. If a Canadian citizen and a permanent resident has the right to sponsor, there are responsibilities that go with that. If they want someone to come on a visitor visa, there are responsibilities that come with that. We have focused too much on the fact of enforcing these responsibilities.

With sponsorships we have a financial scheme. You have to have a certain income to be able to sponsor, and that's in effect a retrospective look. If you have enough income today to sponsor your family and if there's a breakdown, someone has to enforce that undertaking. I think that's very much an outmoded view. I think we have to look at essentially underwriting the sponsorship so that if there is a breakdown for a variety of issues, someone makes a determination at the time you sponsor. As I said, I think that's an ascertainable exercise. I think it's undertaken every day in daily life when people apply for all sorts of mortgages or any kind of credit. It allows for co-sponsorship. I think we have to get out of the enforcement business and into the immigration business.

The extension of that is, for example, why is the government afraid of bonds? They say that it creates a dual-track system, but we have a dual-track system now in the fact that if you are, as I said, \$100 under the low-income cut-off, you're not allowed to sponsor. And we have created this dual-track system. I would prefer to eliminate all that and put it into a much more recognizable form that people recognize in their daily lives.

The Chair: Thank you very much.

Mr. Clavet.

[Translation]

Mr. Roger Clavet: Thank you, Mr. Chairman. I have a question for the representative of the Canadian Bar Association whom I congratulate for having their documents in French and English.

You mentioned the false hopes that Citizenship and Immigration Canada is fostering concerning parental sponsorship and family sponsorship. We heard Mr. Zaifman referring to a three-year delay and a shortage of \$100 in one case. We realize that, as you said, Canada is not playing a fair game. Do you think that it is a matter of honesty and openness? You seem to say that if the Government of Canada intends to let go of sponsorship, it should be honest about it as it will result in human costs and disappointments. I would like to get the comments of the Canadian Bar Association's representative and Mr. Zaifman on that subject. Is there a hidden agenda to get rid of family or parental sponsorship?

[English]

Ms. Baerbel Langner-Pennell: You raise an interesting point. It's certainly a situation where we have clients coming into our office hoping to sponsor their parents, and we have to say to them, "Now we can say, with the benefit of where we're at today, it's not likely to happen very quickly. You may as well get in line and file it and at least get in the queue". But when we look at the processing timelines today, the reality is that most of these parents are going to be dead. I was advised this morning by Frank Perriccioli of CPC Mississauga that right now there are apparently 110,000 parental or grandparent cases in the system, and the target for this year is 6,000. When we do the math, we're looking at 18 years.

So yes, I think if the path of the government is to really not be encouraging sponsorship of parents, then I think we should be up front about it and not be accepting processing fees from applicants.

• (1425)

Mr. Kenneth Zaifman: You asked the question, was it a hidden intention? I don't think it's hidden at all. I think it's non-disclosed, and there is a difference. I don't want to cast the Department of Immigration as in some ways trying to foster this. I think we also have to be fair and realistic and look at the big picture. Part of the blame, if I may be so bold, rests with members of Parliament who approve the targets every year. Perhaps in the changed political climate, when the minister announces his target at \$235,000, the members of this committee will jointly say no, we want 1%, 1.5 %, and we want to start bringing in more immigrants.

So I think we are all partners in this. Do I say there's a hidden agenda? I think we're stuck in a system that is seen to really slow down, and Ms. Langner is correct, a number of the parents may not be alive when they get their visa to come to Canada.

Mr. Roger Clavet: Can I ask a short question? It's regarding Mr. Denton.

[Translation]

Mr. Denton, you referred to a memorandum of understanding signed in October 2002 between the federal government, the Province of Manitoba and the City of Winnipeg. You said that this agreement has been dishonoured. What happened? Is this really a serious accusation?

[English]

Mr. Thomas R. Denton: I didn't get into the details on that, but for the rest of you it's in the paper. We have a memorandum of understanding between the City of Winnipeg, the Province of Manitoba, and the federal government, inspired by the refugee sponsorship program. It's based upon the refugee sponsorship program, but the consequence of the initiative taken by the three levels of government has been zero at this point because the capacity overseas is still whatever it is. Last year we had 3,114 refugees arrive, which was actually down.

The City of Winnipeg has put a lot of money behind a guarantee program for "family reunification in disguise", as I call it, the family linked refugees who are sponsored here, in order to boost the population of the city of Winnipeg. That's why I say it's as if nothing happened in terms of federal capacity. To that degree, I suggest that the agreement has been dishonoured.

The Chair: Thank you.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Mr. Chair.

Thank you for your presentations. I think you probably have heard all of these issues, or at least most of them, raised by various people at this table from time to time in the last month in any case.

Mr. Denton, I wanted to ask you about the private sponsorship program. I've raised the question in the House with the minister about the government's commitment to this program. It seems to me that a lot of our good reputation around the world, a lot of the admiration that other countries have for Canada, is based on the private sponsorship program. It was seen as a very effective model, a great model for refugee resettlement.

I've been concerned that we have this huge backlog, that we aren't getting to those applications. We've heard that a lot of sponsors are frustrated by that, and that they may be backing out. You put the rhetorical question about why we keep putting sponsorships in, given the circumstances. I'm wondering if you could just comment on that a little bit, expand on it, about how sponsors are feeling. Is it affecting the program in other areas? It sounds like Manitoba is fully committed to this program. Maybe you could talk about where that comes from as well. Why is there a particular commitment here to that program?

• (1430)

Mr. Thomas R. Denton: I think there's a lot of history behind that. We're organized to do it here, and we have been doing it for a number of years. It's a very active community and it works together in terms of sponsorship, through Manitoba Refugee Sponsors.

I guess we're cursed with perennial optimism. We keep sponsoring people because we believe in it, because we hope there will eventually be some break in the dam, that the government will see that this is a desirable program that doesn't cost them any money and relieves an awful lot of pressure on the system. As I say in the paper, at least 95% of the sponsorships we're putting in here are really family reunification cases, so it would relieve an awful lot of anguish if we were able to do this more successfully. We keep going and we continue to push, on our own behalf or through the Canadian Council for Refugees, in any way we can to try to get this thing loosened up a little bit.

Mr. Bill Siksay: Given that you say it's in essence a family reunification program, and given that statistic, is this the best way of accomplishing the reunification of those families? Is there another process that would be more appropriate than the private sponsorship program?

Mr. Thomas R. Denton: We've often felt that if the family class rules were a little looser, perhaps going back to the way they were in the 1980s, it might relieve some of the pressure on the private sponsorship program, yes.

The Chair: Thank you.

Mr. Anderson.

Hon. David Anderson: Mr. Zaifman, I certainly understood your plea for a different system and for using some of the commercial models, such as mortgages. But you mention this case of a hundred dollars below the low-income cut-off. Is it possible for you or for the family involved to appeal that for ministerial discretion. If so, was it done?

Mr. Kenneth Zaifman: The short answer is no. On how the system works, when it goes to Mississauga it's not refused. It's then referred to the visa office, which makes the assessment of the application. The visa office can refuse the application then, as it will likely do, and the right of appeal at that time is to the Immigration and Refugee Board.

It is possible to ask the minister to intervene at that stage, but it's very difficult for a minister to intervene before a final decision has been made. They're very reluctant to do that. In practice, the minister's office would probably not intervene in this type of case, because an avenue of appeal is available, even though it's a bit arbitrary and time-consuming. But I can't speak...every minister has a different view of the world.

Hon. David Anderson: So basically, you don't expect a situation like that to have a successful appeal without the long process of going to the board.

Mr. Kenneth Zaifman: It probably would not be successful, because generally, just from a practical point of view, a lawyer shouldn't really be involved in this kind of case.

We're faced with the situation of what to tell an applicant. In many cases they end up in your office. Then, in effect, you're the appeal mechanism to the minister to get them to review these decisions. I'm saying that the system ought to operate in a more efficient way.

Hon. David Anderson: But that is why, in fact, I asked the question. We do see these things, and from our vantage point it

appears that quite a number of appeals go forward from our offices to the minister.

On the issues of targets and numbers, there's some contradiction in the general comments made about increasing the target numbers. I find the target numbers not related to any value that I think is justifiable. Are they related to economic performance? I don't think that's necessarily the most important issue. Are they related to the sum total of happiness of people in Canada? Are they related to the problems overseas, in terms of unhappiness or difficulty there?

On moving it to 1%, what does 1% have to do with it? Why isn't it 5% or 0.5%? I just can't see why you're focusing on either numbers, in terms of thousands or hundreds of thousands, or percentages. It seems to me we should solve a problem instead of saying that a percentage should be changed.

• (1435)

Mr. Thomas R. Denton: I'll drink to that. I think the problem is that the immigration policy of the country isn't contextualized. What I mean by that is we don't have a view in Canada of what our population ought to be or where we're going in population terms. If we were to decide that by 2050 we wanted to have a population of 50 million, you could work back from that demographically to determine what the immigration numbers ought to be in 2006.

Hon. David Anderson: Isn't that repeating the problem I just outlined? You're now naming figures and adding distance in terms of time. I don't see how that is related to what the appropriate population for Canada is.

I see the requests being made for numbers, and you're replying to me in terms of more numbers. Why the numbers? Why not try to deal with the problem overseas, or the problem of families? Try to deal with the human aspect, rather than the numbers aspect.

Mr. David Matas: There are two issues here. One of them is the mismatch between program promise and program delivery. That has nothing to do with numbers. That's a problem no matter what the level of numbers is, but it's a real problem now. We have program promise, but not program delivery with parental sponsorship, with refugee sponsorship. We need a better match between program promise and program delivery.

But there is a separate numbers issue, relating to demographics and the economy. It's a different sort of issue.

Historically, the government actually used to tinker with the rules to make sure the anticipated numbers would match its ability to deliver. So there was this funny match between the policy and the actual numbers, which worked in a common sense way, as you didn't have these long queues. We don't have this kind of tinkering now. What we get is this mismatch between the program and the numbers, which is causing all sorts of frustrations. The program sounds fine, and maybe we have more satisfaction with the policy now than we did before, but we have a lot more dissatisfaction with the delivery.

I think we have to get back to a situation where the program matches the delivery. We certainly are not able to deliver with the numbers we have with the program we have now. There are two different ways of dealing with this. One is to cut down the program so that you can't sponsor parents and you can't sponsor refugees, and so on. The other is to increase the numbers so that you get the match between the program and the numbers.

My own view is that we'd be better off increasing the numbers than removing the program, because I believe in the family sponsorship of parents and the sponsorship of refugees. As we heard, the sponsorship of refugees has historically been one of the bright lights of Canada in the world, but it's not working effectively now. We need to match the numbers to the programs.

On top of that, there is this demographic justification that our population is disappearing and so on, which is an added reason why we would increase the numbers rather than decrease the programs. The fact that we have this added reason doesn't contradict the other reasons; it's just another reason.

Mr. Kenneth Zaifman: May I just offer a very short...?

The Chair: Very, very quickly.

Mr. Kenneth Zaifman: The issue raised is a very fundamental issue, what I essentially call the immigration equilibrium issue. It has nothing to do with numbers and processing capacity, but again, it has to do with what I said earlier, the responsibility. Why shouldn't communities, businesses, employers, and families take on the responsibility of bringing in more immigrants, regardless of what category they fall into?

With that responsibility, the numbers are not as relevant, but it is a question of settlement issues or integration issues. We can absorb more if people want to take the responsibility for absorbing them. Then it's not a numbers issue, but essentially an issue of who's going to be responsible for resettlement. If communities and individuals take on that responsibility, we can essentially eliminate a lot of the backlog.

• (1440)

The Chair: Thank you very much.

Hon. David Anderson: I certainly liked that response on the numbers.

The Chair: Actually, in the red book in 1993 we had promised 1%. That's one place where it came from. Our Minister of Labour, the former chair of this committee, now says we should have 500,000.

Ms. Grewal.

Mrs. Nina Grewal: Thank you, Mr. Chair.

Thank you for your time and your presentation.

Family reunification used to take about 24 months before; now it takes about 58 months or double the time. What do you think, or in your opinion, why is it taking more time than before? Do we need more trained staff or does the system need an overhaul? What's the reason for the backlog?

Anyone can respond to this.

Mr. Kenneth Zaifman: The short answer is that we can always use more staff, but this is not a staffing issue, in and of itself, in some places.

Visa offices can issue more visas. In many cases, in the last quarter of every year, they stop processing files because they've met their targets; you may have heard this before, or maybe not. Some visa offices really reach their allocation in the first six months of the year, and just spend the next six months managing files.

The processing capacity is there. It's the fact that we have set targets that limit the number of applicants who can be processed. Visa officers, when left to their own devices and given the ability to process as many as they physically can, and without penalizing them for doing so, would probably process more, and faster.

Mrs. Nina Grewal: I'm just talking about family reunification.

Mr. Kenneth Zaifman: It's for any class.

It's a simple category: are you parents or not? There are ways to ascertain that. Are they dependants or not? These are not complicated issues in the majority of cases.

It's not the selection decision that's so difficult, as I say, in the vast majority of cases; it's just a question of looking at the documentation. Is it satisfactory? Ask for external evidence if you're not satisfied about the relationship, and then just move the file along. That you can do very quickly.

Mrs. Nina Grewal: Yes, but before they used to call it 24 months, and now it's double the time.

Mr. Kenneth Zaifman: There was a pilot project run in the visa office in Manila a number of years ago. That project said that if you came into the office in the morning with a fully completed application and it was assessed that morning, an officer would interview you in the afternoon and it could be approved the same day. You can approve an application that quickly if it's properly put together, if all the information is there. The decision-making process in the majority of cases is not that difficult.

The Chair: Thank you.

Mr. Temelkovski.

Mr. Lui Temelkovski: Thank you very much, Mr. Chair, and thank you to the witnesses.

A number of issues have been discussed already. I'd like to just follow up on David's and the panel's remarks in terms of numbers. You mentioned, Madam Langner-Pennell, that it would take about 20 years for parents. I think we shouldn't overreact to this 20 years; maybe that's true for the last 5,000 of them, but we will have a lot, 5,000, in the first year as well. Numbers can be played with.

My question is, if grandparents were included in the family plan, would they get here faster?

Ms. Baerbel Langner-Pennell: The grandparents are; they can be sponsored at this point in time, both parents and grandparents.

That's why it would be interesting to have feedback from all the visa offices, because I'm stuck on this 6,000 figure. I was advised this morning that this is apparently what we're aiming for in 2005 for parents and grandparents, in and out of Canada.

The reality is that we have files sitting in CPC Mississauga because the visa offices aren't ready to take them; they're just sitting there. I'm getting the feeling that it may not be the delay.... There's a lengthy delay right now in CPC Mississauga, and that delay, it appears, may be in part occasioned by the fact that the visa offices are just not accepting the applications, as Mr. Zaifman has said. If they have these targets, these figures, and these percentages such that they're only going to process 6,000 globally, that's the problem.

The question is, what staff is there? Well, we don't have those figures. That's something for which we'd have to look to you for further discussion.

But what is happening at those visa offices? Could they do more than 6,000 globally? Our feeling is that perhaps they can, but we don't know what resources are there and if they could process more.

• (1445)

Mr. Lui Temelkovski: Mr. Zaifman, you mentioned that individuals, companies, and communities can sponsor people and undertake the financial responsibility so there would not be any further burden on the federal government. How would that work for seniors—we know we have a growing demographic there within Canada—and the health system?

Mr. Kenneth Zaifman: The point I was making is that when a community undertakes to sponsor, it's not a sponsorship in the traditional sense of the family class kind of sponsorship. I was dealing with the notion of responsibility.

If you even look at the worst-case scenario of family class—where two parents come in, there's a breakdown, and they have to go on, let's say, social assistance—you can quantify that in each province. We know that after three years there's a number.

If people want to co-sponsor, if they want to take on the responsibility for someone who's aged or has medical issues, I say they should be allowed to do that and shouldn't be hampered. Many people are willing to do that. They're willing to say, I will be responsible for my parents as my dependants; I and my siblings will be responsible for a larger group; we're prepared to be responsible for integration and settlement; and if there's a breakdown in settlement, we will as a group undertake to pay for that. I think that's only fair.

The Chair: Thank you very much.

Mr. David Matas: I'd like to add to that answer, if I might.

The Chair: Very quickly, Mr. Matas.

Mr. David Matas: Yes.

This is a real problem. I probably will file a supplementary written brief on this issue of health cost and parents. My own view is that people should be allowed to pay if they want to pay and if they can pay. But they can't pay now, even if they want to, and they can't decline, either, even if they want to decline. It has a real impact on family unity.

As I say, it's a separate issue, and not one I raised in writing. I will file something about it in writing.

The Chair: Thank you very much.

I'd like to thank you for reminding us that it's Refugee Rights Day. As a refugee, I really appreciate that, because it had slipped my mind.

As you know, the committee is looking at a lot of stuff on how we can rejig the system to make it more efficient and responsive.

Mr. Zaifman, I heard you say that probably the proposal of trying to get visas by putting up deposits is a good thing. It's something like what they do in the courts, putting up sureties and bail, making the system work.

At any rate, I hope you follow our deliberations in the House. We're looking for your input on quite a few issues that we as a committee are now addressing. I must say that we've got a particularly unique situation, because it's a Parliament where the government has to listen more than the government might listen if they had a majority.

Thank you very much.

• (1449)

(Pause)

• (1451)

The Vice-Chair (Mr. Inky Mark): I'm bringing the meeting back to order.

On behalf of the committee, I'll welcome the panellists. We're going to give you each five minutes to make your deliberations, and then we'll have committee questions.

According to the agenda, the first presenter will be Joseph Zihahirwa.

[Translation]

Mr. Joseph Zihahirwa (First Presbyterian Church Mission): My name is Joseph Zihahirwa. On behalf of the First Presbyterian Church Mission in Winnipeg, I am going to make a presentation on family reunification.

Members of Parliament, distinguished guests, ladies and gentlemen. Thank you very much for giving me the opportunity to speak to the committee. I am here representing First Presbyterian Church in Winnipeg, with the permission of its governing body, the Session. With me is Rev. Jack Duckworth, our minister.

First Church has been sponsoring refugees through the Presbyterian Church in Canada for over fifteen years. In that time about 300 refugees have been sponsored under the Private Refugee Sponsorship Program. Many of these are now safely in Canada. We have 48 refugees who are still waiting for processing overseas, and we plan to file some new sponsorship applications this year.

Nearly all of the refugees we have sponsored, and the ones we will sponsor this year, are what we call "family-linked". That is, they have some connection to people, already here in Winnipeg who have asked us to sponsor these relatives or close friends. Whether the family connection is close or distant, it is a connection that is important to the people here and to the refugees overseas. In that sense the process of getting the refugees to Winnipeg can be said to be "family reunification".

Very few of the refugees we have sponsored have worshipped with us at First Church. They have other faith connections. The majority in fact have been Muslim. This has never made any difference to First Church because we see sponsoring refugees as witnessing to our faith. We have, however, a number of members who come from Africa. It may surprise the committee to learn that there are many Presbyterians in Africa, and many live in French-speaking countries. We have church members from Burundi, from Rwanda, from Sudan, from South Africa, and like me, from Congo. Some with a refugee background came to Canada as government-sponsored refugees; others were privately sponsored.

We are concerned about the time it is taking to process people overseas. The last sponsorships we began were started in early 2001, four years ago, and for half of these we are still waiting. Most are Africans.

This means delayed reunification for separated families. The problem is particularly immediate for two men of our congregation. Almost every Sunday during the worship service, our minister, Rev. Jack, prays that they may be reunited with their families, that the "red tape" may be removed, and that bureaucracy may move quickly. It is not easy to explain to a congregation unfamiliar with the immigration process and its problems, why these families are not together, and why they are suffering the consequences.

Abdullah Ajack illustrates the problem with the One Year Window of Opportunity Program. He came to Canada on May 29, 2002, a refugee from Sudan jointly sponsored by the Government of Canada and First Church. Within his first year he applied to bring in his wife and son under the One Year program. They are in Khartoum. He has not seen them for over eight years, since he was forced to flee to Ethiopia. There is no problem with this case, at least none of which we are aware. It's just the process, and they are still not here.

The second case is mine.

• (1455)

I arrived in Canada and in Winnipeg as a refugee claimant in January, 2002. I am the only refugee claimant that First Church people have ever had worshipping among them. I waited nineteen months for my claim to be heard, and it was successful. That was in October 2003. I immediately put in my application for permanent residency with the help of my Church, listing my wife and our five children. That was in November, 2003. I still do not have my permanent residency, and my wife and children are still not with me. Meanwhile, following me fleeing for my life from Congo, my wife became the target of persecution in my place. She was forced to flee with the children. The oldest is now 13 years old and the youngest four. She went first to Burundi, and then to Uganda where they live in one room in a poor part of Kampala. I support them as best I can by working two jobs, one as a forklift operator in a furniture factory, and the other on the production line for an automotive product. I work a minimum of 72 hours each week.

[English]

The Vice-Chair (Mr. Inky Mark): Excuse me. I apologize, but I'm going to have to interrupt. You've had about seven minutes, so we'll have to move on to the next organization.

From the Jewish Immigrant Aid Services of Canada, we'll now hear from Ms. Mira Thow.

Ms. Mira Thow (Member, Board of Directors, Jewish Immigrant Aid Services of Canada): Thank you.

I'm appearing again on behalf of the Jewish Immigrant Aid Services. I just want to put my comments on record.

I agree with the previous panel on the issue of increasing the target and on improved delivery to match the program. I'm not going to repeat those, but I wanted to bring to you two possible things that could be done on an interim basis that might assist in alleviating the backlog that has come about in the case of parental sponsorships as our organization, JIAS, has encountered it.

The first thing I'd like to bring to your attention is the ability to let parents come to Canada as visitors. Right now there are many families who want to sponsor their parents just to come here on a temporary basis. They don't want them to remain here permanently; the parents don't want to remain here permanently, but they're forced to sponsor their parents because they have no other option. In the visitor visa system, the visa officers won't generally give visitor visas in such cases. It's understandable. Visa officers are often concerned that these individuals will stay and won't have medical coverage, or that a breakdown of family relationships will occur and they may go on welfare.

I'm suggesting that there is a way to get around this. There are many families where the parents would be willing to undergo a medical prior to the issuing of a visitor visa—that's not a big matter—and they may even be willing to undertake to support the parents while they're here. I think this is something that should be considered. It would take out of the backlog a group of parents who really only want to come here for a short period of time, and it would alleviate the backlog.

Another option is to allow the parents, once here on visitor visas, to apply under an inland parent sponsorship class. What we could do is ensure that the processing times for that sponsorship class inland mirrored the sponsorship times from abroad, so that there isn't a benefit a person would get while here. They would be allowed to be here on long-term visitor visas—again, if they undertook to ensure that they had medical coverage, to do a medical up front and to undertake to have medical coverage while here and if the family agrees to undertake to support them.

In this way, with those options, you could alleviate the anguish many MPs are facing when families come to them because they have not been allowed to reunite with other family members.

Those are two areas I thought this committee should consider.

• (1500)

The Vice-Chair (Mr. Inky Mark): Thank you very much.

The Manitoba Interfaith Immigration Council is next, for five minutes.

Mr. John Peters (Coordinator, Sponsorship Services, Manitoba Interfaith Immigration Council (Welcome Place)): Thank you.

It's our privilege to appear before this committee. Hai Tonthat and I work with Sponsorship Services at Manitoba Interfaith Immigration Council, or Welcome Place, a service provider organization here in Winnipeg.

Hai specializes in providing information and assistance to refugee newcomers who want to apply to have family members reunite with them here in Manitoba. He works primarily with the so-called one-year window of opportunity program and also with the family class sponsorship program.

I manage sponsorship services, which includes a family-linked refugee sponsorship program that's community-based, and I also administer the MIIC sponsorship agreement, the subsidy fund that was set up by initial funding of \$175,000 by the Province of Manitoba, and the \$250,000 assurance fund set up by the City of Winnipeg.

For us, it's all about protecting refugees and offering them a durable solution. In order of priority, our three main goals as an organization are that through sponsorship and other avenues, first, we rescue from their plight as many refugees as possible; second, we reunite as many refugees and others as we can with family and friends already here in Manitoba; and third, we add to Winnipeg's and to Manitoba's population as much as we can.

We annually assist approximately 180 refugee newcomers to bring family members to Manitoba. In three of the past four years, more privately sponsored refugees arrived in Manitoba than did government-sponsored refugees. We feel we're leading the way in Canada in that regard. In 2004, over 600 privately sponsored refugees arrived in Manitoba. Many of them reunited with relatives and friends who were here already.

Concerning the long processing times, the long overseas processing times present the biggest single impediment to our sponsorship goals. Every year, CIC tracks how many family class sponsorships have been submitted, and how many sponsored refugee members remain in the queue. The private refugee sponsorship queue has risen to over 13,000—as I think we've already heard—earlier this year.

Every year, in our annual reports to CIC, we sponsorship agreement holders—and there are 94 of us across Canada—estimate how many sponsorships we expect to submit in the upcoming year. The CIC stats do not seem to correlate with the annual targets set by the government, and the projections we provide are not used, as far as we know, in planning for the visa post targets set internally.

We support the report earlier prepared by the Canadian Council for Refugees on long processing times. That report was called *No Faster Way? Private sponsorship of refugees: Overseas processing delays*. We also support the CCR paper on delays in refugee family reunification entitled *More Than a Nightmare*.

Thank you.

• (1505)

Mr. Hai Tonthat (Coordinator, Sponsorship Services, Manitoba Interfaith Immigration Council (Welcome Place)): I would not read my whole presentation, but I would emphasize some of the

points that I would like to make, especially with the one-year window program.

This program is designed to help refugees bring family members over as soon as possible, but in reality, in fact, it creates more headaches for the refugees. For some of them, there is no formal independent mechanism for appealing. Therefore, it creates opportunities for immigration officials to make decisions that are not based on sound principles.

I'm going to tell you a story. One of my clients is from Ethiopia. Her name is Jaye. She and her husband both come from or belong to the Oromo ethnic group. They escaped from their country. Because she declared her husband when she came to Canada, she's eligible for the one-year window. However, her husband has been rejected based on two reasons.

One, there is no evidence of their ongoing relationship. They cannot produce letters or phone calls. For a refugee, long distance is a rare thing, and letters are often stolen by the postal workers there. They cannot bring along their marriage certificate because of the way they escaped.

The second thing is that the immigration officer believed her husband must support the Oromo Liberation Front, an organization that the Canadian government views as a terrorist group. The officer based it on the wife's statement that he supports them ideologically and because he's in jail for eight years. The immigration officer did not pay attention to the fact that the Ethiopian government has a poor record on human rights and there is the possibility that he would not have a fair trial, nor did the officer try to contact the Ethiopian government for the evidence.

Therefore, we would like to make a recommendation that all immigration officials should have to be equipped with adequate information on the dynamics in the lives of refugees. They should also be trained in legal procedures, especially on how to assess the evidence. There should be immigration lawyers in each office overseas to provide legal advice to immigration officials to ensure that the individual refugee would have fair treatment.

The Vice-Chair (Mr. Inky Mark): Thank you.

Our next presenter is the Jewish Federation of Winnipeg.

Ms. Leslie Wilder (Chair, Immigration Sub-Committee, Jewish Federation of Winnipeg/Combined Jewish Appeal): We're speaking on behalf of our Grow Winnipeg program, which is in partnership with the provincial government.

Over the past five years, we have received and welcomed over 1,400 new people to our community in Winnipeg. We've had very successful resettlement and integration. We have professionals devoted to it, and we have many community volunteers.

What we are now experiencing is that newcomers who come from a culture of family caregiving are not able to improve themselves in their work situations. If there are two heads of the household, there is one at home with the children. In the cultures, there are parents who wish to come and who have applied. They are now in the long process that you have been hearing about all afternoon. We certainly will not repeat that.

If our newcomers had their parents here, integration into the economy would be far more successful. They would be able to contribute to the economy with an improved language and with an improved understanding of the Canadian business culture. They would be able to become the contributors to the economic prosperity that Canada needs and the new push for creativity.

We are speaking about, and our brief is really focused on, the investment in the family that will result in the investment of the economy by having the reunification process changed and improved, along with some of the suggestions that our colleagues on this panel and the previous panel have suggested.

● (1510)

The Vice-Chair (Mr. Inky Mark): Thank you very much.

In the time remaining, perhaps Pastor Duckworth would like to make a comment.

Go ahead.

Ms. Faye Rosenberg-Cohen (Planning Director, Jewish Federation of Winnipeg/Combined Jewish Appeal): If I could, I would just add one thing.

This morning Bob Silver spoke with you about making an investment in families. I think this is another instance or way we can invest, and invest very cheaply, in simply processing the applications in a more timely way, applications that otherwise sit for years, such that the whole family sees the economic benefit in terms of the support and the health of that family. And just as we talked about people going through the process of studying to requalify, we should recognize that parents can contribute to the stability of a family while their offspring are trying to get back on their feet and to the level they were at before they made the move to Canada.

The Vice-Chair (Mr. Inky Mark): Pastor, my first question is, which group do you belong to here? The Presbyterians?

Reverend Jack Duckworth (First Presbyterian Church Mission): Yes.

The Vice-Chair (Mr. Inky Mark): Okay. You have three minutes.

Rev. Jack Duckworth: Wonderful.

I would like to pick up a bit more of Joseph's story and put a human face on the situation related to family reunification. It's very clear, if you read through his brief, there's a concern for his family, not only for it coming back together again, but also for health and education. They are being denied some certain levels of health care and education where they are. As a church and as a body supporting Joseph and caring for him and praying for him, we are concerned that we see his family be reunited and see them come over here to Canada and be together.

It seems to me that it's an extremely long period of time, especially when the resources are all available, through private sponsorship, to make this work at a better pace. Certainly, Joseph is a resourceful man.

I speak at a fair level of ignorance of the bureaucracy, as is evident in the paper. I pray for you guys regularly. But I would just like to

highlight the fact that this is a human picture that we need to focus on and attend to.

Thank you.

The Vice-Chair (Mr. Inky Mark): Thank you very much.

I thank all of you for your presentations. We will now start a round of questions of seven minutes.

Nina.

Mrs. Nina Grewal: Thank you, Mr. Vice-Chair.

I thank all of you for your presentations and your time.

After hearing all of these sad stories, what I want to know is, how can we make the system clearer, more transparent, more effective, more efficient, and more accountable, workable, and fairer for all of us? To process these reunification cases faster, without delays, and to reduce these backlogs, what can be done?

Ms. Mira Thow: As I said in the previous panel, it's not a resource issue. There are officers who are able to process these, and can, but in practical terms they are not given the numbers or the quotas. They are told they have met the target of 235,000 and have to stop processing, so the applicants and the parent situation just sit there until the target is increased.

As Mr. Telegdi pointed out, in the red book there was a target of 1%. That hasn't been reached. That would have raised our targets to about 320,000. Previous ministers have all indicated that it should at least be the minimum target. That would go a long way, as would allowing parents to come as long-term visitors and have them here during the processing of their application, while alleviating the concern of officers by having the requirement to have in place medical coverage while they're here.

The Vice-Chair (Mr. Inky Mark): Mr. Zihahirwa, you're welcome to intervene.

[Translation]

Mr. Joseph Zihahirwa: From what I have seen, family reunification services are grouped with the rest of services to refugees. This is the reason why the process takes so much time. If it was a distinct service, the processing of applications could be faster. This is my first suggestion.

I shall now speak about my own case. I work at least 72 hours a week, sometimes 80, which makes a total of about 160 hours every two weeks. Yet, even if I am married and I have dependent children, the tax system treats me as if I was single. I am asking you to check if it would not be possible to correct that situation. This is my second suggestion.

● (1515)

[English]

The Vice-Chair (Mr. Inky Mark): Roger.

[Translation]

Mr. Roger Clavet: Thank you very much, Mr. Chairman. I have a few questions. We have so many guests that the whole day would not be enough to get all the answers to our questions. I shall only ask a few.

First, Mr. Tonthat, you mentioned earlier the case of that family from Northern Iraq who arrived in a Canadian airport. The wife was expecting their second child when the interview was held. When she arrived, the child was already born but she was asked to produce DNA tests. I imagine that you find that situation incredible as I do myself, as well as the fact that those DNA tests had to be made at the family's expense. Do you find this to be an extreme case? In what Canadian airport was it? Could you give us a few more details on that case?

[English]

Mr. Hai Tonthat: At the time the family were interviewed, the wife was pregnant. When she went to the airport, she would have been told to go ahead or, if not, the family would stay behind, and they had no choice. They went here and applied under the one-year window.

But the thing is that Immigration asked them for the DNA test, and by doing so, delayed the whole process. You know that for a child during the crucial years of their development and growth, if he or she is not close to the parents, it is difficult for the child later on to develop a bond with their parents. The CBC interviewed the family and it was broadcast as a national program.

[Translation]

Mr. Roger Clavet: Thank you.

I have a question concerning churches sponsoring refugees. The question has been put to me in Quebec, but it probably applies also to Manitoba. When a Church sponsors a refugee, is it on the condition that the new immigrant or refugee will adhere to that religion? For instance, does the Church ask a refugee to comply with its rules?

Mr. Joseph Zihahirwa: I can answer that question. When we sponsor refugees, we do not take their religion into account. Helping is a duty. You cannot impose conditions to someone in danger. We sponsor Muslims; they do not practice our religion, but they ask for our help and we help them leave their country and flee its dangers. When you save people's lives, you do not take their religion into account. It is the Christian faith that sends us to save them.

Mr. Roger Clavet: To conclude, I shall ask another question to Mr. Zihahirwa. You mentioned that you work 80 hours per week, sometimes more. It is very difficult. You are asking Members of Parliament and Parliament to show as much compassion as your Church. You are asking that your taxes be reduced and that you not be considered as single for tax purposes as you have dependents. Is it that kind of compassion that you are asking Parliament for yourselves and other people in the same situation?

Mr. Joseph Zihahirwa: I talked about my own case because I am here, but there are many people who are suffering like me. Maybe you should see to what extent you could reduce the tax burden of married people who have dependents overseas. We are sending them money. I would like you to see if it is not possible to reduce their tax burden.

• (1520)

Mr. Roger Clavet: Thank you.

[English]

The Vice-Chair (Mr. Inky Mark): Thank you.

Bill.

Mr. Bill Siksay: Thank you, Mr. Mark.

Thank you for all your presentations.

Mr. Denton mentioned earlier Manitoba's significant contribution in terms of the private sponsorship program, and I think we see the reason why, with the commitments that your agencies and congregation have made to the program. It's really quite spectacular.

I wanted to ask a question.

Unfortunately, Mr. Zihahirwa, as you were getting to the very personal part of your statement we ran out of time, and I know that's difficult, when you're telling your own story and sharing those details. It's a story that's pretty familiar, I think, to everyone around this table. We've heard it in different ways from different people over many years in our offices, and it's always difficult to hear the challenges that face refugees who come to Canada.

You started to talk about the costs of the delay. We all understand the personal costs, but you were mentioning the health costs to your family, the costs in terms of your children's education, which ultimately will be a cost in terms of their integration into Canadian society when they eventually get here.

I wonder if you and others could maybe talk a little bit more about the costs of those delays in that sense.

[Translation]

Mr. Joseph Zihahirwa: If I understood your question, my family will not create a health problem for Canada. They are now in Uganda, in a foreign country. I know that my wife and children will not arrive here sick. There is a service that takes care of people's health before they arrive. They have to pass medical exams to see if they are sick with malaria or another disease and they receive appropriate care before they leave the country. They will not be a health problem for Canada. They will have been cared for where they are now. There will not be any problem.

[English]

Mr. Hai Tonthat: I would like to tell you two stories.

One of my clients just had the same problem; he was facing the delay problem. He came to talk to me, and he said, "Hi. Could you please contact Immigration on my behalf and tell them to remove one of my children's names? He just died of malaria".

The other person also came here. I helped him with the one-year window. He just found out that while he was waiting in the refugee camp his wife died of tuberculosis. His family hid it from him, didn't want to let him know about it. That's a human cost.

Besides that, the individual may have psychosomatic symptoms such as depression, ulcers, you name it, and develop a general hatred toward the Canadian immigration system.

Therefore, I'll tell you that when my clients knew that I was going to be here they were very happy. They told me to come here and express their appreciation for your work, because this is the only chance for them, through me, to raise their concerns. Hopefully, their problems will be addressed properly.

The Vice-Chair (Mr. Inky Mark): Bill, do you have any more questions?

Mr. Bill Siksay: I think Mr. Peters wants to respond.

Mr. John Peters: Okay, if I can add to that a little bit, there's also an example that comes to mind of a couple whose marriage did not survive this experience, this long delay. Partly, there's an element of a loss of trust between partners. You know, it's hard to understand and imagine why the partner in Canada can't do something about it and cause some changes to happen. And then the breakup of a marriage in some cultures is much more traumatic than in ours, and if that follows the trauma of a refugee experience, it can be really devastating.

All in all, the thing that maybe we need to look at is overseas service standards. The local CIC show us service standards that they'd like to stick to, to be able to offer that level of service. Overseas we don't seem to have that way of implementing the service. Perhaps that would be one way, if our service standards could be a processing time of six to 12 months. Even that seems to be a long time for somebody who's waiting in a refugee camp, but perhaps that would be one way of going on that.

• (1525)

Ms. Leslie Wilder: One of the panellists mentioned how important it is for a child to bond early with their parents. It's also important for a child to bond with their extended family and grandparents. As well, it's important that children who are here are not worrying about what is happening to their parents in countries where there are economic difficulties and where the health care system, since the fall of the Soviet bloc, has deteriorated to a primitive level. In their old age, they are not as productive. Again, we go back to the investment in the family, because it's a strong family that provides a strong community and a strong country. In our experience over the past few years, we've seen the effect on the children who are here.

Our counselling program at Jewish Child and Family Service is growing exponentially in the cultural aspect of counselling, with our multilingual caseworkers, who are counselling not only members of the Jewish community but also refugees from communities all over the world who are in Winnipeg. We're not able to keep up with that, with the stresses people are experiencing being away from their loved ones and not knowing when they are going to be reunited.

Ms. Faye Rosenberg-Cohen: I'd like to tell you that in a story.

Imagine a couple who has been here several years and has worked their way into reasonable jobs. After the first two years, they decide to have a baby. The husband is on a 10-year path to reaccreditation and requalification and getting back to the level in his field, much the way we talked about this morning. They have a baby. The parents come to visit, and everybody is thrilled that they were able to do this. They decide that they would like to come and live here with the family and be supportive of that family. Their siblings are doing

fine in other places, not in Winnipeg, and the parents want to be here with them. The wife becomes pregnant with a second child.

They apply for family reunification so that the parents can be here. Then they're told that the grandparents of the baby, which I'm sure is their focus, are now on a long-term waiting list, and it will be a minimum of two years until the file is looked at for the first time. That's a short path compared to some of the other embassies we've heard about at visa offices.

You can imagine the situation if that were to go on for five or six years, not two years. That woman thought she was going to have her parents there to help with child care. Her parents are no longer able to work in their own country and are coming with less resources and less productivity than they would have seven or ten years earlier. That woman is now stuck at home with those two children, and she can't get out to take retraining classes in her own field. She doesn't have access to all kinds of support she would otherwise have.

In the worst cases, you can see that's the beginning of generational poverty. That's a family where one spouse is working hard just to put food on the table, and the other is trapped in a situation where they can never retrain. They've taken a cut in status in their professional lives. They were willing to do it in order to have a life here. It could all be improved by just having someone who has capacity in the visa office take the file off the shelf.

• (1530)

The Vice-Chair (Mr. Inky Mark): David, do you have a question?

Hon. David Anderson: Thank you, Mr. Chairman.

Thank you for your presentations.

I think that to a certain degree we are preaching to the choir. I think we all have experience with many of the problems you've mentioned in our own constituencies and in some cases in our own families.

I think the Jewish Federation of Winnipeg's final paragraph sums up the importance of family reunification.

That having been said, the case that certainly hit me the strongest is that of Joseph. It's not a question of grandparents; it's a question of his own wife and children. I think their ages were 13 down to 4 when they went to Kampala, or that's what they are now. I'm not sure what it is. Is the oldest child 13 now?

[Translation]

Mr. Joseph Zihlirwa: They fled the country in 2002. The oldest is 13 years old and the youngest, 4 years old.

Hon. David Anderson: This is a case where parents are in two different countries, very far from each other; the children cannot benefit from their father's presence. This is very concerning. Three years have passed.

Mr. Joseph Zihahirwa: In fact, I have been separated from my five children for almost four years. My wife is with them and they all live in one room. The youngest won't even recognize me because when I left he was one year old. He was an infant. When I phone him, he asks where is the daddy speaking to him on the phone. He cannot recognize me anymore. This is why I am asking you, praying you to see what could be done so that I am reunited with my family here in Canada and be able to live with them like all Canadians.

Hon. David Anderson: What you said is very troubling and very clear. I thank you for sharing with us your story and that of your family.

[English]

Indeed, grandparenting is extremely important, but when we are faced with actual parenting, being deliberately split up in these most formative years.... I think, Mr. Chairman, we're going to have to try to get some figures on the overall numbers of people who would be in Joseph's situation and see whether this should not be placed as the highest of priorities. Family reunification is certainly important, regardless of what members were talking of.

The separation of spouses and young children from one parent for such a length of time is totally unconscionable.

The Vice-Chair (Mr. Inky Mark): Thank you very much.

Lui, you have five minutes.

Mr. Lui Temelkovski: Thank you very much, Mr. Chair.

I'd like to ask John a question. I'm more interested in hearing about the bond situation. I believe you mentioned \$250,000 or so. How is that working, and what are some of the challenges and benefits of it?

Mr. John Peters: If the processing time was shorter, we could already report how the program was working. Now, we don't have any call for it just yet, but the way the Winnipeg assurance program works is this. A community organization, for example, the Ethiopian Orthodox Church or the Abyssinian group, might come to us and say, we have a member in our group who has a relative in a refugee situation who would like to be reunited with us. The relatives and friends who are here are willing to support that person for their first year in Canada under refugee sponsorship. However, something can go amiss; there's a risk involved, and for that risk this is the assurance program that covers it. It's a backstop. If all of the other circles of support aren't there or aren't sufficient, then we can go back to the Winnipeg assurance program and draw on that.

It is our experience over a number of years of doing this kind of family link, this refugee sponsorship, that the incidence of something going amiss because someone unexpectedly loses their job or whatever is less than 1%. But even for that, the assurance to the relatives, to the community groups, and to us, a non-profit organization, is very significant. So we're very pleased that the City of Winnipeg has set up this fund, and it shows their support for this element of family reunification and refugee sponsorship.

• (1535)

Mr. Lui Temelkovski: Is it run by the city or is it a privately run company? I know Great-West Life has its headquarters here. Is it corporately owned?

Mr. John Peters: No, the fund has been turned over to us as a non-profit organization and we administer the funds. Actually the Manitoba Refugee Sponsors Group is an unincorporated group that meets very regularly and it is a strong community of support. They actually have appointed a committee that would review any cases that might come up in the future.

Mr. Lui Temelkovski: Thank you.

The Vice-Chair (Mr. Inky Mark): Thank you very much. Thank you to all of our presenters.

Too often we see immigration as just numbers and you've reminded us that we need to have a face on immigration, and certainly family reunification.

Even in my own case, I never really met my father till I was six years old and I had a critical determination in my relationship with my past father.

So thank you for being here today.

Okay, we'll bring this to a close.

• (1536)

(Pause)

• (1544)

The Chair: Let's reconvene.

Dr. Vedanand, five minutes. Would you start, please.

Dr. Vedanand (Professor, Transcultural Management, University of Manitoba, As an Individual): Good afternoon again. We focus on family reunification and other issues regarding families.

When we look at the issue of family reunification, what is more important is perhaps looking at certain conceptual issues that have been raised elsewhere, in Europe, and also here. For example, what is inclusion supposed to be? This is a major focus when we are building a unique, inclusive society. At the same time, there is a lot more very serious thinking going on about exclusion. The London School of Economics...[Inaudible]...which was supported by the British government. At UCLA, they have been looking at this issue. Then we find that while we engage in this rhetoric of building an inclusive society, we have not been looking at what leads to exclusion, and what does it mean?

The London School of Economics did a study to look at the whole thing. There are a number of items listed under that. They said exclusion is in fact a component of poverty, and many of those elements are related to these problems.

When you're talking of reunification, naturally you're looking at the person who comes as an immigrant. Then soon after that, their people who have not been allowed to come in want to come. Costs have been added, too, and it's also a major problem. The question is, will the immigrants then be elite and privileged?

Who are the poor? In the United States, we have that figured out. Most of the Mexican immigrants, for example, will live in a poverty trap in the United States. We have the human cost.

On the west coast, there are now many persons who are very successful. On the other hand, Latin American people have very high rates of drop-outs and poverty.

When you take a look at the same kind of comparative picture in Canada, you can see that most of the strong national communities, those who are known as migrants, have been coming into Canada and they have nowhere else to go than to the three magnetic cities: Toronto, Montreal, and Vancouver. They all move to the same places because there are supposed to be more opportunities there. The opportunity structure, and how effective it is or is not, is another issue. Most of the poor immigrants end up going to the same places.

According to a recent Statistics Canada study...[Inaudible]...there is a majority of visible minorities, that would be a new shift. The new shift then also leads us to think about it. Is this shift taking place voluntarily? Is this supported by grand policies, the new agendas?

All of the things I have come up with now are to say that the fate of the immigrant is going to be physically linked to the fate and destiny of the cities. Things will happen to cities like what happened to the great city of Detroit, whose population has gone down from a million to hardly 900,000. Most of those people have moved out.

• (1545)

Let me just quickly pick up a theme from one of the Metropolis policy-makers, Howard Duncan, who is the executive director. On the issue of integration, for example, whatever its precise meaning, integration is not a government service or program. This statement was made by them not as members of the government, although they have been the major policy-makers of the Metropolis project.

Social engineering is hardly an area where governments—at least democratic governments—have been especially effective in the past as...[Inaudible]...and official social objectives. Creating socially integrated cities is something that can help a lot through policies and programs, but it cannot be done unilaterally. It cannot be delivered in an envelope or announced at a ribbon-cutting ceremony.

They're saying these are the real challenges. We have to figure out what's going to happen. We do not know. That's why some recent thinkers will be looking at it. They have started looking at issues for a model of integration.

Okay, there's seclusion and occlusion, then inclusion and subclusion—I don't think that could be worse. How could this be worse? Migrant workers are forced to start at the lower levels. Those who are elite and those who have been favoured, shall we say, are in the inclusion categories. And there are some seclusion categories, where they live in ghetto communities, for example.

I'll think I will leave it there.

• (1550)

The Chair: Okay, could you leave it at that?

Dr. Vedanand: Okay. The challenges for family reunion have to be in the context of what we can make possible. They're coming to the land of milk and honey, etc. Is it going to happen? If not, what is the main challenge?

The Chair: Thank you very much.

Next we're going to go on to Mr. Ed Wiebe from the Mennonite Central Committee.

We're trying to keep it to five minutes so everyone gets to be heard, and then we can have questions from the panel. We accept written submissions.

Mr. Wiebe.

Mr. Ed Wiebe (Coordinator, Refugee Program, Mennonite Central Committee Canada): Thank you.

First of all, we do express our thanks to you for coming to Winnipeg to hear us. You've already heard many things today. I guess we will underscore them, but perhaps we can also nuance things in a slightly different way, at points, to underscore what we want to present.

By way of introduction, I am Ed Wiebe. I am the national coordinator for the refugee program of the Mennonite Central Committee. Our head office is based here in Winnipeg, which is why we are presenting here. With me is Elaine Harder from our Saskatchewan program. She is also co-chair of the NGO-Government Committee on the Private Sponsorship of Refugees. In the room also is Mukai Muza, provincial coordinator of the refugee program right here.

MCC Canada was one of the first organizations to become a "master agreement holder", as it was called back in 1979. As an international relief and development organization, operational in over 50 countries, the issue of refugee well-being and protection has always been an important component in MCC's work. It grows out of the personal experiences of many in our community who have been in a refugee situation. Then there are the people who are younger and who have that in their immediate family history. They know the stories well.

There continues to be a lot of goodwill towards sponsorship in our communities, with over 5,000 families welcomed in the past 25 years, but there's also frustration and recent disenchantment, for a number of reasons. We'll quickly look at those, and at the main ones we have. We would also underscore some of the other things that we don't mention but have heard here today. Then we'll leave you with some recommendations that you can peruse.

First of all, as we heard before, there is slow processing of private sponsorship visas. There is slow processing across a number of immigration programs, but our concern here is private sponsorship. The processing time has increased steadily, and many times now the case is not even looked at in the first year. Most arrivals occur only after 24 months or more.

This is unacceptable for a program that is intended as a refugee protection tool, where time is of the essence. Refugee applicants wait precariously, and sponsors are left wondering what may have happened to the refugees. At the same time, sponsors are reluctant to take on a new sponsorship, because they are awaiting the outcome of years-old cases that they have previously committed to. With often as much as \$30,000 per case tied up, sponsors are extending a generous offer to voluntarily extend Canada's assistance abroad.

Also of concern is the lack of overseas resources, which is contributing to slow processing. I think others have said slightly differently on some of the other programs. From the department we often hear it said that resources are not an issue, that they don't contribute to slow processing. We contend that the lack of resources is stifling overseas processing of private sponsorship application, so it's an issue for us.

Further, as resources at missions are shifted during the year to ensure that other immigration targets are filled, private sponsorship cases do wait. It is often contended that too many applications are being filed by sponsors. We submit that more expeditious decisions would adjust the flow. If cases were accepted and processed more expeditiously, then sponsors would be engaged in the work that they contracted for or applied for. They should be settling in newcomers rather than doing damage control in the community.

In fact, Elaine had to leave the room earlier on a damage control issue out in Saskatchewan.

If cases were rejected for valid reasons, then the sponsorship agreement holder's case assessment process could be updated and adjusted, and could be based on current data. CIC's criticism that SAHs are submitting a lot of weak cases is often unfair. With the inordinately long period between sponsorship applications and decisions by CIC, many things can happen. After years, sources of problems at any level become dated and hard to pinpoint.

• (1555)

A narrow definition of family and the absence of a mechanism such as the prior assisted relative category—these related issues cause undue stress on families waiting to be reunited. It also puts undue pressure on the private sponsorship program, as various parties push sponsorship groups to use the avenue to accomplish reunification, and caseworkers in Canada find themselves with no workable option to accomplish reunification.

Here's an example from one of our coordinators.

Ms. Elaine Harder (Coordinator, Refugee Program, Menno-nite Central Committee Canada): I am working with a family from Afghanistan, all of whom had fled Pakistan except the oldest son, who had been kidnapped by the Taliban. Just prior to the family's leaving to come to Canada—they had their visas already through the government-assisted refugee program—the son was located and brought from Afghanistan to Pakistan, but the family had to leave. Can you imagine that torment?

They applied under the one-year window of opportunity to sponsor him, but were denied because he is an adult child. We are sponsoring him privately. It is the only way to reunite this family.

Mr. Ed Wiebe: Not only is "family" defined too narrowly, the threshold to prove relationships is becoming higher and more costly to applicants. DNA testing has become almost routine practice. It is time to seriously consider reinstituting an assisted relative category for the sake of reuniting families, which is the stated objective of the Immigration and Refugee Protection Act.

Briefly, on social assistance, whether refugees came as privately sponsored or government assisted or were landed here, there's a need to examine how social assistance can be made less a barrier to reunification. Not only does a family here have to come up with fees

for applications for members abroad, but they cannot, at the time of application or for the next three years, be on social assistance.

Here is another practical example.

Ms. Elaine Harder: We are working with a woman who was separated from her husband and two children by war in Somalia. She went through a terrible ordeal and gave birth to another child as a result of a rape she suffered. The Canadian government responded to her plight and brought her and this four-year-old child to Canada through the government-assisted program.

She has very little education and no English. She eventually located the rest of her family, who are now in Ethiopia. In order to sponsor her family, she cannot be on social assistance now or for three years after they come. She has to come up with almost \$1,000 in fees. She has to find a job that will allow her to support herself and her child and pay for child care. It is impossible for this woman to use the family class sponsorship option, and private sponsorship seems like the only solution.

• (1600)

Mr. Ed Wiebe: When such restrictions are imposed, we see too many torn-apart families, especially single-parent families, whose lives have already been shattered by loss. Faced with the tragic realities of many refugees, the pressure to sponsor family members under private sponsorship is understandable. Unfortunately, however, this strains the main focus of the private sponsorship program, which is refugee protection, a principle we strongly agree with. These pressures sometimes give rise to the unwarranted charge of program misuse.

We believe the local CICs are still important in the private sponsorship program. There has been some talk that the private sponsorship application process could be moved to the CPCs, the central processing centres. We have serious reservations about that, for reasons we have already stated.

Finally, I want to talk about continued stronger departmental support for the private sponsorship program. The NGO-government committee provides a very useful function, which we outline here. Something that grew out of that, the refugee sponsorship training program, is also helpful in terms of case assessment and a variety of training issues. We fully support the continued funding and resourcing of that endeavour as well.

To conclude, we remain committed to the cause of refugee protection and resettlement. Issues surrounding family separation are difficult and diverse, affecting many immigration programs. We thank you for tackling these issues, as you now are doing across the country, and we wish you well as you continue to hear all of us.

Thank you for this opportunity to speak.

The Chair: Thank you very much, Mr. Wiebe. We also thank the Mennonite Central Committee, because they have been very active in sponsoring refugees. Since today is Refugee Rights Day, I think it's most appropriate that you're making this input.

I remember it was the Mennonite Central Committee, Frank Epp from Conrad Grebel University College was telling me, that started the first sponsorship of the Vietnamese. That goes back a long time.

Thank you.

Ms. von Lau.

Ms. Margaret von Lau (Executive Director, Needs Centre for War-Affected Families): Thank you for the invitation.

The Needs Centre for War-Affected Families is a non-profit charitable organization. During the last fiscal year we supported 1,200 individuals, adults and children, from war-affected countries. Our major goal is to support and enhance the integration into Canadian society of refugees from war-affected countries. Our major programs are counselling, group therapy, psychosocial assessment, therapeutic play for children, family programs, and ESL for war-affected women.

Ninety per cent of our clients experience post-traumatic stress.

Mr. Selamawi Ezuz (Coordinator, Counselling Program, Needs Centre for War-Affected Families): I'll be talking on the psychosocial impact of family separation on refugees.

When refugees first settle in Canada, they express emotional relief, feeling their plight is about to end upon their arrival in Canada. They show a great deal of hope and optimism about restarting a new life in Canada and soon reuniting with family members who were left behind either in refugee camps or in other countries.

When refugees leave their homes, not only do they leave everything behind and flee to save their lives, but oftentimes family members get scattered in all directions. Some reunite in the refugee camps; others don't. Some lose their parents, spouses, or siblings, and they join other extended family members and make up a new family unit in the refugee camp. It may take a long time before some families regain their original structure. In some cases that will never take place because most of the members of the nuclear family were killed and the existing two or three members will have to join and become members of a new family unit.

It's very important to be aware of and to understand the complexity of family dynamics among refugee families. The emotional process of refugees in resettlement is not linear at all. Each individual's or family's experience is very unique.

As a case study, Ms. J.J. is a 28-year-old refugee from Liberia and a single mother of a three-year-old son. She came to Winnipeg six months ago. She has also taken on a parental role for a new family unit of five made in the refugee camp in Ghana. When the rebel army attacked her village, Ms. J.J. managed to escape with her infant son. Her 16-year-old sister was also lucky enough to escape with two little nieces she was babysitting at the time. Five of them reunited in Ghana and made a new family unit. Ms. J.J. has no information on the whereabouts of the rest of her family.

She is an amazing young woman, strong, resilient, and hopeful. Despite her overwhelming responsibilities as the head of this new family unit, she has been able to keep the family intact and provide love.

Among numerous challenges Ms. J.J. faces on a daily basis in relation to psychosocial stress, she identifies family separation as the most overwhelming pressure. Some of her words are: "My son now has started to ask what happened to his father. My nieces cry a lot when I try to explain to them what happened to the family. I don't have the answers for them, but we pray a lot together. We hope that one day all of us will get together."

Like Ms. J.J., many other refugee individuals and their families identify the impact of family separation as significantly distressful.

A few scholars have been interested in studying the adverse effects of family separation among refugees. Rousseau, Moreau, and Mekki-Berrada of McGill University did an excellent research analysis on trauma and extended separation from family among refugees in Montreal. This eloquent research was published in *Psychiatry: Interpersonal and Biological Processes*, spring 2001, volume 64, pages 40 to 59, McGill University. Here is the abstract of these research findings:

Although the vast majority of refugees have suffered trauma and extended separation from their families in exile, little is known about the interactions between these two types of experience. The qualitative and quantitative analyses of data gathered from 113 refugees from Latin America and Africa suggest that the occurrence of trauma and separation has a significant impact on emotional distress and confirm that the family plays a role as anchor of emotion and identity.

It's evident that young children are affected the most by the impact of family separation. The Canadian immigration office has been cognizant of this impact and has established a family reunification program for refugees known as the one-year window. Under this program refugee families are supposed to be reunited within a one-year period. Even though this program is commendable and is designed to hasten the reunification process and alleviate the negative psychosocial impacts of separation on families, in most cases the process of family reunification continues to take a lot longer time than it's supposed to.

● (1605)

In some cases, families are required to undergo compulsory DNA testing before the process is initiated. This alone may take an additional one year in the already delayed process, not to mention the financial burden from having to pay for the DNA analysis.

What would happen if one of the children's DNA results did not match with the sponsoring parental DNA? Nothing more than devastation to the already devastated family. During the process, one parent may die—either the sponsoring one or the one in the refugee camp. When this type of incident occurs, the process gets more complicated and the children become orphaned for an extended period of time.

A case in point is a single refugee mother of five from Sudan who died of natural illness in Winnipeg about three years ago. It has taken a long time for the orphaned children to sponsor their father from Sudan. In the meantime, the oldest son, who is 20 years old, has taken the parental responsibility for his four younger siblings. The plight of this family has perpetrated for a long time, and it could have been alleviated only by speedier reunification with their father.

In conclusion, family separation continues to be a remarkable testament to the adaptation process among refugees, mostly for the disintegrated families with children. The need to invest more in the speedier reunification of families will have a significant benefit in the psycho-social well-being of the refugee families in the community.

Thank you.

• (1610)

The Chair: Thank you very much.

We're now going to go through a round of questions and responses, and we're going to try to get through everybody.

Mr. Mark.

Mr. Inky Mark: Thank you, Mr. Chair.

Thank you, witnesses, for being here. My first question is to Professor Vedanand.

You talked about the immigrants ending up in our largest three cities in Canada. I think that's a concern this committee has had going back probably four years. I think the statistics point out that within two years, most of them end up in the three big cities in this country. That's probably because the social group is there. They're familiar with the language, the culture. And as you know, most of the jobs are also in the large urban centres.

How should this country tackle this problem, if it's a problem?

Dr. Vedanand: To answer the question, let me reframe the question.

I had earlier mentioned—not here, but I have talked about it—what is known as the second generation. Children of immigrants are poorer than their parents. There's a statistical study; I was not involved with the study, but it was very interesting. What is happening is not only here; there is certain evidence of this even in the United States, and perhaps in some European countries. Some people say this could become a universal phenomenon, and they've not been able to really find out why. That's number one.

Second, when you take the Statistics Canada macro data statistics, the small ethnographic studies, people who are really poor become subsumed in the macro data, so that's why we had a data set in which we looked at it. We found out that children up to five years of age who come here as immigrants with their parents, versus those who average 13 to 15 or more in age, become the most vulnerable people. Thirteen to fifteen is supposed to be a certain category that has been very well validated. And this issue or problem...it is really very compelling to figure out why this happened.

Second, when you are looking at poverty, the big cities—Toronto, Vancouver, and Montreal—also have large pockets of poor immigrants. We could have the micro statistics of some of the

people who are running a grocery store, or they're having some kind of small prosperous business. They're paying their taxes, etc. Yet the hidden data, the hidden issue, is still there: there are a lot of people who are still looking for jobs. They don't have jobs. They have very poor jobs. They are underemployed, not fully employed.

So the moment we talk of integration, the integration model database shows a single thing: if you have any earnings, you are integrated. If you have an engineer's degree or PhD or whatever and you are still doing a very low-paying job.... There are people just cleaning floors to get food, or they are working in a grocery store.

The question is the equivalents of their capabilities and their qualifications. They do not get immediately into the profiles of the macro data. That's why in the United States, for example, they have really looked at the children's study, especially. Legacy and ethnicity have both been looked at, and that's why they were mentioned. For inter-ethnic groups and intra-ethnic groups, very interesting, rich data have come up. Why is it that Asians are part of the ghetto on the west coast, but Vietnamese are very successful on the west coast? Similarly, the...[Inaudible]...integrated successfully in California, and groups from China and India have been very successful. But there are many coming from the same areas who are working at very poor jobs—unemployed, underemployed.

That's the focus I would like the committee to take a little more seriously.

• (1615)

The Chair: Okay; thank you.

Mr. Clavet.

[Translation]

Mr. Roger Clavet: Thank you.

My question is for the Canada Mennonite Central Committee. I wish to take this opportunity to mention that you have... [Technical difficulties]... an honour for your work with refugees. I remember that less than two years ago, your work at the General Hospital of St. Boniface was recognized.

Yet, among your recommendations, the eighth one is particularly interesting as concerns the financing of training on private sponsorship. Is that financing sufficient? Where does it come from?

[English]

Mr. Ed Wiebe: Since we are fortunate enough to have one of the co-chairs of that committee here, I'll defer to Elaine.

Ms. Elaine Harder: The funding comes from the Citizenship and Immigration Canada budget, from SRE.

On the training program, did you ask whether it's enough?

Mr. Roger Clavet: That's what I'm asking.

Ms. Elaine Harder: We struggle each and every year to try to come up with an appropriate amount of funds to be able to provide the kind of training that we so desperately need across the country. With a lot of the issues in terms of eligibility, it is important for us to be able to get to the sponsors the information regarding that, as well as other critical information—change in country conditions, a whole variety of responses to refugee protection—and also for the sponsors to be able to exchange information with Citizenship and Immigration Canada.

That's a long answer to a straight no, it's not enough.

We currently, for this year, have \$150,000, and that seems like a lot, but when you're dealing with 94 sponsorship agreement holders—and we work with a very small staff—it just is not enough.

Mr. Roger Clavet: So that means that in spite of the success story of the Mennonite Central Committee, you're still struggling to get money from the government to help out with the training?

Ms. Elaine Harder: That's right.

[Translation]

Mr. Roger Clavet: Thank you. My next question is about the presentations made Ms. von Lau and Mr. Ezuz.

Ms. von Lau, you said that 90 per cent of your clients suffer from post-traumatic stress. A study by McGill University has clearly established a link between that syndrome and family separation. Do you see a noticeable change when families are reunited and they can, at last, see some light at the end of the tunnel? When the members of a family are reunited, do you see a difference in the apparition of post-traumatic stress symptoms?

[English]

Mr. Selamawi Ezuz: We see significant improvement in social well-being when we see families reunite. It creates a healthy environment and it also enforces a sense of belonging, a sense of community, a sense of family.

I can tell you my personal story. My sister is coming from Uganda tomorrow with her three children and her husband. I sponsored her a few years ago, and I'm really excited. So I can tell you about the personal elation and euphoria that I am feeling. It's extraordinary. That plays a great role, and you can extrapolate my personal experience or feelings to other communities. It's significant in this process of adaptation and development.

• (1620)

[Translation]

Mr. Roger Clavet: You also said that it is very important to understand the changes in the dynamics of refugee families. When a family takes refuge outside its own country, its dynamics changes.

The legislator should take into account the family dynamics of refugees because it changes with time. What was true two years ago is not true today. It should be taken into account. So you propose that changes in the family situation be taken into account.

[English]

Mr. Selamawi Ezuz: The dynamics of the family, unfortunately, changes for better or for worse.

I mentioned earlier that the complexity of refugee families or the dynamics among refugee communities was unique in its character and its experience. Refugees can create a new family at the refugee camp—a lot of them may have lost their original family status—and for them that's their family, to whom they relate as a father or mother or brother or sister, and they want to continue with that. As they immigrate to Canada they start a new life, and it gives them an opportunity to reconnect with their lost roots, with their other family or extended family members, or their own siblings. And some of them find out that their mother or father is still alive or their biological siblings are still around, and that creates another dynamic.

So it's very important to be aware and to recognize this perpetual change of family dynamics among refugee families.

The Chair: Thank you very much.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Mr. Chair.

Thank you for your testimony this afternoon. On the matter of families and the structure of families, I'm just thinking that my own family would not meet the definition in IRPA. I suspect that when push comes to shove, if many of us were forced to actually define our families, we wouldn't meet the IRPA definition particularly, so I can see how it drives it home when I think about my own circumstances.

I think it has been suggested at this table at some point in our deliberations that maybe the best way to deal with the family reunification issue for refugees would be to immediately bring family members to Canada and do the bulk of the processing here in Canada. Some people will say this is unworkable, that if we were to bring people who weren't technically related to each other, then we would have the problems of them being in Canada and what we would do with them at that point.

I was just wondering if you could reflect on that suggestion. Is that a workable suggestion? Is it something you would advocate? Would it address the problem, or would it create too many new problems to start with that approach—once someone is accepted as a refugee, we immediately bring to Canada the people they identify as their family?

Ms. Margaret von Lau: All I can say is that I really don't know how it will come from the immigration process, because the process is a little different from our wishes. Especially when we have families from refugee camps, it's sometimes very difficult for Immigration to decide who is really in the family. I think it would be great for our clients if they could have their families here as soon as possible, but we still believe some kind of process, even six months, is very reasonable. But if we have to wait for the family for years, it's really very unfortunate.

Mr. Ed Wiebe: In private sponsorship at least, and overseas processing in general, there are some mechanisms right now, like urgent protection. There's also the women at risk category, which also can bring women more quickly than regular processes would allow. Both of those avenues are utilized very infrequently, and there seems to be quite a reluctance to utilize those mechanisms.

I was just talking to people in Bogotá, where there could be numbers of urgent protection issues, of course. Even there, the mechanism is used very rarely. We were talking about it in the context of private sponsorship. Couldn't we facilitate some of the backlog cases that we have in Bogotá, and couldn't the urgent protection mechanism be employed? The answer from Ottawa was no, those cases wouldn't meet that threshold that they want to reserve for really urgent protection cases. But it's not being utilized by anybody, so there's something wrong with that threshold. So yes, it probably could be widened to utilize those kinds of mechanisms, but then they'd have to be utilized by the department as well.

• (1625)

Mr. Bill Siksay: Another question is for Ms. Harder.

I wonder if you could tell me a little bit more about recommendation 7 on your list, which is that the committee on private sponsorship be revitalized and given a higher priority, with enhanced resources. Is it more than just sponsorship training resources that are required there?

Ms. Elaine Harder: Okay. Are you familiar with the NGO-Government Committee on the Private Sponsorship of Refugees?

Mr. Bill Siksay: No, I'm not.

Ms. Elaine Harder: It started some years ago as a mechanism to engage both the sponsorship community and the senior levels of Citizenship and Immigration Canada staff, out of Ottawa, to discuss policy and operational procedures and to work at some kind of collaboration and basic understanding, and to modify as we need to. So it's a vehicle with a consultative mechanism.

It has worked, and it has not worked. There are a variety of reasons for that. The refugee sponsorship training program grew out of the NGO-government committee work, and so the training programs exist to specifically facilitate some of the actual information exchange. The NGO-government committee, we believe, is an important mechanism for consultation. The sponsorship agreement holders are very committed to working on a consultative basis, because we recognize that nothing's ever black and white, and there are a lot of grey areas, and we need to work together at that.

We have not always had or felt that we had the same kind of commitment from Citizenship and Immigration Canada, and there may be a variety of reasons for that: lack of resources, changing staff. There may be a whole variety of things that we can't really speak to. But we think it is an important vehicle. It works. What we need is commitment from both sides to actually work at it together to be able to mutually exchange that. So we're saying here we need a recommitment to using the mechanism that already exists instead of creating new ones or additional ones, to working with what we already have and just strengthening it.

The Chair: Thank you very much.

Go ahead, please, Mr. Anderson.

Hon. David Anderson: Ms. von Lau, turning to page 3 of your brief, where you talk of the one-year window.... I think you were here earlier when we had a previous witness, Joseph, who talked of his own family experience, and the more than three years—close to four years—that it had taken already for his family, which has not yet

been reunited but which is in fact in Uganda. Now, how successful was this program? And is it continuing? I ask that because you've raised some concerns about it with respect to DNA testing and respect to other issues. But are those simply some examples of problems or in fact is there really a program here that did not work effectively to reunite refugee families?

Mr. Selamawi Ezuz: Actually, I have never seen any family united within that one-year period. Even though it has been in place for a while now, I haven't seen any from the families that participated in our programs and the ones who identified this as a major stressor on a daily basis. The ones that I have visited—they've been waiting for over two years—accept that DNA testing is very remarkable. It adds an additional stressor, besides which they exist in fear of radicals going through the process. It just makes it a lot longer. But to answer your question, I haven't seen any families united in the one-year timeframe.

• (1630)

Hon. David Anderson: Okay. Well, to make the question a little broader, then, has the program succeeded in reducing the time that you believe it would otherwise have taken? Have you seen any positive benefits from this policy and program?

Mr. Selamawi Ezuz: In general, I would say yes, it's a good approach, it's commendable. We would just add that it could be more effective and more efficient and expedient. We have to recognize that it's not working the way it was supposed to work.

Hon. David Anderson: Thank you.

The Chair: Thank you.

Ms. Grewal, go ahead, please.

Mrs. Nina Grewal: Thank you, Mr. Chair.

Thank you all for your presentations.

I listened to Mr. Ezuz telling Ms. J.J.'s story. I myself lived in Liberia for almost 10 years. Both my sons were born in Liberia, and my parents stayed in Liberia for 25 or 30 years. I just immigrated to Canada in 1991, so I've seen wars firsthand. In 1989, when war broke out, I was there in Liberia. In 1990, when war broke out, then also I was there. When Samuel Kanyon Doe, the President, was killed by Charles Taylor, I was there in the country. So I know firsthand how war is and what refugees are all about. I've seen people going without food for days and days. I think something should be done for these legitimate refugees, to unite these families, because they have gone through enough pain and stress. This what my comment is.

The Chair: Thank you very much.

Mr. Ezuz, you mentioned situations, particularly in Africa—probably not restricted to only Africa; it could be wider than that—and the whole issue of DNA testing. What's happening in the Sudan now is totally incredible. The rape and pillage that goes on is unbelievable. My understanding is that there's a particular stigma in the African culture attached to being raped. It's very conceivable that a husband could find out that a child is not his child, but is a product of rape.

Mr. Selamawi Ezuz: That's a fully loaded question. It's very hard for any family to go through the impact and the victimization of rape, by any standard, in any culture. As for the families, it depends on the belief system of every single family. It's hard to come up with one explanatory answer talking about the whole continent of Africa, because different countries have different belief systems.

If the family comes, let's say, from a value system where divorce is not an option, and you're bound with that person for the rest of your life by matrimony, you accept what happens and the plight of your spouse. In general it's safe to say that a lot of families understand what's going on with rape, the impact of rape, and the children born of rape.

What's more challenging than the spouse accepting this child who is a product of rape, from what we've seen here, is that sometimes for the women who have the children who are products of rape it's very difficult for the mother to go through the child rearing. It brings a lot of bad memories as she sees the child growing up. Sometimes there is a strong feeling of polarization, of backlash, of reliving the past, toward the child for the father who raped her, while at the same time accepting the child as her own child. It requires a great deal of support for those mothers, a great deal of emotional comfort, to accept the fact of what happened to them, to help them overcome their victimization and help them accept the new person, the new child. That's more challenging, even, than for the father to accept this kind of rape. It becomes harder for the mother than for the father.

• (1635)

The Chair: Also, I guess in cases where somebody is orphaned, the uncle or aunt can do an adoption. There's an extended family structure in Africa. So when they come, what do they do? Do they leave them behind because they don't match the DNA?

Mr. Selamawi Ezuz: That's one of the biggest concerns. What happens if that child doesn't match the DNA of the father or mother, either by error of the lab or if the mother happens to have been raped by the enemy army? What is the fate of the child if the DNA doesn't match with the father? That's a big concern.

The most victimized child becomes more victimized.

The Chair: Thank you.

Mr. Temelkovski.

Mr. Lui Temelkovski: Thank you, Mr. Chair.

I'd just like to ask the question, what is acceptable nowadays for refugees, in terms of processing time, to unite members of the family? My uncle was a refugee forty years ago. When he left our village in Macedonia, he didn't know how long it would take. He had to escape in the time of darkness and go to places he'd never seen, and then he ended up in Canada. We came later on.

At that time there was no time limit for a family to be apart. Now my wife nags me if I'm away for three days. What is the acceptable time, or critical time, for family reunification? Is it shrinking? Is it expanding? Is there a right number? Is there a wrong number?

Anybody can answer.

Ms. Margaret von Lau: Yes, maybe I can answer.

First, I agree with your wife. Three days probably seems too long, and this is what a lot of women feel. No matter what country you are from, it's hard on the family, especially when you are new in the country. It's very crucial, because it's not only post-traumatic stress but also isolation and being fully dependent on the community that impacts the family.

We notice that in some of the countries the process of reunification is going very fast. I have my own experience. I was married a year ago and I was waiting for my husband to come to Canada for eight months. In other countries, unfortunately, they are waiting for a few years. So how can we keep the family as the smallest society, and create a safe environment and an opportunity for the family to develop and to grow, when the family is not reunited?

So I think we have to look not only at the spouses and children; we have to look also at the extended family as being very important, especially for families from communities where the extended family has a huge impact on the family setting, such as Africa and the Middle East, and even Europe.

We also have to look at it from the perspective of grandparents, who are waiting sometimes four or five years for the sponsorship phase. They can die before they come to Canada. If they lose the opportunity for these grandparents to come and take care of their grandchildren, you will see how these people are unable to go to work, because women have to take care of their children. We're talking about families with five, six, seven, ten, or eleven children. They're unable to go to work. They cannot even go to school. They're unable to contribute to society if they don't have some support.

So I think another thing is for the government to look at grandparents, the older parents of Africans, so that they can come to Canada.

I hope I have answered your question all right.

• (1640)

Dr. Vedanand: I think it's important to take a look at the whole notion of this kind of inequality, this kind of atrocity. Stephanie Nolen, a news correspondent, had a moving account of what was happening to the Hutus and Tutsis. It is so moving. What has happened to love and compassion? We are looking at the problem of refugees. The love and compassion has suddenly disappeared. One of the greatest challenges that marriages today have to face particularly is the Canadian identity. What are we looking at? What kind of identity? Who is making this identity? Stephanie Nolen spoke, and it moved me to tears.

What is happening is that the claims for refugees...they are looking at them, and at the same time, if there is a flaw, the cases are not legitimate. There are people who can come here and stay for 17 years and then find out they should not have been refugees. All those suddenly have become.... But the most important thing is what has happened to love and compassion?

This is what is happening. Members of the committee have never looked at it from that perspective. Stephanie Nolen said this person, who was raped by hundreds of people, has come back, has become a mediator, and is looking for love and compassion. That is the challenge.

Thank you.

The Chair: Thank you very much.

Thank you for participating in these hearings. This was our first day. We're going to be in Regina tomorrow and then we're on to Calgary, Edmonton, and so on. Then we're going to visit Bill's home city.

Thank you very much for coming forward. We'll send you a copy of any reports coming out of this. If you have any afterthoughts and you want to send this information, by all means do so.

We are also expecting a new citizenship act and we hope you might address issues in that, which we look forward to receiving from you.

Thank you very much. The hearings are adjourned for today.

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