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**Chair**

**The Honourable Andrew Telegdi**

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## Standing Committee on Citizenship and Immigration

Saturday, April 9, 2005

•(1015)

[English]

**The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)):** Let me start off by thanking you for coming in on a Saturday. As you know, we have to have a vote in Ottawa on Tuesday, so we rescheduled those meetings for today.

Let me say that it's wonderful being in the beautiful province of British Columbia. Your B.C. members, and we have three of them on the committee, certainly made the case that if we're going to spend the weekend anywhere, it has to be over here.

I would like to give it over for a couple of minutes to our member from the lower mainland, Bill Siksay, to say welcome.

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

Welcome to all of our witnesses this morning and other folks who are here to watch the proceedings and to listen in on the proceedings. And to my colleagues, welcome to the lower mainland. I'm glad that you can actually see the mountains this morning. I was worried that we might have one of our cloudy days. I hope you had a great flight over this morning from Victoria. We're looking forward to hearing from some folks on B.C.'s perspective in Vancouver and the greater Vancouver area's perspective on these important issues that we're discussing this morning.

I can also welcome you to Vancouver Centre. I ran here in Vancouver Centre in 1997, so it's my second riding home in the Vancouver area. So welcome this morning.

**The Chair:** Thank you very much.

Today we're going to be dealing with the family reunification issues, as well as international credentials and the new upcoming Citizenship Act.

The way we are going to start off is each group makes a five-minute presentation. Starting off, we're going to have Mr. Lawrence Wong.

**Mr. Lawrence Wong (President, Lawrence Wong & Associates):** Good morning, everybody.

Thank you for giving me the opportunity to be here.

I want to touch on three areas with respect to family reunification. Over the years I have witnessed the erosion of the concept of family reunification in the sense that we are putting a lot of emphasis on family reunification in the context of spousal conjugal partners and common-law partners. We are ignoring the family reunification of

parents and grandparents. That happens both in terms of resource allocation and in terms of the annual targets that are set for allowing parents to come to Canada.

I'd like to follow my brief. My brief covers three areas, and those three areas reinforce the concerns that I raised.

First is the area of existing permanent residence. We have the problem of the PR card challenge, as you may know, where we changed the law on the residency obligation. We're now telling people that they have to spend two years out of the last five years physically in Canada. However, that change was brought retrospectively, in that when the government brought in the PR card, they made the law effective immediately, in the sense that the five years started counting not forward from the time that it became law, but rather backwards. Many PRs lost their PR rights as a result.

As you know, in Vancouver we have many so-called astronaut immigrants, people who travel back and forth. Under the former regulations and law, they could do that as long as they didn't abandon Canada as the place of permanent residence. We've now changed that, and when we changed it, we forgot that these people are caught by the retrospective new law. If CIC takes a more purposeful view to this, bearing in mind the importance of family reunification, then these people would be able to maintain PR status under the criteria of humanitarian and compassionate grounds.

We are seeing a large number of these astronauts losing their permanent resident rights and families are separated as a result. This goes back to one of the objectives of our Immigration Act that says we're supposed to see families reunited. Instead, families are separated. We have taken away their status not due to something they deliberately did, but due to something the law has changed.

The other area I want to touch on that is again an indication of the erosion of family reunification is paragraph 117(9)(d) of the regulations. As you may know, that basically says that if you have failed to disclose a family member, then that family member may be excluded from the application that you want to file later on. In many instances, that rule is being applied without consideration of the H and C aspects of it. The law itself deals with misrepresentation, and it puts a two-year ban on people who made misrepresentations about their dependants. Yet when you apply 117(9)(d) to the people affected by it, the ban is not two years, but permanent.

•(1020)

We have a case involving a nine-year-old child called Bin Huang. The story was covered by *The National* on CBC. This nine-year-old child was not disclosed to the Canadian immigration authorities by his father because of China's one-child policy. As a result, when the father landed in Canada he applied for this child, and the application was refused because of his non-disclosure. He appealed to the Immigration Appeal Division. He won the appeal, but the minister appealed that decision. If the minister was interested in family reunification, if the minister was interested in humanitarian or compassionate grounds, why would the minister appeal that decision and stop the nine-year-old from being with his parents here in Canada?

I then move on to my third topic, which is the family reunification that has been redefined to only favour spousal. In this case, we see the danger of it is that if we allow spousal applications to be processed to completion within six months while parents and grandparents take ten years, this is disproportionate; it misplaces the balance we have and creates an imbalance in the processing. When you think about it, when CIC controls resources they get to also control policy; they get to control who gets to come into the country, because a ten-year wait for parents renders this family reunification with parents meaningless.

**The Chair:** Thank you very much.

Next we will hear from the West Coast Legal Education and Action Fund.

**Mrs. Tami Friesen (Director, West Coast Legal Education and Action Fund):** Good morning, Mr. Chairman and committee members.

My name is Tami Friesen. I'm a board member of West Coast LEAF and practise immigration and refugee law in Vancouver. With me this morning is Alison Brewin, program director of West Coast LEAF. We'd like to thank the committee for giving us the opportunity to speak to you this morning.

West Coast LEAF association is the British Columbia branch of the National Women's Legal Education and Action Fund. West Coast LEAF is a charitable, non-profit society that was founded in 1987 to secure equal rights for British Columbian and Canadian women, as guaranteed under the Canadian Charter of Rights and Freedoms.

The issue we'd like to address this morning is the interaction between gender and family reunification in immigration and refugee law and policy. We urge Canada, and particularly this committee, to identify the barriers women refugees and other immigrant women face in coming to Canada, as well as the ways in which Canadian immigration policy and law undermine women's freedom and capacity to escape violence both internationally and domestically.

When the IRPA was enacted, the ministry engaged in a gender analysis of the new legislation. While such analysis is an important step in recognizing the government's international and constitutional human rights obligation, it's only an initial step.

The impact on women of the rules and regulations for family and spousal sponsorship, procedural delays in refugee applications and family reunification, the continued inadequacies of a living caregiver

program, and the limitations of Canada's social safety nets, must all be actively addressed by the government.

We urge the federal government to follow through on the gender analysis recommendations done of the IRPA and to continue to do research on the gender impact of the IRPA to identify the real lived experience of women who seek protection and a home in Canada, to ensure we are living up to our obligations and expectations as a nation.

I'd like to briefly highlight some specific issues we discuss in more detail in our written brief, first on the definition of family. West Coast LEAF takes the position that the limited definition of family in the IRPA and the regulations does not reflect the real experience of women or ethno-cultural minorities in Canada. We support a more expanded definition of family class that would allow immigrants and refugees to define their family unit. This would allow women and assist them in their capacity to contribute fully to the social, political, economic, and cultural structures in Canada.

This family unit is not only an important social unit but may also provide additional support to immigrants—social, economic, emotional, and child care support—thereby allowing for more economic productivity. This is particularly true in B.C. where social safety, such as legal aid, child care subsidies, settlement programs, and social assistance, has been severely eroded over the past four years. If provincial governments are not providing adequate access to justice and to social services that meet the needs of immigrant and refugee women and their families, the federal government is obliged to respond to these failings.

One way, as suggested, is to allow an expanded definition of the family unit. Another way is to re-examine the federal-provincial transfer payments. The provincial changes to the social safety net, possibly in part as a result of changes to the federal transfer payments, have had a disproportionate impact on immigrant and refugee women. We recommend that the federal government reassess the ways in which it ensures provincial governments are providing legal and social services needed by immigrants and refugee women across the country.

Regarding family class sponsorship, although the sponsorship undertaking period for spouses was reduced from ten years to three years under the IRPA, the sponsorship regime continues to create dynamics of dependency and unequal power relations. It continues to make women vulnerable to abusive relationships, and as a result of legal and family pressure, lack of information about their rights, fear and misunderstanding that they will lose their permanent resident status if they leave the marriage before the end of the undertaking period, and lack of legal aid and social services, women can feel tied to a marriage that is not safe for them or for their children.

Problems can also occur where the woman is a sponsor and where the marriage breaks down. The provincial government in B.C. is actively holding the sponsor financially responsible for her husband should he go on social assistance.

•(1025)

Women's economic circumstances and primary caregiver responsibilities can lead to default of sponsorship obligations. Until women have access to equal pay for work of equal value, adequate child care, and are no longer vulnerable to poverty upon marriage breakdown, the Government of Canada must recognize the burden that current sponsorship models create for women, both as sponsored and sponsoring spouses.

As our last point, we also urge the committee to address the delays in privately sponsored refugee applications and in family reunification for accepted refugees, and to allow women and children left overseas to be reunited with the spouse in Canada for processing.

Thank you.

**The Chair:** Thank you.

Next we have Mr. Dhesi from the India Welfare Association of Canada.

**Mr. Gian Dhesi (Director and Senior Vice-President, India Welfare Association of Canada):** Good morning, and thank you very much for giving me the opportunity to come and represent my community.

This association consists of a general background of all the associations. It consists of religious leaders, political leaders, and business leaders from all over.

The basic issues I am going to address, for which I have given a submission, are about family reunification under marriage, which our community confirms. We have many concerns about our overseas embassies and immigration officers which our young generations are facing. I want to speak about those things.

My friend beside me has explained the reunification. I don't want to repeat those words again.

The basic things are first of all that immigration is doing interviews over there and these people are not very familiar with Indian culture. For example, my own family's case was very embarrassing when I was sitting there and the immigration officer was doing interviews and asking embarrassing questions of my daughter-in-law. I have never heard these in my lifetime experience in my culture. The population in Canada from Indian and Punjabi cultures comes from very remote areas. India is a very large country and all cultures are different: 37 language states and 135 spoken languages. Everything is different. The people, particularly young girls from the remote areas, have never even visited the big cities. They don't know about boyfriend and girlfriend and dating. I have written on these things, which I can probably read out.

I just want to give the concerns of all the community, not one particular area and what happened to my family and my associates. I want to read out, and I will give you details after that, and then you can ask me questions. Otherwise, I don't want to take more valuable time over this.

I am saying that people who are doing interviews overseas should be familiar with our religious and cultural values. They should know, when people come from a remote area, the kind of knowledge there is between husband and wife when we choose and when we make

these arranged marriages. India is different. People are changing as immigrants here; still, we believe in arranged marriages.

My second point is that interpreters are basically hired from the big cities and have never even visited a remote area. For example, I know the people in the New Delhi office personally. They are from New Delhi, they are from Bombay, but they don't know a thing about the Punjab villages—how the people are living in Punjab, how they make arrangements in the Punjab. Sometimes the language is spoken in such a way that only professional people can understand. When they translate, they don't translate exactly what it means there. Then naturally our girls get shy and then they cannot make eye contact with the immigration officers. When they are talking, she gets like that and just says thank you. The interview is over. In that case, I was present and the girl was crying. They called me and I went in front of the immigration officer. I said "What kinds of questions were you asking? These questions are not dealt with in our families." Then we went back and he started doing the interview again.

These are the most important issues about my whole community. The basics are there, and you have the information so you can read all these things.

•(1030)

Basically, our community has concerns about that. I have the cases here, because I also belong to a religious society where I have been a president over there for a number of years, and I also have been in this community. So I have a basic knowledge about what is happening with my communities over there.

When a husband applies for a wife, or a wife applies for a husband, some cases depend upon the immigration officer who is handling the case over there. Then they are starting the process for the full sponsored family, but maybe he's sponsoring only his wife. That is the main issue. There are these outstanding cases in the New Delhi office.

If the committee wants, I can you bring actual cases. I can go over what our Indian people, particularly the Punjabi peoples, are facing in front of the New Delhi and Chandigarh offices....

I have a concern about these things, which is not mentioned over there. People have immigration agents. They have agents over there who again are hired from the big cities. They don't know which and they have particular stations there. They go near a city, and then they say you know this village of so-and-so over there, and their point is they have a concern: I can't speak of it now, but I am very concerned. Those agents can give a good report or a bad report without even meeting a family, a concerned sponsor, a sponsored family. The airport is in New Delhi, and officers working there agree—black and white papers—and he is allowed to come into Vancouver, New Westminster, anywhere in any part of Canada. These are the other issues that should be addressed. Whenever the department is employing or sending people they should be well trained.

And the people should be from the small remote areas. They should know the culture, the religious behaviour of the girls and boys. They don't entertain in the clubs or do anything there, and we don't give very good clothing to our ladies; we don't give them fancy lipsticks until they are married.

**The Chair:** Mr. Dhesi, we really are running over time, so we'll go on to the next one.

•(1035)

**Mr. Gian Dhesi:** Thank you very much.

**The Chair:** We have two people from MOSAIC.

Ms. Francis, are you going to be making the presentation?

**Dr. June Francis (MOSAIC):** Thank you very much.

We have with us Eyob Naizghi, executive director and board member as well. Thank you for allowing us to present here today.

I think this it is exceptionally important for you to hear from the people who are on the front lines every day dealing with immigrants. I belong to a multilingual organization, and our mandate is to deal with the successful integration of immigrants and refugees into the Canadian society. We do that through a number of programs, and we've been doing it for almost thirty years. We're about to celebrate our thirtieth anniversary next year. So we welcome this kind of opportunity.

All three areas that you're addressing are of vital importance to our clients and are very dear to our hearts. First, we have made submissions in all three areas. On the issue of internationally trained professionals, I'm a professor at Simon Fraser University, and I can say that my integration into this society has been predicated on the fact that you have accepted my foreign credentials. So this is very dear and near to my heart. I would not be as integrated as I am today—and probably would not have been here—if you had not done so. I encourage you to look at those issues.

The other thing is, as a naturalized citizen, I exhort you to address the issue of fairness and the equality of all citizens. We live in fear, actually, that one day there's going to be a rule, and our citizenship will be taken away from us. This is very undermining to us as citizens to believe this is possible, so I encourage you to really address that. But you're concerned in this session with the issue of family reunification, so I'll address my comments to that.

Canada's immigration policy has always centred on accepting and holding very dear the idea of family reunification. I believe what Confucius said is true:

To put the world in order, we must first put the nation in order; to put the nation in order, we must first put the family in order.

I believe Canada's immigration policy holds this notion to be very dear. Many of the issues our panels will address are more in terms of the obstacles, not of the intent. But often the obstacles interfere with us achieving what it is we are trying to achieve, so we're trying to make these obstacles as clear as possible, because I think when they're addressed we'll achieve our objectives.

First of all, we'd like to talk to the issue of the immigration policy that has been in place for some time now. It's not exactly the law; it's in fact a policy where we've been allocating 60% of our projected spots to the economic class and 40% to the non-economic class.

We would like, first of all, to have you question this. It seems somewhat arbitrary. While we understand that—and let me underscore this fact—the economic policies of Canada are critical, and our immigration policy must address this, maybe we need to look at this

issue again, for a number of reasons. One is the research that's emerging to suggest that both non-economic-class immigrants and economic-class immigrants perform equally well. If we look at the economic contribution of both classes, we need to understand that there may not be truth to the assumption we make that the non-economic class isn't contributing.

The second issue has to do with the fact that by allocating 60% to the economic class and 40% to the non-economic class, we are actually undermining the 40% family reunification class. Here's why. If 60% of your immigrants are in the economic class, the subsequent applications of their relatives actually come out of the 40%. So the first group who arrive as economic immigrants come out of the 60%, and their subsequent family members come out of this 40%. It doesn't take you long to see that if you have the 60% coming out of the 40%, it's a shrinking base. So I think that really needs to be looked at.

•(1040)

Also, often we do not meet our targets. Minister Volpe said there were 235,808 immigrants in 2004. When you look at the actual numbers, you see 57% of those ended up being in the economic class and 43% in the non-economic class. The reason for that is that we did not hit the targets in the economic class, so we need to look at that.

The other two points—and I will just touch on them as well—have to do with something very near to our hearts, the length of family separation. This is absolutely critical. We can give you a lot of examples. We have an example of a woman who has gone for seven and a half years without seeing her children. We cannot allow this to happen, and there are some significant obstacles to that.

I will end with our children. The two issues here of critical importance have to do with, one, that children who happen to be here as refugees cannot sponsor their parents. This, I am sure, is not the intent of our policies. A law that leaves our children unprotected just does not seem to make any sense. Two, the issue of refugees already here bringing their children in is also an area that needs to be addressed.

I will end by saying this. Bitter are the tears of a child; sweeten them. Deep are the thoughts of a child; quiet them. Sharp is the grief of a child; take it from him. Soft is the heart of a child; do not harden it. If we don't have humane policies for children, we stand to harden it.

Thank you very much.

**The Chair:** Thank you very much. I am very pleased to hear all your presentations.

I just want to point out to you before we get into questions and answers that we as members of Parliament are faced on a very regular basis with the problems you have raised and that we, the members of this committee, set the agenda as to the issues we wanted to study on the cross-country tour. That shows you the kind of concern we have about addressing those topics.

Let me conclude by just saying that half the members of the committee were not born in Canada, and then we have two refugee members in the House of Commons sitting on this committee. We can appreciate your passion about citizenship.

We're going to start off with our first questioner, Ms. Ablonczy.

**Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC):** Thank you, Mr. Chairman.

Thank you for an excellent presentation. It's good information for the committee.

I'd like to just spend a few minutes trying to sort out, perhaps, some of the policy implications of what you have said.

Mr. Wong talked about the need to reverse the roadblock that has been put in the way of parents and grandparents. It certainly is the case, and we know this, that those files are not moving forward. But Ms. Friesen, on the other hand, has urged us to open up the definition of family, particularly for the benefit of women, so a person's support system can be more fully brought into Canada. You can see, of course—although both of those positions really touch my heart—that they conflict with each other. If we are going to extend the definition of family, then something has to give on the other side, and it may be, as it is now, parents and grandparents.

So I'd like to ask both of you to help us deal with that inherent conflict, because obviously there cannot be priority given to every single class. That means, of course, as Ms. Francis said, that somebody loses out, and that is so unfortunate and so hurtful and so stressful for families. I am just struggling—and we're all struggling—with what is really the proper balance here.

Any advice you could all give us, including Mr. Dhese and Ms. Francis, on what you see as a proper prioritization would be helpful for us, because I know you are intimately involved in the issue.

• (1045)

**Mr. Lawrence Wong:** I think we have already expanded the definition of family class, since we accept same-sex and common-law spouses as part of the spousal program.

But while we expanded that family class, we did not increase the target, the quota for allowing more people in. We basically keep the same proportions and the same numbers, and that's why the parents suffer. As one of the solutions right now in terms of the annual intake of immigrants Canada has, we can easily increase that number by 10% to 15%.

The other is the debate about it going so much faster for spouses than for parents in the sense that if we decide to spend one year to process spousal cases, that may result in more processing resources being allocated to doing parents. It need not be six months versus ten years, in other words; the solution could be one year versus five years, and that might be a balanced way of doing it.

But the more ideal solution would be, since we have expanded the category, to allow more people in as a result.

**Ms. Alison Brewin (Program Director, Women's Legal Education and Action Fund, West Coast Legal Education and Action Fund):** This is just to clarify. West Coast LEAF isn't recommending that a different priority be placed on different kinds

of family members. What we are addressing is that when you look at the individual immigrant or the individual refugee, look at what their experience of family is and what their understanding of family is. We're encouraging an expanded definition. It's not to make grandparents the priority or parents the priority but to allow the system some flexibility to recognize both ethnocultural differences and gender need when it comes to women's experience.

I don't think they conflict in any way. We're not talking about setting priorities of one over the other. We're asking the government to actually take into consideration a very personal and real experience, what their understanding of family is, and what will actually allow them to contribute more effectively to Canadian society.

**Mrs. Diane Ablonczy:** If we accept more people in the queue, then obviously the processing of those individuals is still going to have to be sorted out somehow—I think. Am I wrong about that?

**Ms. Alison Brewin:** No, but again, expanding the understanding of family from the perspective of the person trying to come to Canada or in Canada doesn't necessarily mean a rise in numbers in particular. It just means that for one woman it might mean her cousin coming and for another immigrant it might mean her grandparent coming.

It's an apples and oranges thing here. We're not actually suggesting an expanded number, where everyone gets to bring in 12 people instead of two. What we're saying is there are different understandings of what that means, and that's particularly true when you look at women's experience.

**The Chair:** Thank you very much.

Now we're going to go on to Mr. Siksay.

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

I was actually just thinking about this issue, because the question of family class definition is important to me, though I wasn't preparing to ask that question. I tried to get the government to consider a change to that with a private member's bill, but it unfortunately didn't succeed. But I'm intrigued by the idea of allowing immigrants and potential immigrants to define their families for us; I think that's a helpful idea. I'm struggling with how that might look in practice, because right now we have a system where you have to make choices about who you sponsor, or which people. We give certain relatives priority by the way the system is set up. So it's an interesting idea to think about immigrants having the ability to define who the key people are in their family, and then to proceed from there. So I think that's a very helpful suggestion.

It's hard when there are so many excellent presentations and only a short time to ask questions. I wanted to say that I appreciate Mr. Dhesi's presentation. We're in this debate in Canada right now about how we define marriage. In that debate, there's often an assumption that we know how marriage is defined in Canada and that there's one definition of what marriage looks like. I think what you have reminded us of this morning is that there are many definitions of marriage in Canada, or many understandings of it. Certainly, in my personal experience, an arranged marriage is something that is very unusual, or something that runs counter to my experience with that kind of commitment. But I certainly don't want to be part of a system that would discriminate against people who have that understanding. To hear about the wide variation in the understanding of marriage in India and its villages, for instance, is a very helpful reminder for us.

I wonder if I could ask the folks from LEAF to expand on the issues of the living caregiver program and DNA testing, which you mentioned in your brief but didn't have time to mention more specifically. Could you just tell us what your thoughts are on those issues?

We've had people appear before us who mentioned the whole question of who in the family goes through the DNA testing, and how often it is, for instance, that children who have been well accepted in the family unit don't end up being the biological children of the father. It becomes a huge family and social problem if those children end up not coming to Canada.

Maybe you folks could comment on who should be tested and why, and those kinds of things.

• (1050)

**Ms. Alison Brewin:** West Coast LEAF is not an immigrant-serving group and is not in a position, frankly, to be all that specific about it. We're bringing forward some of the human rights and equality rights issues, and the obligations that the government has, so we aren't in a very key position to answer that question.

I would say again that, in light of the nature of family structures across the globe, we need to recognize that. Of course, DNA testing is an excellent tool to establish biological connection, but the fees involved, for one thing, and the requirement.... It's often needed in cases where they are living in failed states, where there's no documentation, the very places in which those individuals are not going to have the resources they need to establish that kind of connection.

So our recommendation is first just in terms of the fees, but we must also be flexible if we're going to recognize the reality of what people are living in and the different family structures that are experienced around the globe.

**Mr. Bill Siksay:** Did you want to say anything about the living caregiver program for me?

**Mrs. Tami Friesen:** Our main point with respect to the living caregiver program and family reunification was the very long periods of separation. The participants in the living caregiver program are most often women, who leave behind their spouses and children—often for several years—while they're working here in Canada and while their application for permanent residence is in process. So we're suggesting that participants in the program be allowed to bring their family unit with them as soon as they enter

Canada, and not have to wait three or five years, until they get their permanent residence, to bring their children with them to Canada.

**The Chair:** Thank you very much.

May we have Ms. Beaumier?

**Ms. Colleen Beaumier (Brampton West, Lib.):** Thank you.

I have several questions for different individuals.

Mr. Wong, I'd like to start with you first, and I want you to know that I'm being a bit of a devil's advocate in this. I probably believe in a federated world, even though I know the practicalities aren't there yet, so please just bear with me.

You're talking about that people losing their PR card because they're not spending enough time in Canada. What would you judge to be a reasonable requirement in order to be considered a legal resident of a country?

**Mr. Lawrence Wong:** There isn't any debate or disagreement on my part about this two years out of five. The disagreement is how it was applied. Right now it's being applied retroactively in the sense that they don't give you five years from today and let you accumulate two years of physical residence. They look back five years now, and if you don't have two years then you're out of the game. That applies to people who have established families here with Canadian-born children, Canadian spouses.

• (1055)

**Ms. Colleen Beaumier:** So it's not the two out of five that bothers you?

**Mr. Lawrence Wong:** No, not at all.

**Ms. Colleen Beaumier:** It's that they have done it retroactively.

**Mr. Lawrence Wong:** That's right.

**Ms. Colleen Beaumier:** Thank you.

Mr. Dhesi, you say that some of the questions that were asked when you were there were embarrassing. What kinds of questions? Were they of a sexual nature?

**Mr. Gian Dhesi:** They were very explicitly sexual in nature, the questions that were asked. I mention here one word. Basically, I could not understand by myself, because I was not a professional in legal terms there. For example, I have written here in my submissions the question he was asking—his direct question, a health question, but he used fancy language, such as, "Did you have consummation?" The girl was wondering, what's that mean to me?

**Ms. Colleen Beaumier:** Of what? I see, the question was did you consummate the marriage?

**Mr. Gian Dhesi:** Yes.

**Ms. Colleen Beaumier:** Okay.

**Mr. Gian Dhesi:** And all girls from the village don't know what that means.

The counsellor was sitting in front of her, and I was standing behind—there is a wall there, there is a window, and I was sitting outside—and I couldn't understand, myself. The girl then started saying in Punjabi that.... Really, I can't explain to you; you won't understand. But that girl.... My son is born and raised and has never been to India, but I made the arrangements. They met, the marriage was done. I was there. She started crying. She asked, "Why is she asking these things? These are my personal property, personal matters. Immigration has no business to establish what I have done in the bedroom."

**Ms. Colleen Beaumier:** I would think that in a case where questions of a sexual nature were asked you should have at that time laid a complaint, because if any woman living in Canada were asked questions of a sexual nature, you can be absolutely sure they would not answer them and they would be highly offended by them. I don't think this is a legislative thing. I think this is a housekeeping issue that should be looked after in the embassies.

**Mr. Gian Dhesi:** That's what I pointed out, that the people who are appointed over there should be trained or well informed before they go there. I can give you an example. Mr.—I forget the name—was appointed at the high commission there. He was in Vancouver for three days. He called all the different committee members to find out how India works over there. I forget his name. Anyway, I will come back and remind you. These kinds of recommendations our community wanted to bring. Any people...whoever you appoint over there should be well trained about the culture, living—

**Ms. Colleen Beaumier:** But this doesn't have anything to do with culture. That's just plain ordinary sexual harassment. Questions of a sexual nature should not be asked.

June, I wanted to ask you as well. You were saying you live in fear that your citizenship could be revoked.

**Dr. June Francis:** Yes. That's of course the effect of fear. It is not an evident fear, but yes. You never feel quite the same as the persons born here. Every time you see the question arising about conditions under which your citizenship could be revoked.... The question that comes up is how long is enough? How long before I become a real Canadian? I have Canadian-born children. They can do anything, but when is it that I'm going to be here permanently? And yes, that is the question that affects me, yes.

**Ms. Colleen Beaumier:** And you think that should be on our priorities to get that fixed?

**Dr. June Francis:** Absolutely.

**Ms. Colleen Beaumier:** I think we agree with you.

**The Chair:** Thank you very much.

Next we have Mr. Mark.

**Mr. Inky Mark (Dauphin—Swan River—Marquette, CPC):** Thank you, Mr. Chair, and thank you to all our witnesses.

Your presentations were certainly interesting. We could spend an hour examining the different areas you all bring with you. All I know is I am certainly happy that I was allowed to join my family, or I wouldn't be here today. I came here 52 years ago.

I'll just address a couple of the problems or concerns raised by Mr. Wong. I'm glad to hear you believe, like most Canadians, that citizens need to be loyal to this country. I guess I was remiss to miss

the issue of retroactivity when Bill C-11 was passed. I think it's still a valid point that should be raised with the department and the immigration department.

On the issue of citizenship, we discussed this at length as well, because we do have two classes of citizenship in this country. For those born abroad, it's not a constant thing on our minds, but there's the potential there that if you get in trouble in the country—criminal or otherwise—there's always a possibility you could be deported somewhere. I'm like you—where would I be deported to? I have nowhere to go. This is my country.

Mr. Dhesi, I've had the opportunity to be in India for a long time, and I've visited the visa offices in other countries. It's a very difficult challenge for all of our embassies abroad. I agree with you that culture has a huge part to play. I've had the chance to sit in on a number of interviews, even with citizens of India who are involved with the interviews, and it's not easy.

I don't know how we can ever sort that out. One of the problems is that the people who are assigned to those offices only stay for two or three years. Then they move on and are replaced by people from other embassies. It's a huge challenge. Because culturally we're so diverse around the world, how do we ever get to really understand...? Even within our own country, from region to region, we're different. I don't know how we could get past that.

• (1100)

**Mr. Gian Dhesi:** On our community concerns, sure they can ask questions, but could we ask questions in simple language? The person giving the interview should understand these kinds of questions. I have a case before the law offices here, because when they ask these kinds of questions, girls get shy. These recommendations should be given to the department also, not just to the committee of the House of Commons.

When the girl gets shy they immediately make the assumption this is not a legal marriage. How can we solve that one? There are hundreds and hundreds of cases, and people are spending tens of thousands of dollars for the law firms. I have a case here where the husband has gone back and forth to India, and now they have a baby. The immigration department in New Delhi is still not satisfied it's a legal marriage.

How can the younger generation, born and raised in this country, establish these kinds of issues? They have to be established within the department, not in the House of Commons. That's the issue I want to bring to the committee so you can get it to the department. Who is handling and training those people?

**Mr. Inky Mark:** Perhaps I can use my remaining time just to ask one short question on the issue of once-in-a-lifetime sponsorship. Would that help clear up some of the problems we find today, and would you support that?

**Mr. Lawrence Wong:** I guess the problem is how many immigrants we want to land. It would create another category. Not lifting the ceiling on the numbers, it would just create more backlog, and somebody would have to suffer. You can broaden the definition, but if the resources are controlled by CIC, they hijack the policy; they hijack the intent of our legislation.

**The Chair:** Thank you.

Mr. Anderson.

**Hon. David Anderson (Victoria, Lib.):** I would like to follow up on the first question asked by Ms. Ablonczy. It is important that we have some idea about the priorities you believe to be most appropriate.

As I understand it, the priority is now given to children and spouses. I personally find this to be absolutely the correct thing to do. I agree that there can be other members of the family class—grandparents, cousins, and so forth. But I still think that children and spouses should be first on the list, particularly when resources are limited, which they are and always will be in view of the ever-increasing demand. Every time you make a change, demand will go up. I just wanted to make sure that no one disagrees with that.

•(1105)

**Dr. June Francis:** Yes, children are very important. I want to underscore that currently our refugee children are not being made a priority. I just want to make that absolutely clear. So it's not as if we have made them a priority. They're not a priority. In two instances, if they're here as refugees they cannot sponsor their family. We have no allowance for that.

Also, when one parent is accepted as a refugee and another is not, the procedures involved are so cumbersome that in many cases nothing happens.

We're an immigrant services society, and in our practice we have to recognize that the understanding of family can be very thorny. In some cultures, there is no word for "mother" in a singular sense. There are mothers. All the aunts in a family are considered almost equal. So in some cultures the aunt is a very important person.

We need more flexibility. We need to look beyond the spouse and the children, to the next line. I agree with you that in most cultures the spouses and children tend to be a priority. But there doesn't seem to be agreement on who's next. Maybe it would be the grandparents, but it could also be somebody else. We have adopted a very western approach to understanding the family, and it doesn't apply everywhere.

**Hon. David Anderson:** It is inevitable that we have to have some rules. If we don't, we're giving almost total discretion to officers in the field. These matters may depend, in a country such as India, on local custom. The Indian Adoptions Act, section 16 or 18, talks about local custom. There could be a thousand local customs. In such situations, it's very difficult to set down policy positions or recommendations.

But I gather you believe that where priority is called into question, the mother or father and children should have priority.

**Mr. Lawrence Wong:** With respect to whether spouse and children should be ranked number one, I think children are a given. There is no debate about it.

But with spouses, the case is different. You may have, on the one hand, a short-term spouse in common law, and, on the other hand, parents with a lifetime, biological relationship. In such a case, the spouse might be able to immigrate ten years before the parents. This doesn't seem right, in my view. I don't think this priority has really been debated in public.

**Hon. David Anderson:** I can certainly agree with that point. But to allow for that type of flexibility, you'd have to give such discretion to officers that immigration lawyers across the country would be tearing their hair and beating the doors of our offices down with annoyance. They would object to our having a system so divorced from process, so dependent on individual discretion.

That's a balance we're going to have to look at, and I appreciate your remarks. I don't think it's always possible to establish systems that are not arbitrary to some degree.

Back to Ms. Francis and the comment that was picked up by my colleague Ms. Beaumier about citizenship being irrevocable, you've stated categorically that it should not. I wonder if you can envisage any circumstances in which citizenship might be revoked.

**Dr. June Francis:** The present provision, which suggests that if I had made fraudulent statements in my original application.... As I understand it, that is the condition that currently exists. I think it is a reasonable one, but even that bothers me. At what point is it over? At what point will this haunt me?

That is the only one I can envision being acceptable. Every other condition of citizenship I think should be equal between the two.

•(1110)

**Hon. David Anderson:** There is essentially a matter of practicality. You think there should a period of ten, fifteen, or twenty years—or five years, two years, whatever it might be—after which there is no longer a probationary citizenship. You think at some stage, no matter what misrepresentation may have been made about entry into Canada, we should assume it to be irrelevant and no longer capable of being looked into.

**Dr. June Francis:** And I say that regretfully, although I say it positively—regretfully because there are some situations we all have heard where people have managed to come in under that and been afforded the protection of Canada and have committed unpardonable things. It is regretful that this is the situation. I understand why there is a reservation about it, but I think in terms of the public good and the good for most of us, we have to accept that risk and say, after two, five, ten years, you are permanently and completely equal before the law as a citizen of Canada.

**The Chair:** We'll hear one more short comment from Ms. Brewin.

**Ms. Alison Brewin:** I would just add to this that I think citizenship women are often in a situation of making fraudulent statements for their own safety, for concerns...for lack of information about what is okay and what is not okay. This can happen under many situations.

I think the application for citizenship process.... This government is responsible for deciding who is going to get citizenship and who isn't. You have the opportunity to determine whether someone has done something wrong or not. For the security of those who are born somewhere else, we need to give citizenship its due and say "If we accept you as a citizen, it is our problem if we have made a mistake." That is what I would say.

**The Chair:** Thank you.

Mr. Temelkovksi.

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

I have a question to Tami and Alison. In your recommendation on page 7 you suggest the federal government reassess the ways in which it ensures provincial governments are providing legal and social services. Can you expand that and tell us more about it, please?

**Ms. Alison Brewin:** With pleasure.

In 1995 the federal transfer payments to the provincial governments were changed, in that provincial governments became free to make decisions about how those transfer payments would get spent. The federal government did not retain any capacity to say, this must be spent on, for example, family law legal aid, or this piece must be spent, for example, on something else.

You have since taken health care out of that and earmarked it. That has caused a number of profound problems in terms of our social safety net here in British Columbia, because our current government has made some choices to spend money in ways that have undermined women's equality in this province, and it is quite a profound problem. Women are now increasingly vulnerable to poverty, to the incapacity to access claims that they have a right to for child maintenance, for spousal support. It is a very complex and problematic issue.

The federal government, under section 36—I had better make sure I do this right—of the Constitution Act is responsible for ensuring that social services across the country are of a reasonable level, and we see that being lost in some of the things that have been going on here.

I can expand at great length on that issue, but...

**Mr. Lui Temelkovski:** Do you think there is room to have a national standard on that?

• (1115)

**Ms. Alison Brewin:** Well, it depends on the issue.

**Mr. Lui Temelkovski:** As you are aware, on many of these issues, although we make decisions on how many people and of which class are coming to the country, most of the work is left to and negotiated with each province and territory.

**Ms. Alison Brewin:** I think one of the complications we have in Canada is the fact that the federal government signs on to various international treaties and makes commitments about things, makes commitments to those immigrants and refugees who come, but the settlement services and the things that are available to those immigrants in the provinces are up to the provincial governments. Though obviously I am not suggesting we change the entire constitution and structure of our country, if we are as a federal government going to sign on to international agreements, we have some responsibility to be sure we are meeting those agreements on the provincial level. We need to use what tools we can to be sure that's happening.

**Mr. Lui Temelkovski:** Such as, maybe, progress reports from them; such as, maybe, accountability tools?

**Ms. Alison Brewin:** Yes. The provincial government should be reporting to the federal government in some detail on the choices

they've made in services and the ways in which they are meeting their obligations under these international treaties. When those treaties are being signed, perhaps you should consider having the provincial government actually sign the treaties along with the federal government, where it involves social and economic realities and rights.

**Mr. Lui Temelkovski:** Now, just one—

**Ms. Alison Brewin:** I haven't put my thought to all the tools the federal government could use.

**Mr. Lui Temelkovski:** If I may, Mr. Chairman, I have one more question.

The provincial government then subsequently funds organizations that are within the province. What are those organizations or groups of people doing to lobby the provincial government to make sure they are putting the money we gave them into the pockets that deserve them?

**Ms. Alison Brewin:** We are doing a great deal. There is a great deal going on, but frankly it's the federal government's responsibility to meet the treaty obligations they have signed, and the capacity of the organizations.... Well, we are not provincially funded, but I know the funding for the immigrant serving groups has been a disaster, frankly. It's chaos, and services that have existed for 30 years have been slashed and cut.

Eyob could speak to this, so I shouldn't, but there has been a lot of work going on in that area, and not to great effect.

**Mr. Lui Temelkovski:** What I hear you saying is there has to be some work done by the federal government and there has to be some very strong work done from the base so that the provincial governments get the message.

We've got the message. The light's on.

**The Chair:** Thank you very much. This was an excellent session.

I want to close with two things. Number one is, Pierre Elliott Trudeau said many years ago that the state has no business in the bedrooms of the nation, and that relates to Ms. Beaumier's question.

The other one is this. Dr. Francis, let me say you very eloquently stated what many of us feel when it comes to revocation of citizenship. You raised the question of the public good and why, for the sake of a few dozen, you would want to give anxiety to the overwhelming number of naturalized Canadians—six million in total—about their citizenship. We allow Clifford Olson to vote, we allow Paul Bernardo to vote, and these people are responsible for some of the most heinous crimes committed in this country. Surely we have to have that sensitivity. It's not a cerebral exercise, for people who come from oppressive regimes in particular; it's a visceral thing. It goes right to your gut, right to your heart.

Well, anyway, you stated it very eloquently, and I want to thank you for that and to thank everybody on the panel.

We will suspend for two minutes and then we will reconvene.

• (1119)

(Pause)

• (1127)

**The Chair:** Okay, we will reconvene the hearing.

We have with us a number of people, who will have five-minute presentations each. I know that's a tough thing to keep to, but it allows interchanges between the panel and the committee members, and very good things come out of it.

I would like to start off with the Separated Children Intervention and Orientation Network, and Deborah Isaacs.

**Ms. Deborah Isaacs (Project Coordinator, Sisters of Our Lady of Charity of the Good Shepherd, Separated Children Intervention and Orientation Network):** Ladies and gentlemen, thank you very much for allowing me to speak to you today on the problems of family reunification.

For the past several years I have been working with refugees, and in the last three years with separated children in particular. In that time, I have come face to face with much sorrow and heartbreak because of the problems with family reunification. Canada has always been a country that has professed the values and importance of family life, yet we seem to develop policies and regulations that go contrary to these professed values.

Today I would like to address three areas that are causing many problems for children separated from their parents.

As a person working with children in Canada who are outside their country of origin, without parents or legal guardian, I am continually faced with the complete lack of family reunification. I will briefly speak to you of a young 15-year-old Sudanese boy, who was here alone in Canada but finally located a brother in a Kenyan refugee camp. The one hope for this 15-year old boy, who was suffering from severe post-traumatic stress, was to be reunited with this brother. However, separated children who are accepted as refugees are not allowed to include family members, such as a parent or sibling, on their landing application. This is something an accepted adult refugee can do, but not a child.

This is totally contrary to the Convention on the Rights of the Child, totally contrary to the best interests of the child, and totally contrary to our profound value of the family. The mental suffering, sense of loss, and the other psychological implications for the child are enormous. However, somehow our fear of the so-called "pull factor" has caused Canada to lose sight of the child and has swept away any sort of compassion in our laws and regulations. Let us put this compassion back by changing the laws to give separated children the same rights as adults.

My next area of concern is with what we call excluded family members. The provision of paragraph 117(9)(d) came into effect in June 2002, and excludes a person from the family class if that person was not examined by a visa officer when the sponsor emigrated to Canada. Changes were later made to exempt from this provision those persons previously exempted by a visa officer from being examined. However, this still leaves many persons who, for some reason or other, were not listed on the initial IMM 008 application form.

Since I work with children, I will limit myself to their situations. There are many reasons other than misrepresentation—and often, very compelling ones—why a child may not have been listed. But the law provides no exceptions for cases where there are extenuating circumstances. Furthermore, the bar is perpetual, unlike exclusions

for misrepresentation or criminal offences, where after a certain amount of time the past is forgiven.

I will speak of a young Afghani boy who fled with his family from Afghanistan to Pakistan several years ago. The boy returned to live with his grandparents in Afghanistan because of harassment in Pakistan, while his mother and siblings stayed on. The mother and siblings later became government-sponsored refugees to Canada, but since the mother didn't know the actual whereabouts of her son and he wasn't dependent on her at the moment, she did not put his name on the IMM 008. After the war, the mother was able to locate her son, but she is unable to sponsor him because of paragraph 117(9)(d). What terrible suffering this has been for the mother and child.

This provision punishes innocent children who are kept separated from family, in violation of the Convention on the Rights of the Child, which requires that the best interests of the child be a primary consideration. What a terrible and disproportionate price to pay for an administrative error made by a refugee mother. Was this what members of Parliament wanted when they passed the law? I don't really think so.

I recommend that the excluded family member provision of the regulations be repealed or at least be amended to ensure that children are reunited with parents, and that exceptions be made when justice and/or humanitarian considerations require it, and that the bar not be perpetual.

- (1130)

The third area involves a new amendment to the regulations, a new policy, applicable to separated children at risk.

Many separated children of refugees continue to be at risk overseas because of delayed reunification. In January 2005, Citizenship and Immigration Canada issued a new guideline to visa officers, instructing them to expedite the overseas processing of the children of refugees who are in Canada, where the children are separated from family members and are at risk. I would like to thank them for this welcome attempt to be more responsive to the particular risks raised by separated children. However, the guideline states that to qualify, the child must have both parents accepted as refugees in Canada, or have one parent as an accepted refugee and the other parent as deceased or their whereabouts as unknown. This excludes separated children overseas who have both parents in Canada, one of whom has been accepted but the other has not.

If a child is at risk and is separated from both parents, it makes no sense to exclude the child from expedited processing simply because one parent in Canada does not have the status of a protected person. Being separated from both parents puts children at risk. Separated children are recognized internationally as requiring special protection. Canada should expedite their reunification with the parent in Canada who is a protected person, without any further determination of particular risk.

To sum up, many persons suffer when there are problems with reunification of children and their parents. It is quite clear that the child and parents suffer terribly, and that prolonged separation causes lasting psychological scars for both of them. However, what may be less clear is that this also affects Canadians negatively, both individually and as a country. These children, when they finally get here, will continue to carry the psychological scars of their separation, and this in turn has an effect on our society. From these unnecessary scars and missed educational opportunities, etc., they may never be able to share their full potential with us, and whose fault is it? What benefit do these bureaucratic delays bring us?

• (1135)

**The Chair:** Thank you very much.

Next we are going to have Mr. Kurland.

**Mr. Richard Kurland (Editor-in-Chief, Lexbase):** Welcome, again.

A brief word about Lexbase and I'll get right into it, and briefly, Mr. Chair.

Lexbase seeks to further the development of a Canadian immigration system characterized by transparent rules where compassion is exercised in a uniform, consistent, and controlled manner, and where the operational design and administration of our immigration system is cost-effective and in the interests of the taxpayer.

Today, Mr. Chair, we have but one recommendation to offer the committee regarding family reunification. The problem we face in April 2005 regarding processing family reunification files was initially signalled to the immigration program managers when visa targets for the FC4 category—that is, parents and grandparents—were disclosed in draft form by CIC headquarters back in January 2003. On March 28, 2003, CIC secretly instructed immigration processing posts how to manage FC4 files. These formal instructions only came to light a few days ago under the Access to Information Act.

These instructions had an immediate and significant impact on family reunification, attracting instant comment from Canadian immigration program managers. In our materials we provide a copy of the guidelines as well as the copies of the e-mails from the immigration program managers. I note as summary form that this particular committee and the members of this particular committee have been considered by the program managers and CIC headquarters.

I'll just cite one immigration program manager, Carol Turner, from Port of Spain, who on February 27, 2003, alerted national headquarters:

Situation with FC4 category is critical...if...there is no increase in assigned target for 2004, PSPAN is faced with an immediate two year inventory of these applications at a minimum, all of which having been issued medical examinations. While we have halted all processing post paper-screening...upon receipt of your message...we are really in very deep on this category, especially as neither we nor anybody else had any forewarning of such restrictions.

And she continues tersely:

The impact of an immediate cessation of processing in this category is as follows: Representations from all sources: applicants; sponsors; members of parliament, especially as medical examinations begin to expire. Mission will definitely require communications products to address these representations if it is indeed the intent

to allow these meds to lapse and essentially not touch most of these applications....

And her warning was this:

Undoubtedly, as word of our mini-moratorium on the processing of FC4 applications spreads as quickly as the brush fires during Trinidad's dry season, our clientele will seek other methods and means to accomplish their goal of migration.

And she notes that pressures will increase on the members of Parliament.

There is no explanation as to why CIC failed to warn prospective applicants that when CIC's mini-moratorium went into effect at the high volume processing posts, processing times could require a minimum of eight years before immigrant visas would issue in a very significant number of cases. To compound matters, rather than posting prospective processing times on the CIC international website system, CIC only posted historic processing times. In so doing, CIC may have inadvertently misled significant numbers of sponsorship applicants who never would have applied in the first place had they known the true prospective processing periods.

The point here is that CIC needlessly increased the work of members of Parliament.

• (1140)

The e-mail from our head of CPC, Mississauga, on June 18, 2003, said it plainly:

There have been a few concerns expressed by a couple of MPs.... I will guess that once the delays grow a few more months the concerns and complaints will grow aswell....

So here is our conclusion. CIC is under no obligation to adequately apprise the House of Commons standing committee with periodic inventory information regarding the processing of Canadian immigration cases. CIC has maintained a policy of "Don't ask, don't tell" when it comes to informing the standing committee on significant processing issues like family reunification processing times. In these FC4 cases, CIC could have taken steps early on to properly inform this committee in plain and simple terms that prospective processing times would extend exponentially and why. They knew and they did not inform, and here we are today dealing with complaints from across all Canada.

We therefore have one single recommendation to offer, Mr. Chair. We respectfully recommend that the House of Commons Standing Committee on Citizenship and Immigration upgrade its review and oversight function in a practical and cost-effective manner, by requiring CIC to submit the following prescribed information report on a monthly basis to the committee from every processing post. That report will serve as a basic tool to monitor the processing of Canadian immigration cases and would greatly facilitate the mandate of the committee to review and scrutinize the performance of Canada's Department of Citizenship and Immigration. The form, a one-pager, is attached, by annex.

Thank you, Mr. Chair. I hope that was brief.

**The Chair:** Thank you very much.

Next we have Mr. Paul Malangu, from the Centre for African Immigration.

**Mr. Paul Mulangu (Centre of Integration for African Immigrants):** Thank you very much for giving me this opportunity to come to speak. It's the first time I think an African has come to speak about these issues.

My name is Paul Mulangu, for the Centre of Integration for African Immigrants. The Centre of Integration for African Immigrants was created three years ago in B.C. because Africans in B.C. were not well integrated because of a lack of funding. We have never received funding. I didn't even print my paper to give to everyone here because we don't have the funding to do that. I have been doing this voluntarily for the past three years.

I am going to speak about family reunification and also about the matter of refugee immigrants. I am going to start off with the definition of family.

You know, the African and western concepts of family are very different. They are also different with respect to men, because in western countries, if your father is named Brown, all of you become Brown. In the African concept, everyone has other names. For example, my name is Mulangu. My father is not Mulangu. Now, if you go to the immigration board, they say, "No, this one is not your son because you don't carry the same name". Well, that is not correct.

This also happens with the system of adoption. In Africa, there is no such thing as adoption. There is no paper—adoption paper. If my sister dies or my sister or my brother doesn't have the means to carry the load of the children, I can take them and they become my kids. I can't go to the government to say I am adopting these kids. Now, if I want to come here, they are going to ask about the papers, when those papers don't exist in Africa.

The second matter is money. An asylum seeker from Africa comes to Canada and if he becomes a refugee, they ask him to pay money, about \$550. Now, upon paying, because the legal aid system in B.C. is almost zero, he has to work very hard to pay the legal system. Coming from Africa, where it's not a developed country, he doesn't have the means and the money. If he comes here and they ask him to pay money to become a permanent resident, I don't know how that refugee can get the money.

To be reunified with his family, he also needs to pay money for his family in Africa. You are aware that the chance for a black man to have a job in B.C. is almost zero percent, because the jobs in B.C. are ethnic jobs—the Chinese have their jobs, the East Indians have their jobs—and unions are western things. They can't integrate. Then it becomes more difficult for us to integrate in B.C.

Also, for the government to fund the organization we need to be numbered. In the immigration system, 60% are economic class and 40% are not economic class. You know that Africans who come here are part of the 40%; we can't reach those numbers to give us the funds for us to integrate in Canada.

There is also the problem of representation in Africa. Africa is a continent—it is not a country—with four places for immigration processing: Nairobi, Cairo, Pretoria, and Ivory Coast, but Ivory Coast doesn't exist any more because of the war there. Of those, in Africa there is just one French processing centre. It was the Ivory Coast. Now that Ivory Coast doesn't exist, it has become Ghana. To

find someone who speaks French in Ghana is more difficult and the waiting list becomes longer and longer.

• (1145)

For a country like Canada to say that everything is equal, we don't see that equality in Africa. I can give you an example. Tsunamis hit all over the world. Africa has never been even on the list of family reunification. If it's in Asia, don't say that you're going to give special treatment for family reunification. Somalia was hit; Kenya was hit; Tanzania was hit; Île de la Réunion was hit; Madagascar was hit. But they're not on the list on those kinds of things.

Second is family reunification. I remember the time Yugoslavia was at war. The government wanted to take everybody from Yugoslavia. When the Congo was at war, nobody wanted to take people. Rwanda was at war, and nobody wanted to take people—because we're African blacks or because of what? Now, those numbers they're asking here, how is the African going to put the number where special treatment has never been made in this category?

I'm going to pass you the picture of the documentation. If someone comes to Canada asking to become a permanent resident, they're asked for a passport. They're asked for a card. The time Kelowna was hit by the fire, I don't know if someone went to that fire, took his passport, and went to arrive in Victoria with that passport. If a country was hit, I don't know how they could do this in Africa. An example is the Congo; there's no government. How can they ask people who want to become permanent residents to present their papers and identity cards? There's no real way.

I'm going to pass this question of the Congo, how the situation is, and thank you very much for this.

**The Chair:** Thank you very much.

Our next speaker is from Ms. Diocson of the National Alliance of Philippine Women in Canada.

**Ms. Cecilia Diocson (National Chairperson, National Alliance of Philippine Women in Canada):** Thank you very much, and good morning.

I have a submission, which is a longer document, but in the interest of time, I'd like to just present it according to the time allotted to me.

First of all, I chair the National Alliance of Philippine Women in Canada. It has members from across Canada, especially in major cities. The national alliance also acts as a mechanism to coordinate research and education advocacy campaigns for the rights and welfare of Filipino migrants and immigrants, and also for the empowerment of our community.

Filipinos are relative newcomers to Canada, first entering in the 1960s. Since that time, the Philippines has consistently ranked as one of the top sources of immigrants to Canada. In the years 2000 to 2002, the Philippines was the fourth source country for all immigration to Canada, third for family class immigration, and fifth for skilled worker immigration.

Much of the growth of the community can be directly attributed to the LCP, the live-in caregiver program, which is codified in the immigration and refugee protection regulations. In the period between 1998 and 2003, 92.6% of the domestic workers arriving in Canada were from the Philippines.

The issue of family reunification is a major and serious concern in the community. Most of the concerns related to this issue can be directly attributed to the LCP. Its three pillars of the live-in requirement, temporary status, and employer-specific work permit have caused long delays and sometimes even failure in successful reunification of Filipino domestic workers and their families.

I'd like to mention the major impacts of the LCP on family issues and reunification. First, temporary status of these women working as live-in domestic workers for many years puts them on the margins of society. Hence, they are deprived of political and other citizenship rights even as they contribute to the economic well-being of their host country and their country of origin through their remittances.

Permanent residency status of a domestic worker is tied to that of her family. This practice of CIC's violates a woman's freedom and equality of rights. Domestic workers should be allowed to choose when to sponsor their families without fear of jeopardizing their own landed immigrant status.

There is forced separation from their families, as domestic workers are not allowed to bring their families with them when they migrate to Canada. This is a major source of the social impacts of migration being felt throughout the Filipino community.

There are onerous immigration fees. Domestic workers are subject to a host of immigration processing fees, particularly the \$975 right-of-landing fee, or head tax. It costs an estimated \$2,000 for a domestic worker to sponsor an adult member of her family. It should be noted that Canada states that this head tax is not a settlement fee, although this contradicts statements made in the media when the fee was introduced.

There is arbitrary deportation of domestic workers. There is an escalating practice of CIC to deport and even jail Filipino domestic workers for so-called violations of the LCP, including the inability to meet the requirements for 24 months of live-in work, or for misrepresentation. Canadian-born children of these women have to leave with their mother or stay in Canada, thus separating and breaking up families.

Children of domestic workers, including those born in Canada, are also unfairly discriminated against. These are some of the collective experiences.

• (1150)

First is permanent separation of Canadian-born children from their mothers. As stated above, many Filipino domestic workers are arbitrarily deported from Canada. If they have children who are born in Canada, these children, who are Canadian citizens, face permanent separation from their mothers. As determined by the Supreme Court of Canada in the Baker case, this fact must be taken into account when assessing a domestic worker's request to stay in Canada on humanitarian and compassionate grounds.

Next is access to benefits. Children of domestic workers, many of whom are Canadian citizens, are denied access to benefits such as medical care, housing, welfare, subsidized child care, etc., because their mothers have lost their immigration status in Canada. This is a clear violation of the rights of these Canadian-born children.

Next is systemic racism. Youth organizations and advocates within the Filipino community identify systemic racism within the school system and other institutions of Canadian society as impacting the development of youth and students. In Vancouver, Filipinos have the highest drop-out rate from high school of all groups, at 60%.

Another experience concerns English as a second language and French high school. Upon their arrival, children of domestic workers are forced to enter either English as a second language programs or what is known as a welcoming school in Quebec. This effectively puts them outside the mainstream school system. Other member organizations in Quebec share the view that the welcoming school is particularly difficult for children of domestic workers, as instruction is completely in French. Quebec groups note a high drop-out rate for Filipino youth from these types of schools.

Then there is child apprehension. There are stories emerging from the community about children of domestic workers being apprehended by Canadian authorities.

Another experience is of children going back to the Philippines. Domestic workers, even once they have completed the LCP, face the problem of the lack of a national daycare program. It is ironic that the Filipino women who came to Canada to care for Canadian children sometimes end up sending their own children back to the Philippines because they cannot afford child care in Canada.

Single mothers: there are a growing number of single mothers among children of domestic workers. Often they are forced to drop out of high school.

Cheap labour: the long-term outlook of children of domestic workers is that they end up working in low-paying service or factory jobs, just like their parents. This is especially true of those who are forced to drop out of high school.

There is sexual and emotional abuse of children by new partners. Participants noted some cases of abuse of children of domestic workers by their step-parent or new common-law partner.

We have some recommendations.

According to CIC, the stated objective of the LCP is to meet a labour market shortage of live-in caregivers in Canada, giving qualified caregivers the opportunity to work and eventually apply for permanent residence in Canada.

Meanwhile, the court interpretation of this program is that it is

...to facilitate the attainment of Permanent Residency (PR) status. It is therefore incumbent on [CIC] to adopt a flexible and constructive approach in its dealings with the [LCP's] participants. The Department's role is not to deny PR status on merely technical grounds, but rather to work with, and assist the participants in reaching their goal of PR status.

Given this legal framework and the conclusion of our intensive study, research, and consultations with member organizations in the community, we recommend the following to the standing committee on the issue of family reunification:

First, removal of LCP from the temporary workers movement program of CIC to be part of the skilled workers program, where they can be given immediate permanent residency.

• (1155)

**The Chair:** Could you please come to the conclusion? It is really running over time.

**Ms. Cecilia Diocson:** I will just mention some of the recommendations.

Our second recommendation is the removal of the unjust \$975 head tax.

Three, stop the deportation of Filipino domestic workers and their Canadian-born children.

Four, promote full access to settlement and integration services, such as housing and health care.

Five is an extension for those who are unable to meet their 24 months within 36 months, as long as they are gainfully employed under the LCP.

And then six is to sign and implement the UN international convention on the protection of the rights of all migrant workers and members of their families.

Thank you.

**The Chair:** Thank you very much.

We're going to go into questions and answers. There's just one thing I would like to say, because too often people criticize the right-of-landing fee and say it's a head tax. The head tax goes back to one of the darkest periods in Canada's immigration history. It was put in place to keep out the Chinese in particular. It was probably one of the most hurtful moments to that community. Actually, Inky Mark has a private member's bill in to try to bring some redress to it.

I mention that because the right of landing fee is a policy decision of trying to recover moneys, whatever, and it can be debated as such, but the head tax is a very dark period that everybody disagrees with. We have debates about the right-of-landing fee. So I put that out there because they're getting to be too often equated and they're not the same thing.

Anyway, having said that, Madam Ablonczy.

• (1200)

**Mrs. Diane Ablonczy:** Thank you, Mr. Chair.

I'd like to turn first to these very shocking e-mails that have been disclosed by Mr. Kurland basically showing that there has been a secret plan by CIC to severely curtail one of the family-class members. It's the secrecy that bothers me. If we have a full debate and decide we have to do something because of lack of resources or priorities or whatever, I think we could all accept that, although there would be sharply divided opinions, I am sure.

My question is the following. Would any elected member, or someone in government, know about this? The reason I'm asking is not to pin the tail on anybody, but simply to decide whether CIC is basically AWOL, that they do whatever they want and there's very little accountability to those who are elected to oversee the department.

**Mr. Richard Kurland:** It boils down, Mr. Chair, to a question of program integrity. It's a value decision. Who comes in first? It's a political decision. But the reply is simply that the failure to disclose possibly to the minister is what's at issue, and the failure to disclose to the oversight committee here is also the issue, because ministers ultimately from every party fall into only two categories: kamikaze agents of change or a marketing spokesman for the officials.

**Mrs. Diane Ablonczy:** Those are rather strong words, I have to say.

We are concerned. As you know, the court found previously that the parliamentary committee had been misled. Obviously, if we let checks and balances in the system fall apart, then the whole system is at risk. So I'm not trying to play a blame game here, but I am concerned about the integrity of our immigration system. All the other witnesses want to see a system that can be reformed, changed, improved, shall we say. But if policy-makers don't really have a direct input into the system, then we're all talking for nothing here.

**Mr. Richard Kurland:** Depoliticize the immigration system and make the issuance of immigrant visas as controversial as the issuance of drivers' permits, demystify it, and take it out of the back room. It's the CIC officials that deprive the members of Parliament and the committee of the information they need to have an intelligent debate. By introducing this simple report measure you'll have—not on the individual MP level—your own experts from whatever political party provided the means with which to advise you on your oversight functions. That's the root cause of the disease of our politicized immigration system, Mr. Chair.

**The Chair:** Thank you.

**Mrs. Diane Ablonczy:** I would like to ask a question of Ms. Isaacs, because the brief you gave was really heart-wrenching in many areas. The question I have.... Gosh, it's hard to think of children in this situation, but who would send their child to Canada in the first place as a refugee by themselves? I find that shocking.

**Ms. Deborah Isaacs:** Well, there are many different reasons why children come as refugees by themselves. Some of them don't know where their parents are, like that Sudanese boy. He really doesn't know where his parents are, and they have just made their way themselves, in some way. In other cases, when you are given the choice—

• (1205)

**Mrs. Diane Ablonczy:** How could they come? We have the ocean.

**Ms. Deborah Isaacs:** We had a young Angolan boy who stowed away on a ship, here in Vancouver from South Africa, and he was able to make his way. He doesn't know where his parents are. He has been roaming all through Africa.

Also, there are cases where a family is in danger. If you have to choose one member to save, often it's the child they'll give first preference to. It's like any mother in a burning home, or something like that. If you can't get out yourself, you're going to do everything you can to get your child out, and sometimes that's what happens. It's maybe a little easier for a child to get out than an adult.

**The Chair:** Thank you very much.

Mr. Siksay.

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

Thank you to all the presenters. You've all raised very different issues, and it's hard to get to all of you, but I do appreciate your input today.

I want to follow up with Ms. Isaacs as well. Do you have any sense of how many children are in this position in Canada? It's not that one is too many, but do you have any sense of how many we are actually talking about?

**Ms. Deborah Isaacs:** Do you mean how many separated children who are here?

**Mr. Bill Siksay:** Yes.

**Ms. Deborah Isaacs:** It varies from year to year. The figures are very difficult to arrive at because of different interpretations of what is meant by a separated child. Often immigration will not consider a child who comes with an older brother as being separated, or a child who comes with an aunt or an uncle. There has been no consensus about the definition. It's been up to about a thousand a year, at times, though it changes rapidly.

Also, aside from that, with the growing concern about trafficking, there is the unknown number of trafficked children. I think we are going to find out more and more about this in the years to come as this becomes a much greater concern.

**Mr. Bill Siksay:** Thank you.

Mr. Mulangu, I wonder if you could tell us a bit more about the difficulties that African immigrants to Vancouver face in integration and the specific problems you have had. I know that your group has tried for a number of years now to have funding for a centre, and maybe you could tell us a little about the problems that you have been having in that regard as well, because I know this would go some way to helping with those integration issues.

**Mr. Paul Mulangu:** Yes, thank you very much for that.

The history in Vancouver, B.C., is numbers. If you have the numbers, it's where you receive funding. I can give you an example. The Chinese SUCCESS organization receives big funding because of the numbers. The logic of Canada really makes people think. Is it logical or is not logical? I can give you an example. You come here and they ask about your Canadian experience at the job, and you don't have a job. There's no logic.

If you go to Vancouver... On the definition of a "visible minority", now they give the money to say "visible minority". The people who receive that money are East Indian and Chinese. If you go into the streets you find that the East Indian can't be lost, the Chinese can't be lost, because all the shops are written in the Chinese and East Indian language. But a black person or somebody else, a

Russian, can be lost. You can consider that a visible minority. Now, we can't receive the funding because they say you are not many, and you don't vote. If you are voting, this is where you receive the money.

Everybody, as Richard said, is politicalized. It's not about helping people. In B.C. it's not the money the federal government gives to the province. It is not about resettlement. It's not about helping. It's about politics. It is where you see the number of black people now, there in the street.

**Mr. Bill Siksay:** Thank you, Mr. Mulangu.

Mr. Temelkovski was having an exchange with the last panel about how federal government money is spent in British Columbia, and we've just had a report in B.C. that showed at least 47% of the money the federal government sends to B.C. for settlement purposes is not spent for settlement purposes. It goes into general revenue for the province. The province has contended that some of that goes into English language training, but it goes into fee-for-service English language training, which is not where it's supposed to go. It's a huge problem here in B.C. and it affects organizations like Mr. Mulangu's as well.

Ms. Diocson, you made a very strong case, again, about all the problems with the live-in caregiver program. I just wanted to acknowledge the incredible work your organization and others in Vancouver have been doing in that program. It's so crucial to so many Canadian families and to so many Filipino Canadians as well. It's really time we got our act together and dealt with that program.

● (1210)

**The Chair:** Thank you very much.

Mr. Temelkovski.

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

I have two questions, and one is to Mr. Mulangu. In terms of papers and passports, you mentioned that when you're running from a fire, the last thing you're going to do is go and grab a passport. My uncle left Macedonia as a refugee and he left under darkness, so he didn't take too much with him other than his clothes.

But we do have to deal with papers and identities once you are here. Do you think that is contributing to the amount of time it takes to process somebody?

**Mr. Paul Mulangu:** Oh yes, that is true; the amount of time is due to that. I can give you an example. Somebody came here. The refugee process takes two years and permanent residency takes five years. During that five years he's sending money to his family back home, he can't do anything, and he's waiting to demonstrate that he came from that country.

Here in Canada there is always a community. There's a Somali community, a Congolese community, and a Rwandan community, and everybody knows their own very well and knows this guy came from that place.

But it's too trying because they don't accept the affidavits. In the affidavit you need to say you know him from back home. I think there are 90% who can't have known somebody from back home. Knowing somebody is a chance thing, but in the affidavit you have to say you knew somebody, you know where he comes from back home, and you actually met him there, like in Congo. Congo is big; how can I know somebody who has come to Canada?

**Mr. Lui Temelkovski:** Is there no way these sorts of papers can be received from the government over there at this time?

**Mr. Paul Mulangu:** I can give you one example, Rwanda. Now the government is a Tutsi government. There, for Hutus, getting papers is almost impossible.

I can give the example of Congo. It's Congo now; after it was Zaire it became Congo. You had President Kabila and then his son became President Kabila. Up to now there's been no government to establish papers. There are only the papers for the street because they wanted papers...where on every corner on the street there they can give you a document called a "*carte d'identité*". Now, to find that *carte d'identité* is also very difficult.

Also, there are problems with names. Like, if my dad's name is Bukasa, I don't have that name. In Canada it becomes...you are not credible. It's like that.

**Mr. Lui Temelkovski:** I understand.

You also mentioned, in terms of adoption of children, that in many African countries they don't adopt legally or formally. It's an adoption where I give my children to my brother or he takes them after I'm gone.

We've heard from other panellists this morning and yesterday and so on who do not support DNA testing.

**Mr. Paul Mulangu:** Yes. I do not support DNA testing.

**Mr. Lui Temelkovski:** We've heard from others who do support it. What's your opinion on that?

• (1215)

**Mr. Paul Mulangu:** Say my sister is not around. I give you those pictures and I take those kids. I go with them to the refugee camp, maybe in Zambia. Now, I put it out that they are my kids, but the DNA tests come out. Oh, these are not your kids and they are going to remain. They are going to remain in whose custody?

**Mr. Lui Temelkovski:** I see the problem.

Mr. Kurland, I'd like to follow up on Diane's question about the papers and the e-mails. I think her question may have been about where these papers came from. Are they accessible to the public or are they retrieved in other ways? That's the question, I think, Diane was posing, rather than one about the department and us.

**Mr. Richard Kurland:** The answer is that these documents came to light on Friday. They were delivered under the Access to Information Act from the Department of Citizenship and Immigration after a request in 2003.

**Mr. Lui Temelkovski:** Thank you.

**The Chair:** Thank you very much.

Next we have Ms. Grewal.

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Thank you, Mr. Chair, and thank you, ladies and gentlemen, for your time and your presentations.

My question goes to Mr. Mulangu. Mr. Mulangu, I know how the system works in these war-torn African countries, since I myself lived in an African country called Liberia for almost ten years. Something needs to be done there so people can have easy access to immigration, and more immigration from there should be encouraged. So, Mr. Mulangu, what should be done so we can make our immigration system more accessible for everyone in Africa?

**Mr. Paul Mulangu:** At least divide things very well for visa processing. I can give you the example of Congo. Congo down south is near South Africa, and northern Congo is near Ivory Coast. Now, the people from the south can't go to South Africa to have the interview, while to go to Ivory Coast is almost impossible. The nearest is South Africa.

And also there's the knowledge of the place. A Congolese to have a visa to go to South Africa would need to present, for example, \$1,000 American. Now, you are a refugee going for an interview in South Africa. How are you going to do that? It's almost impossible.

You are a Sudanese in Darfur. You are going to have your interview in Cairo. You know the almost tribal things. You are a black Sudanese; maybe you are going to Cairo. Cairo is Arab-Sudanese. It's almost impossible. If they divide things very well among the regions and have the African experts on that issue to divide...because most of the time our problem is that it's not us who are deciding; it's other people who decide, who don't really know Africa.

**Mrs. Nina Grewal:** My next question is to Mr. Kurland. Before, family reunification cases used to take 24 months, but now it's almost double the time. In our system, do we need some more trained staff there? What needs to be done so we can process those family cases more efficiently?

**Mr. Richard Kurland:** The current processing in some posts for FC4 cases exceeds 10 years, not 48 months.

Frankly, it is not a question of will on the part of our field officers, nor is it a question of additional resources or change in policy tools. It is a pure question of political allocation of immigrant visas, and the political question of who will come first is a value decision. It requires an intelligent debate, and fundamental to an intelligent debate is the basic management information of where these applications are, where they are in the processing queue, and how long it will take to come to Canada for each subcategory.

There's no answer, I'm afraid, ma'am.

**The Chair:** Thank you very much.

Mr. Anderson.

**Hon. David Anderson:** Thank you very much.

I would like to ask Ms. Isaacs a question. Actually, it's Sister Isaacs. She touched on something that I think is enormously important, namely the reunification of parents and children together and getting the siblings together, which seems to be of enormous importance.

We've had others who presented this morning. You may have been in the audience listening. They suggested that in fact there may be other relationships that are equally important.

Could you comment on whether, in your experience, people coming for the services that you provide have suggested that perhaps an aunt may be more important than a mother in certain cultures? Is there a pattern there?

Perhaps the cultural situation is such that the parents have little contact with the child but the grandparents have a lot of contact with the child. Is there any situation where you think the general rule that you talked about might perhaps require discretion on the part of the officer to determine a closer and more important relationship?

● (1220)

**Ms. Deborah Isaacs:** In a sense, one of my examples was an example of a discretion where we were talking about a brother. The child does not even know where the mother is or if the mother is dead. The only living member of the family that he knows of is his brother. In a sense, this is the tie that he feels with the family.

In some cases, it would not be the parent or even the grandparent, but it would be the aunt. It depends on who actually raised the child. In a sense, it's not always the biological parent who is the most important. It's who the mother figure is and who the father figure is.

I could cite a case that has nothing to do with refugees, but with immigration. In a Muslim country where there's no adoption, a child was born out of wedlock to a mother who was in danger of an honour killing. An organization there found a person who took this child and registered the child as his own, but because there is no adoption, there was no means to adopt the child. The child would not be able even to be registered, because you can't register a child born to a single mother in those countries.

The parents got visas to Canada. They were being honest. They said that in a sense this was not really their child, and they could not get a visa for this child to come to Canada. We've now taken out even guardianship as a means to bring a child to Canada on an immigration thing. It's a problem because there are countries that don't have adoption.

**Hon. David Anderson:** Thank you for those observations.

One of our problems is that we're constantly asked to have more formal systems, more rights, and more things laid down in the law. It seems to me that there has to be a lot of flexibility in dealing with issues such as what the closest relationship is, as in the example that you've described.

As a general rule, I think the comments that you've made with respect to the importance of reuniting children and parents are certainly critical to this committee's ultimate report.

**Ms. Deborah Isaacs:** Can I ask you something? When we talk about separated children on an international level, they use the definition of separated from legal parents or customary caregiver. I think we have to be able to use that definition.

**Hon. David Anderson:** Yes, and that is again, I think, an important point that has been raised at panel before this as well. There has to be some flexibility to allow for realistic situations.

Many of us, perhaps around this table as well, have had grandparents who were more important to our early formative years, up to the age of 15 or 16, than a parent may have been. And I think it is important to allow the flexibility in the system to take account of the cases such as you described.

Now, Mr. Siksay quite correctly pointed out some of the difficulties with respect to jurisdiction and how in fact federal moneys are not getting to where the federal government might like them to get to. Really, I entirely agree with him that this is the case in many provinces, if not most. Indeed, the reason for that is that we are basically in the provincial jurisdiction when we deal with education, when we deal with training, when we deal with settlement, and our efforts to use suspending power to get around that, as Mr. Siksay pointed out, are not always very successful.

I wonder if you could give us some indication of your experience with provincial agencies in British Columbia in handling some of the problems that you have raised. Are there any specifics you might want to offer? Ms. Brewin of the West Coast Legal Education and Action Fund earlier today referred to this as well, and I wondered if you would like to comment on it.

I would be happy to have any of the members, as they have all provided excellent testimony, but if Sister Isaacs could bear it in mind that I would hope she will reply at least at some point, that would be fine. But I would be delighted to hear other members as well.

● (1225)

**Mr. Paul Mulangu:** I am going to give the example of the call for proposals presented by the provincial government. When the province proposes something, they don't have experience on the same level the people do. They just make things bureaucratic. For example, if an organization doesn't have money in the bank to pay for three months, that organization is not going to get the money. And you are allocating a lot of money to SUCCESS and other organizations, and they say they represent everybody.

Now, everything in British Columbia is on paper. In reality it is almost zero. You say that you represent everybody. You go to your office: there is no everybody. After I always asked why I am doing the Centre of Integration for African Immigrants. Because a lot of people call us so many times. And now they present a call for proposals and a lot of people call us to say, "Oh, I have an African. What am going to do with him?" They say, "Yeah, they give you the money for everybody. I have experience." There is no experience, because they wrote the proposal their way and they got the money. You don't have experience at this stage. But if the government was trying to at least show people how to write their own proposal, to say we are going to do this and to become accountable for what you have been doing.... You are going to see that British Columbia is going to succeed, because now everything is bureaucracy. It's what you see—the number of people. You see the violence in schools because the money is not allocated to the proper organization. You see there is no integration in British Columbia because everything is on paper, it's not on the spot.

**The Chair:** Okay, well, thank you very much. We have to move on. We have two more people to get in.

Go ahead, please, Mr. Mark.

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

I would just like to continue on that same line of questioning. Are you saying that African immigrants and refugees in British Columbia do not have a support group, whether it is multicultural in nature or composed of African Canadians right now?

**Mr. Paul Mulangu:** Right now, the only organization that has a support group here is MOSAIC. MOSAIC has one African counsellor, who is part-time. Another one is ACCES, which has one who is part-time, with a big number of Africans and big issues. I give you those pictures there.

The immigrants coming from Africa are different from immigrants coming from Asia, because immigrants coming from Africa are from a developing country with a lot of issues. You need to be African to know our problems, and there's no one organization dealing with that issue.

• (1230)

**Mr. Inky Mark:** Could you tell me what the numbers are in B.C. for immigration from Africa?

**Mr. Paul Mulangu:** Like Statistics Canada? There's no one.... Africans don't fill out those censuses. They always say this is a white thing. You fill it out. There's not even...what I'm going to do. There's no organization that follows that.

And up to now, there's been no money to do those studies. If you write to the federal government to give you the money to do the counting, there's no money. There's no real statistical.... Is something being done to those numbers? You don't know, really, the number.

**Mr. Inky Mark:** Well, it's sad to hear that, because I think as Canadians we all need a start, you know, somewhere—a first step, a base to build from. Perhaps you can enlighten the committee on what you think needs to be done in the first few steps to get to the point where you have an advocacy organization.

**Mr. Paul Mulangu:** You can see that all people have a community centre—Croatian community centre, Jewish community centre, this community centre. All over Canada, there's not one African community centre because they said there's no seed money to start those things.

**Ms. Deborah Isaacs:** Could I just add, right now the whole settlement and immigration situation in B.C. is in turmoil. They went to an RFP process, which—I don't know—was poorly organized, and many of the longstanding organizations, NGOs, that have been handling settlement for years lost the funding, whereas organizations that are on paper got some funding.

Certain areas are not covered at all. Certain traditional immigrant areas don't have an organization now. There are many gaps. There's a lot of mess in the whole settlement area in B.C.

Aside from that, there's the legal aid area: immigrants have lost a lot of legal aid. That's just fact.

**The Chair:** Thank you.

Ms. Beaumier.

**Ms. Colleen Beaumier:** Richard, I think you've become the Ralph Nader of immigration. I really appreciate the work you've

done. It's always been something that we've suspected, especially those of us in the Toronto area who deal with the Mississauga CIC. It appears that many of our problems are not really legislative ones so much as they are regulation ones.

You're suggesting that we have an annual report. One of the things that bothers me is that when the rules and regulations change, we're the last to find out. Would we need legislation passed in order to require that regulations be approved of by committee before, and not just rubber-stamped by order in council?

**Mr. Richard Kurland:** Those are excellent questions.

Monthly reports rather than annual reports are at the heart of this.

Second, no new policy tools or regulations are required. What is required is the capability of calling individual public servants onto the carpet of this standing committee and being informed prior to the testimony of that CIC official of the appropriate questions to ask, together with the fundamental documents.

For example, we were just now talking about Africans entering Canada. I can give you on my laptop, courtesy of access to information, internal CIC output by processing post for 2005—Abidjan, Accra, Nairobi, Pretoria, Rabat—on the exact number of immigrants coming by category, by target. That information is available.

So the bottom line is I'd love to talk about it outside this forum, because I do have concrete, non-partisan suggestions that will keep CIC honest.

• (1235)

**The Chair:** Thank you very much.

We are going to wrap up. I want to thank everybody. It was great input.

Ms. Diocson, I'm sorry I mispronounced your name at the start. I'm going to state in the future that every time we get a name that we mispronounce, we get the correct pronunciation, because it's a learning experience for us.

Excellent presentations, very compelling. I certainly will never forget that there are two types of ministers, as you recalled. Kamikaze agents of change was one category, and the second one was spokesperson for an official. Well put.

Let me also say that we have three topics we are looking for information on, which is on the website, as you know. You have the information. If you feel that you want to make submissions on those topics—we are looking for suggestions on the citizenship oath and the preamble to the Citizenship Act, as well as input on things like revocation of citizenship—we would very much appreciate it, and you can write it to us.

Thank you very much. You have been a tremendous help.

We will adjourn now until one o'clock, and members have 25 minutes to go and get lunch.







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