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Chair

The Honourable Andrew Telegdi

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• (1540)

[English]

The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)): Order, please.

Monsieur Brown, Madam Siddall, welcome.

We'll start off with opening statements and then we'll go into a round of questions. The first round will be seven minutes, and that's for question and answer. If everybody can keep it succinct, we can get to a lot of questions.

The statement starts with you, and then we'll go to the Conservatives, the Bloc, and so on.

Mr. Malcolm Brown (Assistant Deputy Minister, Strategic Directions and Communications, Department of Citizenship and Immigration): Thank you, Mr. Telegdi.

I have a very brief comment and then I'll turn it over to my colleague, who I think has a few substantive things to say.

First of all, thank you to the committee for inviting us to appear today. We always appreciate the opportunity to provide information and to answer whatever questions we can for the committee.

To be clear, there was a series of questions that I think we were given advance notice of last week. We've provided some answers on five items—written responses. Those are: the process for setting targets; Bill C-283; the question of labour market studies, on which I'd like to add a bit because the answer on that question is too narrowly focused—we responded to a specific question and missed the opportunity to say some other things, but we can do that in the question and answer if time permits; the update on the question of war brides; and the implementation of Bill S-2.

As the afternoon goes on we'll be able to provide verbal responses to questions as well as some comments on safe third, on Vietnamese living in the Philippines, on processing of parents and grandparents, and on regularization of people without status.

That's our understanding, and I think that's the information we shared with you.

I'll turn it over to Janet Siddall, my colleague, who is the acting ADM of operations, to make a few specific comments about things. We thought we'd combine it rather than make two long opening statements.

Thank you.

Ms. Janet Siddall (Acting Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): Thank you very much.

I also appreciate being here. This is my first appearance before a standing committee as an acting assistant deputy minister.

I want to give you a very quick update of some of the work we've been doing over the summer to improve our service delivery. I'd be happy to answer any questions related to that or the specific questions you have given us.

Of course, the Government of Canada is taking significant steps to make sure that Canadians get the information and services they need, when they need them, and service improvements at CIC are an important part of those efforts. Today it is possible to get faster and easier service from CIC online. We have over the summer updated the Internet portal site with new information and improved navigation and links. Visa offices abroad are now responding to general inquiries and case-specific inquiries via the Internet, and we have provided parliamentarians and our stakeholders with a list of Internet addresses.

We are listening to people as well. We have been able to staff up our call centres. The CIC call centre is responding to more calls than ever before. For example, it answered 39% more calls in August than it did in April. To put that into perspective, we answered over 180,000 calls in August. And we continue to staff up to improve those response times.

We're making it easier for students to come to Canada and stay in Canada. We will issue a record number of temporary resident visas this year to students, workers, and temporary visitors. We are making progress in citizenship application processing through our central processor in Sydney.

We are making it easier, we hope, to reunite family members. Since the minister's announcement on parents and grandparents, our visa offices abroad have approved in principle the applications of over 19,000 parents and grandparents. We have already issued over 9,000 visas, and as of late September, 5,300 persons in this class have landed in Canada.

These are just some of the ways we are trying to improve service at CIC, but we know there is a lot more work to be done and we will be continuing our efforts in the coming months.

• (1545)

[Translation]

Mr. Malcolm Brown: I'd just like to make two or three additional brief comments, Mr. Chairman.

[English]

First of all, there were two or three items that were on the list, including the question of status, the regularization of workers without status—the questions are on the levels—and also, finally, the refugee appeal division.

Minister Volpe has asked me to relay to the committee his interest in responding to those questions himself directly with the committee. He'd like to try to do that in a timely way with the committee because he thinks those are extraordinarily important issues that he'd like to discuss with you directly.

It is his intention to table the annual report for November 1, which will include, of course, the government's announcements about levels for next year.

Thank you.

The Chair: I'm going to go to Mr. Benoit.

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Thank you very much, Mr. Chair.

It's good to see you here today. I'm not a regular member of the committee, so forgive me if I'm asking questions that may have been asked before. I'm sure they have.

I'd just like to start with the issue of the sponsorship of parents. On that issue, if you could quickly, what is the goal for this year, in terms of numbers of parents and grandparents to sponsor?

Ms. Janet Siddall: With the announcement, we are tripling the number of landings for parents and grandparents for 2005 and 2006. That means we'll move from 6,000 landings to 18,000 landings. As I mentioned, we're well on our way to achieving that objective for this year.

I would like to point out that we certainly expect to issue between 18,000 and 19,000 visas, but most of that visa issuance will take place between now and the end of the year. So it's quite possible that not all those people will arrive, because typically a visa is valid for 8 to 12 months after it's issued, depending on when the medical examination took place.

Mr. Leon Benoit: Good. Have you the stats for breakdown by province?

Ms. Janet Siddall: For the landings by province?

Mr. Leon Benoit: Yes. I don't need them now, but I'd just like them to be tabled.

Ms. Janet Siddall: We can. It will come a little bit later. It takes the system a while to—

Mr. Leon Benoit: Thanks very much.

You're tripling the number—the goal, at least, for the number of sponsorships. Where are those resources coming from? Are they new resources or are they being shifted from another area?

Ms. Janet Siddall: We did receive new resources with the minister's announcement, and because this was a two-year announcement, we're doing it through the provision of 23 temporary duty officers. So existing officers in the department who we've pulled off other work have been sent abroad. We are spending \$1.3 million on providing temporary support through local staff and our missions abroad—travel, accommodation—for those temporary duty officers.

Mr. Leon Benoit: With respect to the temporary duty officers, some have been shifted from other areas.

Ms. Janet Siddall: They've been shifted from headquarters. They haven't been taken from other parts of the network abroad. They've come from our complement of officers at headquarters or elsewhere in Canada.

Mr. Leon Benoit: Have you the stats to date? You said it was how many? I think you just gave the number.

Ms. Janet Siddall: There are 19,000 people who have received a positive selection decision; 9,000 visas have been issued—this is the year to date; and as of September 26, 5,300 parents and grandparents have landed in Canada.

Mr. Leon Benoit: The 5,300 is over how long a period?

Ms. Janet Siddall: That's from the beginning of the year, so January to the end of September.

Mr. Leon Benoit: For this year then what is the realistic target? What's likely to happen?

Ms. Janet Siddall: For actual arrivals in Canada I think we're aiming for between 14,000 and 16,000, and the balance of the people who have received their visas this year will arrive in the new year.

• (1550)

Mr. Leon Benoit: I'm a member of Parliament. I've had people phoning my office wondering why it's taking three, four, or five years to sponsor their parents. I was given an answer by a top-level official—I won't say who that individual was—that it was a zero priority in fact to sponsor.

I know there has been a change of heart on the part of the government and that hopefully will change. But if by just adding 23 people you can increase the numbers by that much, why was this area given such a low priority by the government over the past years?

Ms. Janet Siddall: What we do, of course, is we have to balance our priorities, and this is about finding the balance between our economic and our non-economic stream of immigrants to Canada. Within our non-economic stream are included family reunion and refugee landings both within Canada and from abroad. Our priority does go to spouses, partners, and dependent children.

So essentially it's finding enough room in the overall landings, which we're resourced to process and integrate through settlement services in Canada, for each of those streams and finding that balance between the economic and the non-economic.

Mr. Leon Benoit: Yes, but with 23 new people you can triple the number of parents and grandparents who can be brought into our country. How much more money would that cost?

Ms. Janet Siddall: The biggest costs actually are the integration and settlement costs, because the actual overseas processing is a small part of those overall costs. The real question to ask is how many more can be integrated and settled, and for those costs, I think the standard costing we use is—

Mr. Malcolm Brown: The standard costing varies, but it's roughly \$5,000 to \$6,000. That's the ballpark figure you use when you factor in the costs associated with the actual processing decision, which is in some ways the simple bit. Then in some cases security screening is required, and in all cases there is money associated for help once people get here, in terms of language training and that kind of thing.

Mr. Leon Benoit: How much of that cost is recovered through fees paid?

Mr. Malcolm Brown: Is it 20%?

Ms. Janet Siddall: I don't know what the percentage is—less than that, I think, because it's between the application fee, which is \$500, and the right of landing fee, which is \$975.

Mr. Leon Benoit: I find it so astounding that this issue has been brought up again and again. It's an issue that touches a family so closely, the issue of their parents being allowed to come, and many come to Canada on the understanding that their parents will be quickly allowed into our country. Many come on that condition, and yet for 23 new positions and \$5,000 or \$6,000, part of which cost is recovered, this process has been so slow and cumbersome over the past number of years. To me, it just doesn't make any sense.

Ms. Janet Siddall: I think the short answer is our programs are oversubscribed. We have a plan that allows for the landing of 220,000 to 245,000 people. However, we have close to 700,000 individuals in our inventory. I like to use the analogy of an airplane. I have an airplane that has 235,000 seats, but we've sold 650,000 tickets on that flight, so we prioritize who gets on that plane first to come to Canada. Most of the waiting time is actually wait in a queue; it's not slow processing.

The Chair: The plane has just run out of time.

Mr. Benoit, we'll come back to you on the next round.

Mr. Clavet.

[Translation]

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

I'm also very pleased to meet the Acting Assistant Deputy Minister, Ms. Siddall, for the first time, as well as Mr. Brown.

You stated that the call centres received many calls, more in fact in August than in April. You mentioned an increase of 39 per cent. That's a quantitative assessment. More incoming calls do not necessarily mean that services are improving. Some people may call to voice a complaint or perhaps because the Internet sit isn't up to date.

Is there some way to verify, based on this quantitative assessment, the nature of the callers' questions? Could some kind of breakdown be done to glean more information from this process?

[English]

Ms. Janet Siddall: We do have a system of monitoring the calls that come into the call centre. The service improvement relates to the number of callers who can get through on the first try, because again, we receive over two million calls to our call centre in a year.

Regarding an evaluation of whether people are getting the information they need when they call the call centre, we do some surveying on that with our clients. I don't know if I have a report at this point in time, but I will certainly go back and ask my colleagues who are responsible for the call centre to pull together whatever type of qualitative reporting they do have that I can provide to the committee.

• (1555)

[Translation]

Mr. Roger Clavet: Fine. However, isn't there some explanation as to why the number of calls was up in August, compared to April? Was some kind of announcement made at the same time?

[English]

Ms. Janet Siddall: What I was explaining was we were able to respond. We're not able to respond to 100% of the calls, so we are increasing our response time. We're aiming at the industry standard, which is that 85% of single calls are responded to. We're at about 65%, and we're continuing to add agents to our call centre. My statistics show that we are responding to more calls than we ever have before, not that there are necessarily more calls coming in.

[Translation]

Mr. Roger Clavet: You stated that generally speaking, students, workers and visitors have recently had an easier time getting into Canada. Let's use once again the example of an aircraft filled to capacity, with people on standby.

What do we offer to those passengers on board? What do we offer to the 200,000 or 220,000 people who come to Canada? What are the major obstacles to the reunifications you spoke of, whether for families or for students? To date, what do you feel are the biggest obstacles impeding the immigration to Canada of these particular groups, namely students, workers and visitors?

We agree that more people are coming to Canada than in the past. However, there are still some obstacles that need to be removed. Where should we begin if we hope to improve the situation?

[English]

Ms. Janet Siddall: We have our permanent resident stream, which I referred to, the 225,000 to 245,000. We also have the temporary resident stream, which is a non-discretionary stream, and we will process as many of those applications as comes through the door.

We have been able to maintain very good service standards: 70% of visitors are processed in two working days or less; students, we're processing 70% in two weeks or less; temporary workers, a little bit longer because there's a bit more to assess. So we're doing quite well. We will assess over a million, about 1.2 million individuals who are seeking to come into Canada on a temporary basis this year, so I don't think there is a real obstacle to our temporary stream of visitors to Canada.

[Translation]

Mr. Roger Clavet: Summing up, Mr. Brown, you indicated that Mr. Volpe preferred to respond in person to questions concerning the Refugee Appeal Division. If I understood correctly, that will happen on November 1.

However, isn't the Gomery Commission scheduled to release an important report on that very same day? Shouldn't we be concerned that the immigration file might be overshadowed by this?

Mr. Malcolm Brown: It's difficult for me to answer that question directly. I think you already know what public servants have to contend with on a daily basis.

[English]

More seriously, I think it's his intention to come forward to the committee on a series of issues. On the levels question specifically, the target is November 1. But in terms of the dialogue that the chair and the clerk of the committee would have with his office, the specific timing of his presence here, I wouldn't read too much into November 1. It's a legislative requirement to table levels by November 1. It might happen the week before that. It has to happen by November 1 or we have a problem.

[Translation]

Mr. Roger Clavet: It would be nice to have some figures right now on, since we're going to be examining funding requirements shortly.

Couldn't this delay pose a problem for us? Wouldn't this be a good opportunity to identify our short-term funding needs?

Mr. Malcolm Brown: I understand that. The fact is that we are available to answer questions. However, the minister indicated that he wished to show his draft to the committee within the next few days.

• (1600)

Mr. Roger Clavet: Thank you.

[English]

The Chair: Thank you.

For the information of the committee, the minister has been invited to appear on his supplementary estimates before this committee on November 1, so we have that to look forward to.

Mr. Siksay.

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

Thank you, Mr. Brown and Ms. Siddall, for being here.

Ms. Siddall, for a first visit, it's going very well so far, so things are in hand.

Mr. Malcolm Brown: Could I add it's my first visit to this committee too, if we're being particularly gentle with people visiting for the first time?

Mr. Bill Siksay: Yes, you're doing just fine.

One of the things on our list is the safe third country agreement. It's something you didn't address in your opening remarks.

Can you bring us up to date on any change in terms of refugee claims in Canada as a result of that, any information about the monitoring agreement, which was still in the process of being established I think when folks from the department were here last?

Ms. Janet Siddall: Sure.

In terms of the changes to the flows, we have seen a decline in refugee claims in Canada—actually quite significant from last year. There's been a decrease of about 51% compared to the total number of refugee claims during the same period last year. But this isn't related only to safe third; this is an overall decrease in claims arriving at our ports of entry, and it reflects a global decrease in refugee and asylum claims in industrialized countries around the world. So the United States, Australia, and Europe are experiencing these same trends.

I can tell you that currently under the agreement the processing is going smoothly. Between the end of December and August 31, a total of 2,507 claims for refugee protection were processed at the border. Of these, 431—or approximately 17%—were deemed not eligible because of safe third. That was the number referred back to the United States.

This is an agreement between Canada and the United States, but the UNHCR is a partner. We had a meeting in July with the UNHCR and our U.S. counterparts, along with the Canada Border Services Agency. There's going to be another meeting in mid-November, which will provide stakeholders with an opportunity to review the first year of implementation of the agreement. The first annual review, as mandated by the agreement, will take place at year end.

But to date, the UNHCR has been monitoring our progress and has not raised any particular concerns.

Mr. Bill Siksay: There were concerns raised about people trying to sneak their way into Canada, the deaths that might result from that kind of activity, or an increase in human trafficking as a result of that. Has CIC been monitoring that in conjunction with the border agency?

Ms. Janet Siddall: Yes, we have. We haven't seen any significant increase of inland claims. In fact, they've been declining, which would suggest that there is not active people-smuggling, because they're not surfacing inside the borders. To date we have no evidence that suggests there's been an increase of people-smuggling into Canada because of safe third.

Mr. Bill Siksay: Are you aware of any reports of deaths or serious incidents as a result of the change?

Ms. Janet Siddall: No, not that I'm aware of.

Mr. Bill Siksay: You mentioned that claims are down 51% at the border points as a result of this and perhaps other global trends. Does that mean there's been an increase in the ability to bring people over as part of the private sponsorship program?

I know there was a significant backlog of sponsored groups waiting in that program, and there was some concern that it was putting the program in jeopardy because of the frustration it was causing. People were going to start dropping off because their ability to participate might be somewhat limited, having to wait a number of years.

Is that...?

Ms. Janet Siddall: We are on track to meet our targets for the government-assisted refugees resettled from abroad and for the privately sponsored refugees resettled from abroad. We did a lot of upfront investment, again using temporary resources at the beginning of the year.

Would this eventually increase our capacity? Yes, but that would be a longer process. We would have to transfer the kinds of resources we were devoting to the asylum process in Canada to overseas, and that's a much longer process, a more complicated process, to increase our capacity to process applications from people seeking Canada's protection from abroad.

• (1605)

Mr. Bill Siksay: Mr. Brown, you mentioned that the minister wanted to address the refugee appeal division. There are political questions to be asked around that.

Is there an implementation plan within the department for the refugee appeal division? Has that work already been done in the sense that IRPA does mandate that? Did the department respond with a plan for implementing it so that should the minister or the government decide to change their minds on it, something could be implemented with ease?

Mr. Malcolm Brown: There's a temptation to give a short simple answer to that, because officials are of course always well prepared for any eventuality, as a general rule.

I think the way I can answer that is in the discussions around the work the department has done on this issue, implementation questions have been.... If the question is, is there a detailed implementation plan on how to proceed, frankly, that needs to wait until there are decisions made about.... There are different ways to design the refugee appeal division, if one were to proceed that way. Therefore, unless you were going to design implementation plans for any number of possible contingencies, it would be impossible to say yes, there's something on the shelf.

So my answer is yes, people have undertaken consideration of design implications, or the implications of implementation relative to certain design questions, but there isn't a case of sort of "off the shelf, just add water and shake and you'll have something implemented", in part because what the something might be is still hypothetical.

The Chair: Thank you very much.

Madame Beaumier.

Ms. Colleen Beaumier (Brampton West, Lib.): I'd like to throw out three questions, and then you can respond to all three.

The first one is concerning the Vietnamese in the Philippines. The United States has recognized them as refugees. Norway recognizes them as refugees. I think there are about 200 people left over. The definition of close family is much more expanded in Norway and in the United States than it is in Canada, which limits private sponsorships—cousins, family members who have done well and are prepared to accept these people.

I know that our embassy in the Philippines states that they're not refugees. We also know—unless it has happened over the summer—that our embassy has not approached the camp or spoken to any of these people. The Government of the Philippines has said they can never be regularized. I don't really understand why we have taken the position that only parents and siblings can be sponsored, when we're only talking 200 people. That's number one.

I'll pick one of our overseas offices. We took great pride in boasting to the communities that we had opened an office in Chandigarh. Does the department know what's going on in Chandigarh? We're having people who are being turned down day in and day out with no interviews—I mean, absolutely no interviews. I contacted the department regarding this and I was told by someone in your department—not the minister's office—that the reason we weren't doing this in Chandigarh was because Punjab was full of farmers and farmers were poor. Well, anybody who knows anything about India knows that Punjab is probably one of the richest states in all of India. Coming from a farming background, I find that extremely offensive, as do most of my constituents.

The other issue I want to know about is...when you apply for a temporary worker, the period is fairly short, maybe one year or maybe two years. If you're really lucky, you get them. If the employer is not able to fill this position, the temporary worker must go back to the country of origin and re-apply again. I'm not sure how that's helpful to the Canadian employers who need these workers. What are we going to do about that?

On student visas, are there some countries from which we're limiting students because we think they have a higher risk of not returning? I only ask this because I've had two or three cases from Jamaica brought to my attention in the last little while.

• (1610)

Ms. Janet Siddall: On the work we're doing for the Vietnamese in the Philippines—I will just take a minute to get my notes so that I can give you the accurate data—you've made reference to criteria of other countries. I would just go back. You're right; in our view, these people are not refugees. They went through a refugee screening process and were determined not to be refugees at the end of the comprehensive plan of action on which Canada worked with the UNHCR and other resettlement countries.

We have a public policy, as you know, that will allow for reunification of those who have a close family connection in Canada, and we estimated that would be up to, we believe, about 200 people based on the lists that had been provided to us by the organization that's representing those folks. We have been working with the organization both here in Canada and in the Philippines. We were recently provided with an additional list of a few names of sponsors. We have actually proactively sent our specialized kits to the sponsors in Canada so they can complete them.

In fact, only three sponsors have completed kits to date, and no one has yet applied to our mission in Manila or submitted an immigration application. We are working really closely, as I said, with the organization in the Philippines, and this is what they are telling us. We're being told that sponsors are withholding submitting their sponsorships until their relatives have been screened by the United States because the preference is to go to the United States. If they are not accepted by the United States, then they will proceed with their application for Canada.

The Americans are in the process of conducting interviews with all applicants and they hope to complete this process by mid-October of this year. Acceptance rates have been high for the United States.

It appears likely that the uptake for our program then may be limited to those who are not eligible for immigration to the United States, and that would include those who have, from the U.S. criteria, a spouse, a parent, or a child in Canada. They are excluding those, and they are also excluding those who have a Filipino spouse, because there is that opportunity to get status in the Philippines if you're married to a Filipino.

I'm not sure what the final numbers are going to be, but we are certainly actively pursuing it with the organization that's representing them. Our definition of a relative who can sponsor, which we are using, is the one that we have in IRPA, which includes siblings, parents, children, etc., in Canada. So that's public policy and we're actively pursuing it.

You made reference to Chandigarh, and yes, we're very aware of what is happening in Chandigarh. We speak on a regular basis with our missions around the world, but we do get lots of complaints, you're absolutely right, Mr. Chair, regarding our processing out of northern India. The approval rates are going up slightly following, we believe, the announcements the minister has made to facilitate the admission of parents and grandparents on a temporary basis while they await the processing of their permanent application.

On the question of evaluating a visitor visa application, the criteria is universal. We apply it around the world. The kits are very explicit about the supporting documentation that we ask people to submit. I'd be happy to pursue your comment that someone from my department said to you that all farmers are poor, because I don't believe that, but you can make an assessment on a visitor visa application based on the supporting documentation. We verify that documentation, and where it is unclear, we invite people for interview.

Similarly with student visas, they have to meet the requirements of the act, which include demonstrating that they're coming to Canada for a temporary purpose and that they will respect the terms and

conditions of their visa. That's applied universally as well around the world.

• (1615)

The Chair: Thank you.

We will go back to Mr. Benoit. We are now on a five-minute round.

Mr. Benoit.

Mr. Leon Benoit: Thank you, Mr. Chair.

I want to follow up on the sponsorship issue. Just as a starting point, what is the backlog of applications in that program?

Ms. Janet Siddall: Overseas at missions abroad we're holding I believe about 115,000 applications for 115,000 people, and there are also applications that are at the central case processing centre in Mississauga.

Mr. Leon Benoit: Roughly how many?

Ms. Janet Siddall: I think it's about another 40,000. I'll go through my documentation here and get you the correct numbers.

Mr. Leon Benoit: That's good enough.

There are 155 in various stages, I would imagine. Or have these not been started?

Ms. Janet Siddall: Based on the minister's announcement and the numbers that we can process for this year, we are working on the applications that were submitted to visa offices during 2002 and the first two or three months of 2003.

Mr. Leon Benoit: You can do 18,000 this year. Does that mean it's going to take five, six, or seven years to deal with the backlog?

Ms. Janet Siddall: It's very difficult to project into the future, because as we had a policy change here, we could have a policy change again and—

Mr. Leon Benoit: Does it seem roughly it will be that amount of time if things go as they're going right now?

Ms. Janet Siddall: If you can project into the future, you have a better crystal ball than I do, but—

Mr. Leon Benoit: The point is, anybody applying now cannot reasonably hope to have their application completed in less than several years—like five years.

Ms. Janet Siddall: That's correct.

Mr. Leon Benoit: Are you still taking fees from people who are applying now?

Ms. Janet Siddall: When they apply, the first step is that the sponsorship application is submitted in Canada, and at that time they are advised of the long waits and are given the opportunity to pay the fees or withdraw their application.

Mr. Leon Benoit: So they pay the fees and then there are other costs to them, medical background checks and that type of thing, which probably have to be done again in many cases with a five-year wait.

Ms. Janet Siddall: No, the way we manage that, for that very reason, is we put the applications in the queue and bring them out of the queue when we're able to process them and know we will process them to conclusion. So they only do those.

Mr. Leon Benoit: Could you table with the committee the directive you got from the minister or the cabinet—I'm not sure who the directive comes from—increasing the levels to 18,000?

Mr. Malcolm Brown: Yes, there was a press release and we can provide that for you.

●(1620)

Mr. Leon Benoit: If you could, I'd like to see the actual directive on that.

I have one other question in a different area because I know my time is almost up. Something I've heard a lot about lately, especially from people of south European descent, is they are concerned and are asking for an amnesty for workers who have come here legally on work visas, have worked, are still working, and just never went home. They're not people who have been asked to leave. They're not people the department or government would have a problem with, but they're working here illegally now because their time has expired. Has there been any consideration that you've heard about... has anyone in your department or have you considered a general amnesty for those particular people, people who are clearly working and adding to our economy?

Mr. Malcolm Brown: Mr. Benoit, that's my question to answer.

The minister has made clear repeatedly that this is an issue he's taken under active consideration. The committee has talked about it and heard representations. The department has had consultations with groups. The short answer is yes, it is something the department is wrestling with. It's not a straightforward question, but the answer is yes, we are looking at a variety of approaches and are engaged in conversation with the minister.

Mr. Leon Benoit: Okay. I'm sure my time is up.

I thank you very much.

The Chair: Very good. You had ten seconds to spare.

Madame Faillie.

[Translation]

Ms. Meili Faillie (Vaudreuil-Soulanges, BQ): Good day. I had a question...

The Chair: I apologize, but I made a mistake. Mr. Temelkovski is next.

[English]

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

Thanks very much for coming out.

I have a number of questions. One is about the approval rates on the temporary resident visas. Are we looking at being somewhat less stringent on that and increasing the numbers as we see there is a greater need for immigrants in Canada?

Two, do you have specific numbers for specific professional applicants that have come into Canada such as doctors, engineers, and nurses?

Three, in the last month there is an aura around Ottawa that the number of immigration cases and applicants will be increasing. Other than the financial assistance that we can provide to you, are

you ready to handle such numbers? And how long will it take to prepare for a large increase like that?

Ms. Janet Siddall: I can probably respond to your question about approval rates of temporary resident visa applications.

The current global approval rate is 82%. We do recognize that a directive was sent to the field reminding managers—we had a follow-up conference with every one of our managers in the field—to be sensitive to folks who want to visit Canada for family reasons, particularly if there's an urgent family issue, whether it's an illness, a death, a funeral, or an important social occasion, like a wedding or a birth. So, yes, we are making sure—of course always respecting that the medical, security, and criminal checks must be done—that they are exercising the discretion they have to facilitate those applications.

Your second question was about specific professionals coming into Canada as permanent residents.

Mr. Lui Temelkovski: Yes.

Ms. Janet Siddall: We have some data on that, which we can find for you. We have a rather comprehensive report.

Mr. Malcolm Brown: Is it in terms of the approval rates of professionals or just the number of professionals coming in?

Mr. Lui Temelkovski: The number of professionals coming in.

Mr. Malcolm Brown: I think we can get that for you. There would be some historical and then some more recent data that I think we can get for you.

On the last question on levels, again, in some ways—relating it to my previous comments about this—it's one of the issues, obviously, that the minister wants to come and talk to you about. It's a little awkward for me to carry on too much of a conversation about that.

I can say, though, that for anything that is brought forward, officials will have provided the advice and support to ensure that any initiative that's brought forward can be delivered. The minister has been responsible for some very significant investments over the last eight or nine months, both in terms of improving service and in terms of extra money for immigrant integration, for processing, etc. I think there's the right kind of pattern in terms of people being confident that the department is making strides.

Obviously, I think people would like us to do more. When the pipeline is as big as it is and you can't control intake, it will take people a while to get through it. The recent steps saw a tripling of the numbers of parents and grandparents to come in, from 6,000 to 18,000. I think these are important and not insignificant steps to being sure that we're in a position to be able to manage any new challenge the government might see fit to give us.

●(1625)

Mr. Lui Temelkovski: One of the challenges lies in the funding that comes with it. You'd have to look at human resources—hiring, training, and so on—and then fielding these people. I'm assuming it will take at least six months to increase the numbers that such a significant increase would require.

Mr. Malcolm Brown: It's hard...I mean, again, we're talking about a hypothetical here in terms of numbers. There have been some numbers in the media; I'm not in a position to comment on them. I'll use the example in terms of what Janet described, in terms of the way resources were moved around and allocated on a short-term basis to support the increase in parents and grandparents.

There are some things you can do quite quickly; for other things, you need some time to ramp up. Obviously, it depends on what the specific levels are. If the government chooses to do something new with the levels, the requirements to ramp up capacity and that kind of thing would be built into a plan.

The Chair: Next we have Madame Faillie.

[Translation]

Ms. Meili Faillie: It's unfortunate that you cannot share with us your views on the administration of the immigration program and the refugee determination process. The committee was hoping to get some information about some aspects of the program. It's equally unfortunate that we cannot take advantage at this time of the expertise of your researchers and of the department's experts.

I think committee members have waited long enough for answers and that November 1, with an election in the offing, is a rather long time to wait. Our job is to make policy decisions and to examine immigration questions. To my mind, it's unfortunate that we're encountering administrative red tape and being deprived of the department's expertise.

That being said, I have a question concerning economic immigration. Have you observed that the category "provincial and territorial nominees" is being used differently than was originally intended? Is there a tendency to slot entrepreneurs and investors into this category, rather than into the usual category, namely "business people"?

[English]

Ms. Janet Siddall: The provincial nominee programs vary slightly from province to province. Some provinces are actively seeking entrepreneurs who will make a commitment to actively manage a business as one of the categories in their provincial nominee program. We feel that's a conflict with the federal investor program, so the agreements they have signed with us—with CIC and the Government of Canada—do not permit the use of a provincial nominee program for passive investment.

We're finding that the provincial nominee programs are doing very well. The numbers are up another 40% over last year, so I think it's one of our most successful strategies for regionalization, because these people are coming into the provinces, into the areas where they have been nominated by the province. Because they have been selected by the province and not by us, it means we are able to process them more quickly, so they're coming in 12 months.

[Translation]

Ms. Meili Faillie: Would you care to comment?

[English]

Mr. Malcolm Brown: I guess I would just add simply that I'm actually relatively new to the department—I've been here six months—and I've spent quite a bit of time talking to provincial governments. Those governments that have nominee programs really

like them. The Province of Manitoba, for example, has done an extraordinary job. It's an example of a best practice on how to run a provincial nominee program. It's extraordinary; they're going to get to 10,000, and they want to keep going.

Other provinces—Ontario, for example—does not have one. One might question why Ontario needs one. We think if they had a provincial nominee program to work with employers in northern Ontario and elsewhere, they might be better at encouraging people to go somewhere other than metropolitan Toronto, which is something we hear a lot about.

So the provincial nominee program is an important component. The minister has made this clear publicly, and we, as officials, are working hard to try to work with provinces to increase those numbers.

● (1630)

[Translation]

Ms. Meili Faillie: Ms. Siddall, I believe you've been with the department longer. Has the department ever been concerned about the number of agreements reached with Quebec in so far as the federal Immigrant Investor Program is concerned? Are you concerned about this? Quebec has necessarily been reaping the biggest percentage share of immigrant investors. Has the ministers been instructed or briefed about your plans to bring in over the next few years measures to dissuade people from coming to Quebec?

Ms. Janet Siddall: No such plans exist.

Mr. Malcolm Brown: No, never. Quite the opposite is true.

Ms. Meili Faillie: In that case, how do you explain the delays in issuing visas? Agreements were signed and Quebec selected immigrants. I'm asking the question because statistics indicate that delays have grown longer since 1998, and more especially since 2001.

[English]

Ms. Janet Siddall: It's a delay that's shared by Quebec and Canada because they had a significant delay and backlog of their own in processing their investors, particularly out of the People's Republic of China. In the past, we thought we had a strategy that would accelerate processing. They submitted to the federal government at the same time as they submitted to Quebec, but in fact, because Quebec was not moving through their inventories as quickly as they had wanted, it gave the impression that the whole process was being delayed on the federal side.

In fact, when we look at the delay between when the CSQ is issued and when we are able to issue the visa, that delay is shrinking as we move through this big bulge of cases that they had, mainly in China, mainly working through their office in Hong Kong.

[Translation]

Mr. Malcolm Brown: Mr. Chairman, I'd like to quickly say something.

[English]

All provinces tell us they'd like us to speed up the processing of provincial nominees, so in that sense this parallels with the perfectly understandable frustrations over the processing times with Quebec. If we processed them in half the time, people would want them again much more quickly. I think Janet has described the specifics, but we get pressure from all our clients and partners about speeding up processing.

The Chair: Thank you very much.

Ms. Beaumier.

Ms. Colleen Beaumier: Thank you.

Another issue I would like to bring up is that the churches from the Baltic and eastern European countries don't seem to have any problem bringing priests over and even allowing them to stay and apply for immigration from within Canada.

However, I have a Hindu Sabha temple in Nanaksar Gurdwara and these people are constantly battling to try to get religious workers. The Hindu Sabha temple is about eight workers short. These are communities that have spent millions of dollars building these beautiful buildings—places of worship—and they can't get religious workers. If they can't get religious workers, they can't pay the mortgage and they can't stay open.

It may not be intentional. However, it is an extremely racist attitude that is being shown in dealing with our different groups of immigrants across this country. I think one of the problems we have.... It's really a shame. We get to talk about these issues here and.... I'm not really this nasty all of the time. However, I think the department has to know when we're frustrated. Why isn't there even more communication in that way? Some days I feel like I should just put a big sign on my door saying, if you have an immigration problem, go away because we really don't care.

Ms. Janet Siddall: Well, I care.

I agree with you, Madam Beaumier, that we need to do a better job in outreach to the communities in explaining our process, explaining our programs, explaining how it works, not only with you, members of Parliament, but your constituents, the communities themselves, and we are planning a strategy, particularly for our program in India, to do just that.

I'm afraid, with all respect, I cannot accept your allegation that we're racist.

● (1635)

Ms. Colleen Beaumier: It looks it. It appears that way.

Ms. Janet Siddall: We work very hard. We have a great deal of training and a professional cadre of foreign service offices who are delivering our programs abroad. We're very respectful and mindful of the communities we work in, which is why we use locally engaged staff to help us there.

Our mission in New Delhi has a specific program working with the religious communities in Canada to bring religious workers. They have a very active dialogue. The communities themselves have also raised their concerns that in the past their programs were abused, and it continues today. People seeking to remain in Canada

use the temporary resident program, use the need for religious workers in Canada, to add people who aren't genuine visitors.

We're very cognizant of both the risks and the benefit. We're trying to find that right balance between facilitating, but we also have a mandate to protect the integrity of our immigration program and our refugee programs. The screening is very important. But I totally agree with you that we need to do more work with the community so we understand them better and they understand us better.

Mr. Malcolm Brown: Can I just add something, Mr. Chair?

I just want to emphasize that the department takes very seriously suggestions that there's some inherent bias. I think it is prepared to go under any scrutiny to examine whether or not there is any, and feels very strongly that there is not, but if—

Ms. Colleen Beaumier: Punjabis are farmers and they're poor. Please.

Mr. Malcolm Brown: With respect, it's impossible to respond to an anonymous complaint like that.

Ms. Colleen Beaumier: Oh, it won't be anonymous. I'll give you the name.

Mr. Malcolm Brown: Frankly, it's not a view.... If that person is reflecting a personal view, then he or she is going to have a conversation with at least me and some other people.

Ms. Colleen Beaumier: I was under the opinion that the person was expressing the department's view. It was the department's person I was referred to.

Mr. Malcolm Brown: I express the department's view. Janet Siddall expresses the department's view. Unnamed sources are unnamed sources, and I'm telling you on the record that that is not the department's view.

Ms. Colleen Beaumier: I think his name was Andrew.

Mr. Malcolm Brown: I'm telling you on—

Ms. Colleen Beaumier: I checked with the minister. He called the minister's office right after.

Mr. Malcolm Brown: That's fine. I'm telling you that's not the department's view.

I understand your frustration. I want to say that the department knows it constantly needs to learn and to improve service, not just for people from the Punjab but from other places as well. We have high refusal rates all over the world, and people don't like high refusal rates. They're being told not to do something they really want to do, and that raises frustrations and makes people unhappy, and that's understandable. We need to do a better job of explaining why and helping people, when the circumstances warrant it, to facilitate access to the country in an appropriate way that balances the kinds of things Janet was talking about.

Madam Beaumier, on the substance of what you're saying, there is great sympathy, but in terms of coming close to accusing the system of racism, that is a question that merits us being very careful. We're prepared to put up with the scrutiny if people think the process is biased.

Sorry, I just felt I had to—

The Chair: I have an interesting observation. I went to the United States a couple of months ago. I happened to have a Canadian driver who happened to be Sikh. The person sitting beside him was a former member of Parliament, Yanko Peric, and there was myself. Everything seemed to proceed well until they asked us if we were born in Canada. The driver said no, that he was born in the Punjab. Mr. Peric said he was born in Croatia. I was sitting in the back seat and said I was born in Hungary. Then the officer said, "Oh, you just won the lottery. The computer went off and we're going to have to take you over for further checking." All three of us in that car were convinced that we were experiencing the process of racial profiling. All three of us knew there was pretty well nothing we could do about it.

Mr. Siksay.

• (1640)

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

I want to come back to the question of the parental and grandparental backlog. I wonder if the department has ever looked at what the most effective equilibrium would be in that. What is the point where people who are coming here as original applicants, original immigrants, with the skills and education to get them into the country through the point system and also with the hope of reuniting with their family...? What is the equilibrium where that dream and that realization, that promise we essentially make to them, can be kept in terms of the equilibrium between that and the family reunification aspect in the immigration program? Surely the department has looked at that issue.

Mr. Malcolm Brown: That's one of the \$64 questions when you look at the balance in the mix and how to manage that, in part because, frankly, in terms of the policy discussions people have, there is a perception that you have an economic class and it's only workers and you have a family class and nobody works. Many of these parents and grandparents who come in are in their forties and fifties, and many of them are going to work. For many of the people in the economic class, their spouse may or may not work and the children may be young and will go to school for a while.

One of the questions for us as we move forward—and this is an active policy discussion with academics and stakeholders and others, and I'm sure this is nothing that you all have not heard in the work of the committee over the last period of time—is a real debate as to whether or not those definitions still work. They are the definitions in the act. They're what we're working with now. There's always this tension and push and pull back and forth.

Do we have absolutely perfect balance? Of course not. Can I tell you what it is? My definition is probably different from yours, and there may or may not be consensus around the committee table. It's hard to answer that question.

Mr. Bill Siksay: In this system we know 60-40 is the target. You must have worked other numbers to see if 50-50 might work better, or reverse it and have it 40-60. Do we have any sense of it? Has the department done that kind of work?

Mr. Malcolm Brown: Again, it depends on whether or not you limit yourself. That's in the context of these fairly broad generalizations that within the economic class there are a lot of immediate family—dependants and spouses. In one sense I'm taking the

conversation a bit further and actually saying, as we talk about balance and the mix, that we may actually need in the future to begin to ask ourselves whether our definitions are appropriate to really tell us what the right mix is, because the actual question of mix is being blurred because of the definitions of family class and economic class.

Mr. Bill Siksay: How long has the 60-40 split been in place as policy in Canada? Is it a long-term policy or...?

Ms. Janet Siddall: It has been about four or five years now.

Could I correct my numbers that I gave you before? The 115,000 includes what's been held at the case processing centre in Mississauga and what's being held overseas. That's the combined number.

Mr. Bill Siksay: One of the things we asked you about was bonds and what the current situation was in terms of posting bonds around a visitor visa application. The response says there were less than 100 cases. Can you tell us anything about those 100 cases? In what sorts of circumstances would CIC entertain a bond currently, and do folks meet the requirements? Has CIC had to collect on those bonds? What are the circumstances with those 100?

Ms. Janet Siddall: I don't have the answer to that. I'll have to get the answer to that question for you. Those were from within Canada. Those are normally imposed at the port of entry when somebody is entering Canada. I don't have that information.

Mr. Bill Siksay: Do you have any sense of the kinds of situations that would lead to someone...? Often we hear in our offices that people are willing to put up bonds. What would the circumstances be so that those 100 cases actually got to go down that road? Normally, I don't think we get that opportunity.

Ms. Janet Siddall: I'm sorry, I just don't have that information with me today, but I will get it for you.

Mr. Bill Siksay: It would be helpful to know that, if it's possible.

The other thing I want to raise is I think every member of Parliament has seen a fairly dramatic increase in the last little while of immigration case work that we handle in our offices, and it's significant. That used to be my job in a constituency office, and in talking with my own staff, they tell me I wouldn't recognize the caseload from just a few years ago when I was handling it. Immigration is really dominant. I have one staff person who almost does that as a full-time job now, and we hear that from other MPs.

It's a very frustrating thing for folks, certainly in our caucus. They say, why are we ending up doing this job for the Department of Immigration? I'm just wondering if the department has looked at that, has discussed what the reasons for that are, and if there has been any plan for dealing with that? Has there been, for instance, the possibility of setting up an ombudsman's office or something like the worker advocate department in Ontario around workers' compensation claims, those kinds of things, that would give people the opportunity for some advocacy, that would still be at arm's-length from the department, yet would be under their purview?

• (1645)

Mr. Malcolm Brown: The short answer is I think the department has taken some steps in the past, has had hot lines—I'm trying to answer your question at two or three levels. I think there is a recognition that there has been a significant increase in the calls to MPs offices, that kind of thing, and that there is a significant pressure on individual offices. The department has taken steps at a variety of times to try to respond to that.

I think the experience has been mixed—it gets used for quite a while and then the use drops off for whatever reason. I think the department all the time is looking at ways to try to help MPs. So if there are specific suggestions—I can speak for the department on that—we'd be happy to entertain those suggestions and look at things.

On the specifics around an ombudsman or some other third avenue, the question is really one of people being unhappy essentially with a first decision, with a temporary visa or a resident visa or something like that. That raises real questions about the actual way the immigration system works. Frankly, your ombudsman would get really busy very quickly as well. Is that really solving anything? It might, but I think it raises very big questions.

I'm being signalled to wind up.

The Chair: Mr. Tweed.

Mr. Merv Tweed (Brandon—Souris, CPC): Thank you, Mr. Chair.

Before I get into my line of questioning, you talked about the total of 115,000. Is that still giving us the number of 40,000 in Mississauga?

Ms. Janet Siddall: I believe so, yes. It includes that.

Mr. Merv Tweed: It's included. But is the number...? You'd said 40,000 before.

Ms. Janet Siddall: I'd have to verify that for you, but I believe that.... I'm going from memory now.

Mr. Merv Tweed: I think for Mr. Benoit's satisfaction, if you could....

Being new to the committee, I have been advised that there is an operational performance report that's issued. I'm wondering if you would be prepared to table or provide this committee with the most recent quarterly report. Am I...?

Ms. Janet Siddall: Are you referring to the report we table in Parliament?

Mr. Merv Tweed: I am referring to an operational performance report that's issued by the strategic operations planning unit. I don't know if it can be done electronically, but I would certainly like to have it so I can review it over the next week, if that's possible. I suspect committee members might be interested in seeing that.

The Chair: Send it to the clerk, who will get it to us all.

Mr. Merv Tweed: Okay. That would be great.

I noticed in one of your responses on foreign credential recognition that it says the Government of Canada has not conducted occupation-specific studies. The question that comes immediately to

my mind then is, how can we be confident that the targets it sets are appropriate?

Mr. Malcolm Brown: Thank you for that question, actually, because I think it gives me an opportunity to provide a little more information.

The question that's here was a very narrow response to a very specific question, which is, does the CIC make these kinds of specific studies? The answer is no. As part of the internationally trained workers initiative, which the Prime Minister has asked Dr. Fry to coordinate, to lead, there is a huge amount of stuff going on. Within that, there is a series of sector councils as part of the work that HRSDC does within individual industries and there's support to professional associations, the engineers, that kind of thing, where these kinds of studies are done.

The actual answer is a little too narrow, and what I'd like to try to do is to provide a more detailed answer that gives the full range across the work of all departments—frankly, I just got off a plane from overseas last night and looked at it this morning. There are 14 or 15 departments involved in this initiative. Also, colleagues from HRDC, which oversees these sector councils, would be able to give you a sense of the kinds of individual, more specific human resource issues that are examined by each of them. There are 32 sector councils, I think, and we would work with them to ensure that information gets to the committee. We would provide it through the clerk.

• (1650)

Mr. Merv Tweed: Okay. I presume you will provide that in the form of a written response.

Mr. Malcolm Brown: Yes.

Mr. Merv Tweed: The committee heard from some groups that don't believe Canada has carried out a proper labour market analysis. Can you point to any direct evidence by a reputable labour force expert that helps you identify and determine labour force needs?

Mr. Malcolm Brown: I know the chair will want me to make short answers. The shorter answer is there is much evidence of specific labour market needs in certain parts of the country. There are studies and pronouncements by economic development agencies, the people responsible for economic development in provinces. For example, Alberta, just this past week, has announced a plan where they're calling—I have it here in the book somewhere—for many thousands of new immigrants, in part directly to respond to labour market challenges.

It's not something that's uniform across the country. We have a variety of regional economies and they are different, but I believe there is much evidence that speaks to specific labour force shortages.

Mr. Merv Tweed: I'm wondering if you can tell me for how many years since 1990 the government has met its immigration targets.

Mr. Malcolm Brown: For the actual immigration targets, as announced by Parliament, I don't have that on the tip of my tongue—we can get that easily—but in the last four or five years, certainly, I think we've met the target that's tabled with Parliament every year. We can get that for you and provide it in writing back to the clerk for the committee.

Mr. Merv Tweed: Thank you.

The Chair: Hedy Fry.

Hon. Hedy Fry (Vancouver Centre, Lib.): Thank you.

If I am permitted, Mr. Chair, I would actually like to add to Mr. Brown's response on Mr. Tweed's question, but I'll wait until Mr. Tweed comes back. There are many areas in which we have had labour market analysis done—many, many areas, and people who have done it—so I'll wait until he comes back.

I want to touch a little bit on one of the questions Bill brought up, which is the issue of the amount of work MPs are having to do in their offices to deal with some of these questions of immigration and visas, etc. My office work has increased as well. It was my understanding—and I don't know if anyone remembers it, but it was an answer that was given to us by the deputy minister maybe eight months to a year ago when he was present—that under IRPA, under the act itself, once a visa officer has made a determination about the status of a person's visa or whatever, the only person under that act, which was passed by Parliament, who is allowed to really go and seek redress to that would be a parliamentarian.

Obviously, there are other solutions. We can decide that we don't want to do that any more and, as Mr. Brown said, send it to an ombudsman, or we can do what the United States does and say that parliamentarians should have absolutely nothing to do with addressing these kinds of appeals. I think the answer to that problem lies in our hands as parliamentarians, because all departments and ministers are supposed to do is follow the act as it's written. This is something we might want to discuss as parliamentarians. Do we want to change the act? Do we want to absolve ourselves of any responsibility for this kind of appeal process, which we took on and now is becoming bigger than anything else, and make a decision on how we want to handle that kind of process when we deal with people who did not get an okay from a visa officer and decide who can overturn it? It's my understanding that no one else can, except the minister through H and C and parliamentarians stepping in to appeal. I just wanted to comment on that.

Mr. Chair, may I ask your indulgence? When Mr. Tweed returns, I'll take only about a minute to give him a little piece of the answer he wanted.

Thank you.

•(1655)

The Chair: Mind you, as a follow-up to what you were saying, Dr. Fry, we had a situation where regulations got changed in-house, and I use the example of the regulation on inland spousal applications. It was one of the changes by the bureaucracy that ended up costing a minister her job inadvertently. The department, the bureaucracy, has a great deal of power through regulations, which is of some concern. In some cases we, as parliamentarians, shouldn't be giving that away. In the last act we gave away the right for the department to set by regulation the point system, so the department has set by regulation the point system and now what we have are people who the economy needs but who cannot satisfy the point system. That is done by regulation without the parliamentary oversight we have.

I guess the proof of the pudding is in terms of labour market studies. We have hundreds of thousands of people working in the

underground economy who are deeded by the underground economy, and those people cannot legally get into this country. Obviously, we have to look at the whole system by which we set the points.

I was going to ask you if you could possibly table with the committee the monitoring agreement that we have with the United Nations High Commissioner for Refugees. That would be a good piece of information to have. Also, could we possibly have the numbers, because now with the third country agreement, we have a lot fewer refugee applications? I think the committee should get the latest numbers on this.

Let me finish off. Please give us something for the committee. I'm looking at what's happening with your report on the implementation of Bill S-2 and the waiting time of 15 to 18 months for gaining citizenship. We as a committee are going to set three years. If you add 15 to 18 months to it, we might as well say five years. Could you get us something as to what would be required for you to process that in terms of resources and what the relationship is between citizenship court judges, whom we have lost a lot of and we need some more, and how we could speed that up?

I have one commentary on the lost Canadians. This is an issue on which the Senate and the House of Commons were unanimous. We felt that an historic wrong had been done and we wanted to correct it. I'm a little disturbed when I see 15 to 18 months is what it's going to take for those people, even though only 30 applications are before the department. How could we get this speeded up with the rest of the process?

Mr. Tweed, I told Madam Fry when you weren't in the room that I would let her say something.

Madam Fry.

Hon. Hedy Fry: Mr. Tweed, I'm sorry, I was just going to add something to Mr. Brown's response with regard to your question on whether there were analyses done on specific labour market needs.

He's right, HRSDC does a lot of those, but many of them also come from the Conference Board. York University has been doing a great deal of work on this. Sector councils via the Canadian Labour and Business Centre have actually done an absolutely phenomenal job of assessing sector needs. The engineers have written three papers now on it and I think they are available. They were given to us here when the engineers came the last time. The nurses have just completed theirs. The doctors have done theirs and Health Canada has that in hand, but it's in the internationally trained worker file as it is. Pharmacists and other health workers have been assessed and the need has been assessed through them. Also, the Canadian Council of Technicians and Technologists have been doing this through Industry Canada, and of course Statistics Canada does have some data as well on this. So there is a great deal of data that is available to show that there has been a great deal of work on this.

•(1700)

The Chair: Madame Faille.

[Translation]

Ms. Meili Faille: I have several questions, particularly with respect to security certificates. Responsibility for this matter is shared between the Canada Border Services Agency and Citizenship and Immigration Canada. These certificates are issued on approval of both agencies. Last summer, much was made by the media of conditions under which persons are detained. The UN was also critical of Canada in this area. I'd like to know who is responsible for what. The department claims that this is not its responsibility, as does the Canada Border Services Agency, while the provinces maintain that this is a federal matter. Can you tell me unequivocally which party will have to answer to the UN for these detention conditions?

Mr. Malcolm Brown: The question of assigning responsibility is a complex one.

[English]

On the question of who is responsible to the United Nations, it will be the Government of Canada that will have replied. It will be, at the end of the day, really the Department of Foreign Affairs that will reply on its behalf, and it will reflect the input of several different departments.

Janet, jump in if you want.

In terms of the specific circumstances of who is responsible for what, I believe these people are held in provincial detention facilities, so the actual quality—if I can put it that way, and it's probably not the right word to use in these circumstances—the actual standards of detention are determined by national norms but also in the context of the standards that each provincial institution has. I believe they are held in provincially run institutions, so it's not a secure institution. It's not a question of offloading. That's just where they're held.

On other questions around security certificates, provincial officials, of course, would say no, that's federal responsibility, and I think people are happy to answer those questions. It really depends on which part of the whole process of security certificates you had a question about in order not to get the run-around, in order to get a straight answer to your questions.

I hope that helps.

[Translation]

Ms. Meili Faille: No. Right now, there's a person who has been held in isolation in a Toronto jail for several years. This person is not being detained under the same conditions as other prisoners. We're trying to find out who we should speak to, because the provinces maintain that they are bound by the security certificate, which is a federal matter. You're saying that detention conditions are a provincial responsibility. Right now, we seem to have reached a stalemate. These detainees are human beings and that have yet to be charged with anything. It's just like a scene from "Minority Report". I don't know if you've seen this movie. Detainees haven't been charged with anything. In my opinion, their human rights are clearly being violated.

To whom should we be addressing our concerns? You all seem to be passing the buck.

[English]

Mr. Malcolm Brown: In reality, I think your questions need to be addressed to public security and the Deputy Prime Minister, as minister responsible for the public security portfolio.

Our minister is part of that process. These are really security issues. We're not trying to duck, but the reality is that our role is quite precise. I think we'd be happy to take your concerns and ensure that they're relayed to our colleagues in public security and encourage them to try to provide a response back to you through the chair and the clerk.

[Translation]

Ms. Meili Faille: I'd appreciate an answer. If we call them here to testify, they'll maintain that this is a shared responsibility. Therefore, I'm trusting you to pass the message along and to keep the committee apprised.

Regarding international students, it seems an agreement has been reached with Quebec over the minister's announcement. We've waited all summer. When do you expect to sign this agreement with the province?

• (1705)

Mr. Malcolm Brown: I believe it will happen shortly. The agreement contains specific provisions, but I don't recall the exact details. Some updates were made two or three weeks ago.

[English]

I don't think there's actually a significant issue. On the question of an agreement with the City of Quebec, that frankly is news to me. The agreement in terms of foreign students would be with the province.

[Translation]

I believe the agreement will be signed sometime next week. Quebec and the other provinces all reached the same agreement regarding students.

Ms. Meili Faille: Mr. Chairman, I have two more quick questions. Does anyone else have any questions? May I go ahead?

The Chair: By all means.

Ms. Meili Faille: Then I'll ask the questions in succession.

Have you thought about doing something for refugees from countries affected by a moratorium, or for those who have no formal status, who are stateless because of geopolitical changes? Some of these individuals have been in Canada from 10 or 11 years. What could be done to make their lives easier?

There are several issues, including the fact that they must renew their legal papers every year, which creates significant problems for parents when the new school year begins, in addition to logistical headaches.

This gives rise to some sad situations, particularly when people have been in the country for 9 or 10 years. These people just want to live normal lives. I don't know what your policies state in terms of what constitutes a normal waiting period...

In light of the different pronouncements by Foreign Affairs officials regarding the policy on non-compliance with human rights in certain countries, notably Iran, Tunisia, Palestine — although there are other countries — do you intend to adjust your policies toward refugees that you deport to these countries?

[English]

Mr. Malcolm Brown: I think we can provide answers to both questions and undertake to get more for you.

On the first question about refugees, whom I think the media have referred to as stateless persons and who go from year to year in terms of work permits, and those kinds of things, the act is clear on how we have to respond to these individuals. It would require changes, and then as a result of those, there would be consequential impacts on other refugees who'd be in similar situations, but not for the same period of time. So it's not straightforward.

Nevertheless, I think the minister—though I may be wrong—has publicly indicated this. But as I say, I may be wrong. I think the department is aware of the issue. In the context of dealing with broader refugee reform questions, this would obviously be an issue on which we would need to provide advice to the minister, and the government would decide if it's an issue that they would want to respond to. We're aware of it; it's not a good thing, but the current act is clear.

On the second question, in terms of returning people to countries deemed to be unsafe, or that sort of thing, the list is updated and examined continually. It is the practice of Canada not to return people to unsafe conditions. For example, right now, I think we still don't return people to Afghanistan who have been refused refugee status, but that's constantly under review—and if progress continues to be made, that may change. The list, obviously, is a difficult and complex issue, but working with our partners in Foreign Affairs and CBSA, we examine its appropriateness and whether the safety of individuals is assured if they're going to be removed.

Janet, do you want to add anything?

• (1710)

[Translation]

Ms. Meili Faille: I have one last question. Perhaps the...

[English]

The Chair: Madame Faille, you've really stretched this one. You really....

Ms. Meili Faille: Hey, it's 5:30.

The Chair: No, I know, but we'll come back to you. We have other people waiting. They'll get mad at me.

Anyway, we're going to have Merv, and then we've got Bill.

Mr. Merv Tweed: Thank you.

I thank Ms. Fry for her comments.

The only reason I asked that question is that we constantly hear of people coming to Canada who do not work at the jobs that have been identified for them; they're underemployed or are taking lesser jobs. It concerns me that if we are spending our resources to identify...it just seems that the connection is being missed somewhere, in the

sense that these people are not finding the opportunities. But I do appreciate your explanation.

Mr. Brown, I know you'd mentioned earlier in your comments that you provide advice to the minister, and I'm fully aware that sometimes ministers take advice and sometimes they don't. I just want to ask you what your or your department's role was, and how involved you were, in the recent announcement by the government that they're going to increase immigration levels by 40%.

Mr. Malcolm Brown: I actually don't think there's been an announcement; I'm not aware of a press release where there's been an announcement. I'm not trying to be cute. There have been some media reports, and I think the minister's public statements are on the record, but there hasn't been a formal announcement.

Mr. Merv Tweed: Are you suggesting then that it isn't a fact that he is out there saying that?

Mr. Malcolm Brown: Sorry?

Mr. Merv Tweed: Well, I guess I would rephrase my question: are you giving the minister the advice that immigration levels can reasonably be increased by 40%? I don't think that's hypothetical; it's out there.

Mr. Malcolm Brown: No, it's not hypothetical, but the advice I give the minister is what I have to give to the minister, and then once he's made a public statement or announced a policy—the government has announced a policy—then I'm in a position to comment on how we will implement that.

I suspect you knew the answer I was going to have to give before you asked the question.

The Chair: We're doing the policy question. You'll have to go after the minister for his musings. He'll be here on November 1.

Mr. Merv Tweed: Departments do advise ministers, I hope.

Mr. Malcolm Brown: Indeed, but I can't—

The Chair: That's one of those confidential...like the father in church and you go and confess.

Any more, Merv?

Mr. Merv Tweed: I don't think so.

The Chair: Okay. Thank you very much.

Bill.

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

I want to come back to the moratorium question. Just yesterday the Minister of Foreign Affairs made a very strong statement in the House about Iran and about Canada's concerns about human rights in Iran. I believe that folks are still being deported to Iran. I know a woman from my constituency was deported there in December despite very serious concerns about her safety. In fact, she was arrested on her return to Iran.

You said you consult with your colleagues at CBSA and Foreign Affairs. I'm wondering if you could explain that process to me and how long it usually takes to engage it. Given the concerns about Iran, can we expect this to result in a decision about moratorium countries?

Ms. Janet Siddall: You're asking the wrong department. The lead for removals is the Canada Border Services Agency. When proposals come forth, there are systematic reviews, but there are also reviews at the request of NGOs or others who are concerned about a particular country. Certainly, they work with other government departments, Foreign Affairs, us, CIDA, and they consult with the UNHCR and NGOs, Amnesty International, etc., to come up with a recommendation.

I don't have an answer about whether it's under consideration. I can ask my colleagues the question.

In terms of dealing with an individual, I also wanted to mention—I'm sure you're aware of it—there is a pre-removal risk assessment that is designed to get at personal risk. That assessment takes into consideration the country's conditions and also personal conditions before a removal can take place. Even if there is no moratorium on removals, there is an opportunity for those risks to be assessed. That risk assessment is done within CIC by specifically trained officers.

• (1715)

Mr. Bill Siksay: So CIC still does the pre-removal risk assessment and has a set of criteria that may be different from CBSA's criteria?

Ms. Janet Siddall: When CBSA looks at a moratorium on removals, they're looking at general country conditions. When we do the pre-removal risk assessment, we're looking at the specifics about that individual: their situation, their particulars, the particular place where they live, etc.

Mr. Bill Siksay: Okay.

I have another question. It's about cost-recovery fees. It came to my attention recently that refugee claimants in Vancouver have to pay for the photographs that are taken of them at the time of their refugee claim and that this can be \$100 per individual. I'm just wondering if that is the practice of the department. Does that happen all across Canada? Are there other cost-recovery fees that someone might have to pay at the time of making a claim?

Ms. Janet Siddall: This is my refugee expert, Dick Graham.

The Chair: Please give your name for the record.

Mr. Dick Graham (Acting Director, Asylum, Department of Citizenship and Immigration): I'm Dick Graham. I'm the acting director of asylum in the refugee branch at CIC.

The answer is that people are not supposed to be charged anything for getting their pictures taken. We will investigate that.

Mr. Bill Siksay: I've written to the minister recently about it as well. It should be on his desk. It is something that I found very disturbing actually. I'm glad to hear that.

Thank you.

The Chair: Madame Fry.

Hon. Hedy Fry: I just wanted to pick up what Madame Faille was saying about the deportation.

I have been increasingly concerned, specifically with regard to Iran. We have had so many people I know in Vancouver who have had real risks, some of them in fact have had family members returned and disappeared. I think we in Canada know now that Iran is in fact a country that has definitely shown its true colours recently.

I just think specifically with regard to Iran, continuing to have to have people come and get appeals and go back and have us intervene for them in all of these instances—perhaps there should be a moratorium, just a moratorium on deportations to Iran until Canada makes a decision about what we want to do and how we want to relate to them.

It's not as if we're talking about any old country. This is a country that has sparred with us on Kazemi. This is a country that we have seen kill young gay men. We've seen that this is a country where people have gone back and disappeared. We know it is continuing to defy the usual international human rights, and we know at the same time that it's amassing weapons of mass destruction through nuclear warheads.

And I'm not saying this out of school. I have asked the Minister of Foreign Affairs. I have spoken to the Minister of Citizenship and Immigration—and I have also spoken to Madam McLellan on this—and let them know that I think, in this instance, given what's happening in Iran currently, and has been actually increasing in the last six months, that we may want to look at that. I think I want to support Madame Faille on that. I know it's not your primary responsibility, but I just think enough people have become worried about this particular country, and I just wanted to let you know that I feel the same as Madame Faille does on this.

The Chair: Mr. Temelkovski.

Mr. Lui Temelkovski: Thank you.

I just wanted to continue with a similar train of thought in terms of how you mentioned that we don't return anybody to Afghanistan right now. I'm under the impression that we don't return anybody, unless the person is a really bad security threat.

We have people to whom we say, we want you to leave, but then we leave them alone. That's my experience with some people in my office. I've intervened to ask for a pre-removal risk assessment in a number of cases, and I don't really—

• (1720)

Mr. Malcolm Brown: Janet just said she doesn't have the figures, but I think figures are available on the numbers that are removed. So if they are available, we'd be happy to share them with the committee to address your statement that not very many people do get removed. There are people who do get removed every day, I think.

Ms. Janet Siddall: But you're absolutely right that the border agency prioritizes criminals and security threats. They are their first priority, followed by others who perhaps have overstayed or whatever.

Mr. Lui Temelkovski: I have one other comment or question.

I believe all the MPs in the major MTV area—Montreal, Toronto, and Vancouver—had a hotline to deal with issues in terms of immigration, and I also understand that this was cut off some three weeks ago or so, unannounced to us prior to that. It was just on the Monday following when they said that last Friday was the last day we would be provided with direct MP inquiry support. We were baffled by that in my office. My one person who does immigration consistently said that she'd never seen this before.

We were wondering for a few weeks whether those files were being transferred somewhere or what. Now this week I found out that she has some follow-up from the files that she was inquiring about before. But it's not a good practice to stop something like that and let us know after the fact.

Ms. Janet Siddall: And this was on removals or on—

Mr. Malcolm Brown: I think another colleague is responsible for this, if memory serves. There was a little bit of a discussion about this after the fact.

I think we would acknowledge that the way the decision was communicated was perhaps not as strong as it might have been, if I could maybe understate the case a bit. We can check to see if I'm wrong, and sometimes I'm wrong more often than I'd like—if I'm wrong, we'll correct the record with additional written information—but I believe the reason there was a decision made to end the hotline was that in fact the use had declined extraordinarily. It wasn't a particularly good use of resources when these people weren't as busy as they could have been and could be shifted, when the work could go along to other issues, and when the follow-up you described could still be maintained.

Ms. Janet Siddall: If you could give me more information, I'll follow up on that, because I'm a bit confused. We're actually opening up more channels for members of Parliament with client service units.

Mr. Malcolm Brown: I think that's right, but there was a specific hotline that got shut down in the summer. I forget which one it was.

A voice: Toronto.

Mr. Malcolm Brown: The Toronto-based one.

The Chair: Thank you very much.

I want to say that one of the challenges we all have, MPs and their offices, is that we see clients on the front line. We see decisions and can't understand why people were turned down. Often, if we are able to get visas for them, lo and behold, there's no problem; the people go back. One of the things I would like to see is some kind of quality control on decisions, particularly on permits. I wonder if you and the department can look at some of that stuff.

I believe last year we turned down 150,000-plus visa applicants... which is a huge economic benefit as well to the country. Wrong decisions may cost the country money, but beyond that these are in many cases people's families, loved ones; at a time of death or burial

they should be here. Being a Canadian born elsewhere should not subject you to not having your family able to get into the country. I think it would be nice if the department would look at some kind of quality control and let us know what you do to monitor the people on the line.

And I recommend your book, called *Whence they Came*. I think everybody who works in the department should read it. It's written by the late Dr. Barbara Roberts, and it has a wonderful foreword to it by Dr. Irving Abella. It's on past immigration practices, and I can tell you, when I read that book I was very disturbed. No doubt things have improved a great deal, but I think it's an important book to read for all of us on the committee as well.

Before I wish everybody a happy Thanksgiving, I'll say we tabled a report on citizenship today; that was the 12th report, and amazingly it passed through committee unanimously. Do you know anything as to when we get might some legislation on that?

• (1725)

Mr. Malcolm Brown: Your colleagues said I should say to stay tuned.

I think it's the minister's intention to try to move expeditiously, but being any more precise than that would probably—

A voice: Threaten your shelf life.

Some hon. members: Oh, oh!

Mr. Malcolm Brown: —threaten my shelf life, which may be a good thing. You guys can decide what you think of that, but I think the intention is to move quickly.

The Chair: So you can remind the department: recommendation 1, agreed to unanimously, called for tabling of a report two weeks after Parliament resumes, which expires tomorrow, but there is a week's grace because we're going to be on holiday.

I hope everybody has a great Thanksgiving.

Madame Faillie, you have 30 seconds.

[Translation]

Ms. Meili Faillie: The next time you testify before the committee, could you send us a written report on the progress of the Global Case Management System? We're curious as to whether the integration of old systems has resulted in any new delays or problems?

Each time funding is allocated, requests for additional funding are forthcoming. How much was originally set aside for system implementation? Can you give us a current status report? How much money do you still need for the system's operational requirements?

I'd also like to comment on something Ms. Hedy Fry said about countries that violate human rights. I've spoken out on this issue several times over the past year. There was even one case where an immediate family member was brutalized before the government took action.

You may have listened to our concerns today, but I'd like you to remember that behind the facts, there are human beings waiting for immigration services. We're left to deal with the consequences of your immigration decisions. We're responsible for providing humanitarian assistance to these individuals. We fight with them

within the parameters of the system. It's difficult for us to meet with refusal.

I want you to understand that there is probably a need to bring in more humanitarian policies.

[*English*]

The Chair: Thank you very much.

Happy Thanksgiving, and we are adjourned.

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