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Chair

Mr. Norman Doyle

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● (1730)

[*English*]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): On behalf of our committee, let me welcome you, gentlemen, to our committee hearing.

I will pass the meeting over to you, Mr. Faull, and you can introduce your people.

Mr. Jonathan Faull (Director-General, European Commission for Freedom, Justice and Security): I will indeed, Chair, thank you very much.

Good afternoon, ladies and gentlemen. It's a great pleasure to be here. Perhaps a word of explanation of who I am, what I do, and why I'm here would be helpful.

I am director general of the European Commission's Directorate-General for Justice, Freedom and Security. Those obviously are very fine aspirations, and we try every day to bring them to life in the 25 member states of the European Union. What we do essentially covers what in our member states are dealt with by ministries of justice and ministries of the interior; I'm not quite sure what the equivalent would be here. This ranges from immigration, asylum, and border issues to the fight against organized crime, the fight against terrorism, the protection and promotion of fundamental rights, civil law, family law questions, and criminal law questions more generally.

The European Union, as you all know, is made up of 25 countries, very soon to be 27, and who knows how many more after that in the immediate or medium term.

We have some direct responsibilities under common policies and under the common legal system of the European Union. Most relevant, I think, for my visit to Canada is the set of issues around borders, visas, asylum, the way in which we manage access to our territory, and the rights of our citizens to travel within our borders and internationally.

With me today is Eric Hayes, our ambassador, the head of the European Union's delegation to Canada; Chris Kendall, who works in our delegation in Ottawa, which is a few metres down the road; and Joannes de Ceuster, who is the head of the borders and visas unit in my directorate-general in Brussels.

I have to say that our relations with Canada are extremely well established, very friendly and very cooperative. There is very little we disagree on. However, the main purpose of my visit here is to discuss an area of some concern in the relations between the European Union and Canada. This concerns the visa regime that we apply to you and you apply to us.

I think the custom in this great Parliament is to use both of the national languages of Canada. We do this sort of thing in Brussels as well, so if you will permit me, I'll say a few words in French.

[*Translation*]

The problem with visas stems from the fact that we have two different legal systems: the Canadian system on the one hand, and the European system on the other. The Canadian system is one that you are familiar with. The European system is based on the notion of the European community. Our members States form one single union and we have a common policy on visas. On the international level, the policy is based on reciprocity, in the sense that our law requires us to demand visas from citizens of countries that require the same from our citizens, and to not demand visas from countries that do not.

As you know, reciprocity cannot be attained overnight. For some time, we have been working with asymmetrical situations, wherein certain countries require visas from some of our countries, even though we do not retaliate by demanding mandatory visas from citizens of those countries.

For some time, the European Union has been expanding. Today, we have 25 states, tomorrow, we will perhaps have 27. The largest expansion took place in 2004, with the membership of 10 new countries. These were mostly countries from Eastern Europe, or Central Europe, but also included two Mediterranean islands, Malta and Cyprus.

These countries, by joining the European Union, adopt what we call our corpus, a somewhat fancy word. What is our corpus? It is our legislation. It is everything we have done since the European Union was created in the early 1950s. The countries integrate the whole of European laws, obligations, duties, and rights into their national legislation. By doing so, they also embrace the principle of reciprocity, and these countries' citizens expect Europe to grant them access without a visa to countries for which we allow access to European Union countries without a visa.

As I was saying, it is a process. Reciprocity does not occur overnight. Therefore, for some time, we have been holding discussions with a few countries, including Canada, with a view to attaining reciprocity in the foreseeable future.

We have similar but not identical problems with the United States, Brazil, certain Latin American countries and other countries throughout the world.

In January, we issued a European Commission report to our Parliament and to our council of ministers, to track the progress, or lack thereof, in different countries with which we have not concluded reciprocity agreements. That report announced another report to be published six months later, which takes us to about now. When we go back to Europe this weekend, we will be putting the finishing touches on the report, which will be published in early July.

And so I came here—I was also in Washington—to meet with our partners and talk about what has been done, what can be done with respect to access to the countries concerned, without the requirement of a visa. I will remind you that Canadians have access to all European countries without a visa. You simply arrive at our borders and present your passport.

As you know, that is not the case here. Some of our countries, for example, mine and Joannes de Ceuster's... Yes, we happen to be citizens of Belgium and the United Kingdom, but citizens from some of our new partners, 7 out of 25 countries, are still required to present a visa upon entering Canada. These countries are essentially Central and Eastern European countries, or Baltic republics.

● (1735)

These countries have re-established democracy after many years of dictatorship and occupation, have joined NATO, the European Union, and to be very clear with you, do not quite understand why they are not being treated the same way as their fellow European citizens from the longer-standing Union member countries.

We tell them to be patient. We tell them that reciprocity cannot be obtained overnight. It is a process. Certain criteria must be met. We say that like them, we are in the midst of bilateral discussions with you, the Canadian authorities, with a view to obtaining equal reciprocal treatment.

For them, the criteria are not always clear or transparent. Nonetheless, we have all understood that it is important for these countries to convince you, your government, and your authorities that they respect all laws, criteria, and necessary standards to allow them to dispense with visas.

You must understand that the obligation is particularly onerous in countries where there is no Canadian consulate, no Canadian embassy to issue a visa. For example, in Estonia... I know that you do not have the resources to set up a very vast network of consulates, of embassies throughout the world. Estonians must travel to Warsaw. Estonia is not very close to Warsaw. It complicates the lives of people who believe themselves to be full-fledged citizens of the world, of the European Union, of NATO, and what we used to and still refer to as the Western world.

Therefore, I came here to speak honestly about these issues with your authorities. We must produce a report upon our return to Brussels. Under the legislation that mandates our report, we must state what measures must be taken to establish or re-establish reciprocity if progress has not been made. In all honesty, if I'm unable to leave Canada after tomorrow night without the ability to write in our report that there is indeed a possibility, a hope, progress, then we will most likely have to consider other measures. We will be put under considerable pressure from the concerned member states, as well as other countries that stand in solidarity with their partners, to do something reciprocal for everyone.

It is therefore not impossible... This is not a threat. I did not come here... I'm not a pessimist, that is not my style, I do not threaten anyone. I strongly hope to leave after tomorrow with something useful in my pocket, in my head, and if that is not the case, we will have to consider other measures, and among those measures, we may have to consider requiring a visa from certain categories of Canadian passport holders, such as diplomatic or duty passport holders. That is not certain but the possibility is there.

● (1740)

[*English*]

I will go back to my mother tongue, having tortured you with my French.

I didn't torture you? Thank you.

This is the situation. We hope to leave here with some good news. This is a process. We don't expect overnight results. But we are now two years into the new Europe, with 25 members. Our rules are based on reciprocity. Yours are not. I understand that. Our rules are based on a collective vision of the European Union as 25 countries, but with a common European citizenship that grants certain rights and carries with it certain obligations. Yours aren't. You look at each of our countries individually.

We have very good EU-Canada relations, thanks in part to our excellent ambassador here and thanks to the efforts of many of you and to your people in Brussels as well. So you understand the European Union. You know what we are; you know what we're not.

But one of the things we are is a group of countries with a set of common rules and polices and hopes, and to a certain extent a common citizenship. One of the features of the common citizenship is that we have a common visa regime with foreign countries, which should ultimately, soon we hope, be based on relations of reciprocity. It's not everywhere. It's getting better in most places. It hasn't gotten much better in Canada up to now. I'm here in the hope that it soon will.

Thank you.

The Chair: Thank you.

Will you be meeting with the Minister of Citizenship and Immigration, or do you want your views communicated to the minister through our committee?

Mr. Jonathan Faull: I should be delighted if you were able to communicate my views. I shall be meeting.... Eric?

Mr. Eric Hayes (Ambassador, European Commission for Freedom, Justice and Security): You're meeting the whole team from Citizenship and Immigration tomorrow. We basically have a whole half-day of talks with Citizenship and Immigration at the senior official level.

Mr. Jonathan Faull: They will listen to me, but they perhaps may listen more to you.

The Chair: I guess you would want to entertain some comments and questions now.

Mr. Jonathan Faull: I would be delighted to.

The Chair: I will go to you, Andrew, Ed, Borys, and Madame Faille.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Actually, here's a bit of perspective on it, in terms of Canada's position. Back when the Iron Curtain fell and Canada gave new visa requirements to the new countries that were now beyond the Iron Curtain—I know because I was parliamentary secretary at the time—we started getting a lot of refugee applications, in particular from the Roma, but from others as well. I think what really has changed significantly, and I think it's important for us all to understand it, is that now these countries, first of all, are members of OSCE. Secondly, they're members of NATO. And then they are members of the European Union. As far as protections from human rights abuses go, I dare say they're probably better than Canada's, because you have these various bodies looking at it.

Having said that, I know from immigration officials where the problem comes from; it comes from people from Europe being able to apply for refugee status. That's our problem, for creating that kind of situation. Somehow we feel that our system is superior to the European Union's, but I say that you have many more checks and balances in Europe.

I know it's not a threat, and I know how these things work, but if we continue our present posture, then eventually Canadians will have to get visas when they go to Europe. That's just the nature of the beast. If you can deal with it, deal with the fact that we don't have to listen or take refugee applications from Europe. I think that would be a way to solve the problem as far as the officials are concerned. Having followed their mindset over a number of years, that's where they're at.

I don't know if you want to comment on that. I know we have a private member's bill before the House from Mr. Wrzesnewskyj, Motion No.19, which actually deals with that. But I think that probably captures the problem you have been having with officials on this. I'm very sympathetic. I very much want to see the department drop the visa requirement, because I don't think Canadians will relish the thought of going to Europe and having to go through the visa process hassle themselves.

● (1745)

Mr. Jonathan Faull: Thank you, Chair.

I'll make just a brief comment on that.

That is not what we want either, of course, and I hope very much that we don't have to go down that road. I'm aware, of course, of the history of the arrival, some years ago now, of Roma citizens of some of the countries that are now member states of the European Union and of their applications for asylum.

I would say a number of things. First of all, Europe has changed. These countries have changed. There is a new reality in Europe. I wouldn't presume to comment on the Canadian system for protection of fundamental rights, but from what I can see from afar, it looks pretty good. But we have, as you rightly say, a considerable network of systems of protection of fundamental rights in each country in the European Union, in the other organizations to which you referred.

All of our member states are parties to the European Convention on Human Rights, to the system of adjudication in Strasbourg to which that gives rise, and to the European Union's own legal system, which contains a whole series of protections as well.

Those are the facts. I think some of the concerns that were expressed some years ago would no longer make a lot of sense today. So these are clearly issues that I very much hope the Canadian authorities will take to heart.

The Chair: Thank you.

Ed, please, then Borys.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Thank you very much for your frank and direct comments as to the issues that concern you. Certainly, we'll see to it that the issues you've raised get back to the minister directly, because they are significant; they are important.

I'm happy to hear that reciprocity doesn't happen overnight. There is some due diligence that needs to be done and some correspondence back and forth, which I understand is happening.

One of the thoughts I had is that of course many of the issues that involve visas between EU members may not have the same difficulties or implications that may be experienced by Canada, given the dynamics of various issues, perhaps the one raised by Mr. Telegdi.

As I understand it now, there is no process, when you decide which country is on or off, for involving a country like Canada—with any of the particular or peculiar issues it may have—in that decision-making process. That's one thought that came to my mind, that there's no mechanism in place to look at some issues that may be legitimate to one country but might not be of concern to other members.

The second part of it is there was no simultaneous process for another country to be looking at visa exemptions while you're looking at the particular country coming into the EU or not. I suppose you could say there are some benchmarks or certain conditions that need to be met.

Maybe there is a process that could be beneficial to both, if one were to use it side by side as you're going through that, as opposed to.... Essentially, what you're saying is if we've decided, with issues relevant to the EU, to admit the country and not require a visa, then automatically that should apply across. But some of the concerns we may have here may not be the same concerns you have there when you're making that decision. Maybe there's some room for looking at those kinds of issues.

Are there any comments on that?

● (1750)

Mr. Jonathan Faull: Certainly. Thank you.

Well, there is no formal mechanism for Canadian participation, but there are loads of informal contacts, and this is one of them, in a way. Our delegation here has a whole range of discussions with the Canadian authorities on these issues, as do the countries concerned bilaterally. I am in constant contact with your ambassador in Brussels on these issues and we have been for many years.

It's not an overnight phenomenon, that you join the European Union and the following day you get reciprocity from the rest of the world. That's not the world we live in. We know that. Getting from A to B, or from A to Z, from where we are to the final destination, requires discussion and contacts and taking into account your concerns and our concerns. It is a process.

There are, on our side, various benchmarks, which can be helpful, I think, in your assessment of our situation. First of all, before a country joins the European Union, it goes through years of often agonizing legislation, decisions, assessment, peer reviews, reports, tests, and by the time the country joins the European Union you can be absolutely sure that it is a fully fledged democracy operating under the rule of law, market economy, and it meets the high standards of protection of fundamental rights. Otherwise, it wouldn't be a member of the European Union. It's as simple as that. Also, you can be sure it has a properly functioning administration capable of administering the rules that the European Union brings to it, which are not simple, and are sometimes excessively complicated. So that is true.

The second thing, of immediate relevance to this issue, is it has to have document security and produce passports in accordance with agreed European rules on biometric identifiers, which are, I think, in the vanguard of all that you and we and others are doing to make sure that our documents are 100% safe, using the best of modern technologies so that they can't be falsified, and you really are who you say you are. It's not just a question of a signature and a photograph, but we're going to use fingerprints and digital photographs. Some of our passports have them in already, and by the summer they all will. We'll do this not only to meet what our friends down the road from here in Washington want us to do; I always say that we would do this anyway, even if the United States didn't oblige us to. If the United States didn't exist, I often say, and if King George were still sitting on his throne in Washington, we would still be doing it. Why? Because it's the best application of modern technology to the identity documents that we need.

Most of us, until recently, had the same sorts of passports as our parents and grandparents had. You had a photograph and a signature. Well, that's not very foolproof, and we know that. In the dangerous world in which we live, we couldn't put up with that any more.

The Chair: Will the U.S. be exempt from visa requirements of the EU countries?

Mr. Jonathan Faull: We have a very similar problem with them, as we do with you. We allow Americans in without visas—all of us. They do not allow all of us in without visas. Your list of our member states where visas are required is the three Baltic republics, so Estonia, Lithuania, and Latvia, the Czech Republic, Slovakia, Hungary, and Poland. They have that list, to which they have added Greece—not even a new member state, as Greece has been a member state for a long time—Malta, and Cypress, for reasons that are not altogether clear.

● (1755)

The Chair: Borys, please.

Mr. Borys Wrzesnewskyj: Do the passport security regimes by these new EU entrants now match the passport regimes in the other EU countries, the most recent entrants?

Mr. Jonathan Faull: Yes, they do. In fact, they are ahead of some of the existing countries, but by this summer all of our countries will have all new passports issued with biometric identifiers.

Mr. Borys Wrzesnewskyj: What timelines are we potentially looking at if there's no progress in our discussions between the EU and the Canadian government?

Mr. Jonathan Faull: On the first timeline, Monday morning we will sit down in our offices, once we're over our jet lag, and start writing this report. This report will be issued in the first couple of weeks of July. It will go through, country by country, where we do not have full reciprocity. So it will say: we had a problem with Brazil and it is being sorted out in the following way; we had a problem with Australia and it is being sorted out; we had a problem with Brunei—believe it or not—and it is being sorted out in a certain way; we have a problem with the United States and it is or is not being sorted out in a certain way; we have a problem with Canada and it is or is not being sorted out in a certain way.

That report will, if it remains necessary, be accompanied by either the announcement of or perhaps even a legislative proposal already providing for measures to be taken against the countries that have not shown us progress toward reciprocity.

The European Commission doesn't legislate; it proposes legislation. The legislation will ultimately be adopted by the council of ministers representing the ministers of our member states, and it will be adopted on a qualified majority vote by those ministers.

Mr. Borys Wrzesnewskyj: What is the shortest timeline in which we may face a visa regime for travelling to Europe?

Mr. Jonathan Faull: That depends on how long the legislation takes to be enacted and what date of entry into force we put on it. It won't be for a few months. It probably won't cover this summer, for example, when no doubt a lot of Canadians travel to Europe. I don't think the legislation will have gone through the council decision-making process by then. But it might well be ready and in force by the end of the year.

Mr. Borys Wrzesnewskyj: As a point of information, as referenced a little earlier by Mr. Telegdi, I have a private member's motion that was tabled in our House of Commons on April 4 under M-19—I'm just waiting for translations to arrive so I can distribute it—that deals with this specific issue.

If you know the peculiarities of our system here, on private members' bills and motions there is a lottery that takes place. Unfortunately, I don't typically buy lottery tickets, and this lottery established why I don't. I came up as number 230. So by the time this is dealt with...who knows whether this government will even survive that sort of timeline. But for your reference, I would like to distribute this by the time this meeting is done.

I've had numerous conversations with the department on this particular issue, and I have as yet not heard any good reasons, other than risk aversion and almost an Iron Curtain mentality.... Although the Iron Curtain fell a number of years ago, in their minds it seems to still exist, or they'd like to pretend it still exists. That's quite problematic, because the world has changed significantly since that time. But at least you can be assured that a number of parties in our House of Commons are very supportive of this position and would like to see this expedited.

It's unfortunate that the only reason it might be expedited and the government might move on this.... We don't have to wait for this motion. The government has the capacity to move on this expeditiously within the timelines you have spoken about.

So if you aren't very encouraged with your discussions in the ministry, at least be encouraged that there is quite a bit of support for this position in the House of Commons, as well as with the Canadian public.

● (1800)

The Chair: Madam Faille.

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Your concerns are justified. I recently travelled to Europe and met several ambassadors who expressed the very same concerns to us. I asked the department to provide a list of countries for which visas are required, as well as information on the most recent assessments relative to requiring visas.

Over this past year, most recently, Canada has added 11 countries to that list. If there is a process to add a country, I imagine that there is a process to remove countries from that list. If you had been present at this committee's last meeting, you would have heard me ask departmental officials to provide information to that effect. With that list in hand, the committee can do more work on that issue. The list may not come on Monday morning, but it is on the way.

On the other hand, there are additional forms that are required when people apply for a visa. Enquiries on war crimes are also made. For certain countries, the forms are outdated. For example, Croatia is expected to join the European Union. The form is supposed to be filled out by anyone 21 years old or older. Therefore, when the war took place, these people were only 7 or 8 years old. This makes absolutely no sense. In short, there have been several aberrations of this kind.

The department is supposed to get back to us very soon on this issue. If you monitor what is going on here in our committee, we can perhaps send you information to your office in Ottawa.

This issue is also of concern to our industries. Quebec has a special link with Europe, and many travellers now spend their summers and even winters in Quebec. Tourism is a growing industry, especially in regions such as the Gaspé, the far north, the Laurentians, and even Montreal. Reciprocity with respect to language is also of great concern to us. We travel to Europe more often than elsewhere; the same applies to you. Therefore, if there were to be a visa exemption, it would be beneficial for us as well. We have been waiting for this type of change for years. Therefore, I can assure you that you have our support.

[*English*]

The Chair: Thank you.

Mr. Siksay, please.

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

I just want to let folks know that it is something I've heard about in my constituency work—particularly from folks in my constituency who have relatives in the Czech Republic. They are the folks I've heard from most who are concerned about the requirement that Canada imposes.

You mentioned the abstract issue of a reciprocity policy. You mentioned the particular hardship for some folks in Estonia of having to travel to Warsaw to a Canadian visa post. Are there other particular individual hardships that people face because of this policy? Is this driven by the sort of policy objective of reciprocity, or is there a particular individual component in how it affects people?

● (1805)

Mr. Jonathan Faull: There are obviously a lot of Europeans with friends and family in Canada. It's true in Quebec and it's true elsewhere too. Europeans travel to Canada, Canadians travel to Europe, and we have many ties between us. Those who have to get a visa have to pay for it. It's not an enormous sum of money, but for some of our poorer countries and some of the poorer people in them, it's still a burden. While I understand that you can't have consulates and embassies absolutely everywhere, if you don't happen to have one in your country you're in real trouble, particularly if you're called to an interview. You just have to go there physically.

I mentioned Estonia and Poland, because just this morning somebody told us the anecdote about an Estonian who had to go all the way to Warsaw for a 30-second interview, essentially, to get the visa, and got the visa, but had to pay the trip to Warsaw and back, with the delay and so on.

Now, that's fine. If you require a visa, it's because you want to interview people; it's because you don't trust the citizens of that country as much as you trust the citizens of other countries. What we are saying is that we think the relations between the democratic nations of the European Union and democratic Canada are such today—in the new Europe, the new world in which we live—that we should have sufficient trust in each other.

One of the differences—and I've discussed this with the Americans down the road and with your administration here—is that in the United States there is an act of Congress that sets out a whole set of criteria, and they say that once you've met these you join. We've argued with them about whether they're applying them properly, whether the criteria are fair and so on. In this country there is not a legislative set of criteria.

We understand from the Canadian administration that there is a risk assessment applied to a country, and I respect that. Again, I'd like to have reciprocity overnight, but we're not going to get that; we haven't got it. We live in the real world. So the Canadian administration looks at each country and says, what risk am I taking if I allow the citizens of this country to enter Canada without a visa? Our submission is that for our countries the risk is a minimal one, just as we think the risk is a minimal one in allowing Canadians to visit our countries without visas.

The Chair: Mr. Wilson, and then Ms. Guarnieri.

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you, Mr. Chair.

Honourable delegates, welcome. *Bonjour. Dzien dobry.*

I won't go into Polish since we've only got translators here in English and French.

I just wanted to say that I welcome the comments you have made here today. I echo some of the concerns of my colleagues and some of the points you made, specifically that the riding I represent, West Vancouver—Sunshine Coast—Sea to Sky Country, is a riding that's made up of many of the countries that are listed in your list of excluded countries: Czech Republic, Estonia, Hungary, Latvia, Lithuania, and Poland. I will take my five minutes here just to urge the Government of Canada to seriously work towards speeding up this process in recognizing these countries so that we have a better relationship with the European Commission and the European Union.

According to the documents my staff has provided to me, the last review was undertaken in 2004, if I'm correct, and I think between 2004 and 2006, Europe—and indeed the world—has changed very rapidly. The world is getting a lot smaller; we're getting a lot closer together. If Canada really, truly wants to have a voice on the world stage, we have to move together with organizations like this and cooperate a lot more fully in an open and transparent manner.

I would urge the government to do whatever they can to process this as quickly as possible in order to facilitate the movement of people as easily as possible between our countries.

● (1810)

The Chair: Thank you.

Ms. Guarnieri.

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.): Thank you, Mr. Chair.

Welcome to our visiting delegation.

In terms of visa reciprocity, one of the challenges Canada faces is the prospect of people without visas coming to Canada from the European Union and filing refugee claims. We have tens of thousands of these people coming from the European Union. Given the mobility rights of European Union citizens to work and travel anywhere in the European Union, would you argue that it's impossible to have a valid refugee claim from anywhere in the EU?

Mr. Jonathan Faull: I don't know Canadian law, and I don't know what standards you set. Generally speaking, a claim for asylum or refugee status has to be accompanied by proof that one has a well-grounded fear of persecution. I think those are the terms of the Geneva Convention.

We don't persecute people in the European Union. We are not perfect, but our member states meet a very high standard of protection of fundamental rights, and that applies to all of our citizens whatever their race, colour, origin, ethnicity, etc. That's not a particularly bold claim. It is really the reality of today's modern European Union.

How that translates into the application of Canadian law, I have to leave to Canada and its courts, and so on. But the European Union is respectful and its member states are respectful of the rights of all people who live in Europe.

Hon. Albina Guarnieri: I suppose if you want to leave the Czech state, for example, you could go to France and Germany to work. I guess you'd agree, though, that no one from the EU could actually meet the reasonable definition of a refugee. Would you agree with that?

Mr. Jonathan Faull: Well, I again have to be careful, because I can't comment on what a Canadian court might or might not do. I suppose it's ultimately the Canadian courts that would settle such a claim in Canada.

But I say without hesitation that no European today should have a well-founded fear of persecution in any of its member states, because of the very high standards that those states set themselves and that the common European institutions set for them.

Hon. Albina Guarnieri: Thank you. It's almost a stamp of approval that the EU produces no refugees.

Mr. Jonathan Faull: Those are your words, not mine.

The Chair: We have Mr. Jaffer, and then we have Ms. Deschamps.

Mr. Jaffer.

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Thanks, Mr. Chair.

Thank you to our delegates here today, and thanks for the presentations.

I guess there's one thing that I'm failing to understand, and it might need some clarification.

Mr. Faull, you've clearly described that the standards are quite significant for any of these member countries in regard to passports and documentation, and in some cases may even be further ahead than some of the existing member states. They may even be further ahead than we are. I'm not sure.

It seems that some of the new members have in fact been recognized and do not require visas. When I was looking at the list my colleague has, some progress has been made. Obviously, our government's only been here for four months, and we hope to move on some of these things. But countries like the Czech Republic or others have been members of the EU, if I'm not mistaken, for some time.

● (1815)

Mr. Jonathan Faull: It's been a couple of years.

Mr. Rahim Jaffer: Yes, a couple of years. It had not obviously been improved even in the previous government.

Why would there be this kind of dichotomy, where some of the new countries have been approved and yet some of the ones that would seem to me not to be a problem haven't been approved? Can you give us your impression?

You mentioned the issue of high risk as being one of those criteria. But if the security of their documentation is in fact as significant as you suggest, then over the previous years, and maybe even now, what do you think the holdback was for the department in allowing that to go ahead?

Mr. Jonathan Faull: Frankly, I'm not sure. The question should be put to the Canadian authorities rather than to me. But to be fair to them, a lot of work has been done on this, and there was a review.

But it's not the case that nothing has happened since. There are regular meetings between Citizenship and Immigration Canada, the CIC, and the authorities of all these countries that are pressing them, of course, at all sorts of levels, from presidents and prime ministers downwards. The risk assessment, as I understand it, is constantly carried on.

What are the factors that go into it? How is it determined that Malta is okay but the Czech Republic is not? I don't know. What I think is more worrying is I'm not sure that the countries concerned really know precisely to what standards they're being judged. But I can guess that some of the considerations legitimately are things like the refusal rate: How many applications for Canadian visas by citizens of county X are refused? If it's a very high number, then you may be justified in digging a little further to wonder why.

Countries are concerned—we are, you are—that people will come on a visa, or if a visa is not required will come anyway, for what is supposed to be a short period, and stay, and disappear into the economy in some way. People are reasonably concerned about that. We don't believe that as economic growth and prosperity spread throughout Europe to these new countries—and they have very high growth rates in recent years—that they are likely to take advantage of a visit to Canada to disappear. There are no convincing data, as far as I'm aware, that that occurs.

Now, I can anticipate an answer to that is that there are no data because there are no data. One doesn't know, and the so-called "overstay issue" is a complicated one, particularly as we don't, by the way—and I don't think you do yet either—record departures from our territories. We record people who arrive, but we don't know when people leave. Now maybe we are all moving in a direction where that will be done.

We were talking in Washington to the people responsible for the U.S. visit system, which has a whole paraphernalia, as you're all no doubt aware, of recording people arriving in the United States, but does not provide for any recording of departure. We are thinking in the European Union of recording entries and exits as well. That will give us some reliable data to go on. At the moment, there are no such reliable data, so one falls back on risk assessment—risk assessment based on the economic status of the country concerned, its prospects, and so on.

Our submission is that the countries of the European Union today, particularly the newer ones, by the way, are growing fast, have very good prospects. Some of them have seen their young workers go to other countries, but the idea that they would come to Canada and then disappear into some black hole in your economy strikes us as unlikely.

The Chair: Thank you.

Ms. Deschamps.

[*Translation*]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): I agree with you completely with respect to your request and I believe that we should be able to answer favourably, given the will of the new government that was elected in January and its desire to show more openness on this issue.

Even if a motion is tabled, the government still has the freedom and discretion to do what it wishes. I believe that our minister, our elected minister, the head of Citizenship and Immigration, could be very receptive to your request.

I would like to make a comment that ties into what Ms. Faille said earlier. I come from the Laurentians, a region north of Montreal. It is a beautiful region that attracts many business people from abroad. We therefore welcome people from countries whose citizens must obtain a visa in order to come to Canada.

Once settled in Canada, these people want their families, located in their home countries, to visit them here. However, according to what you were saying with respect to a certain country, family members often face hurdles due to the fact that there are no embassies in their vicinity. These hurdles make planning to go and visit a son and daughter-in-law who already have grandchildren that they cannot see grow up, very cumbersome. The human face of the issue affects me greatly.

I said what I wanted to say on this subject. I do not know if anyone else would like to add their comments.

● (1820)

[*English*]

The Chair: Thank you.

I think we have two more questions. Mr. Telegdi and now I find Madam Faille has a short question she wishes to ask.

Mr. Telegdi.

Hon. Andrew Telegdi: What's really important to note is that the economic conditions have changed a great deal. People from Poland can go to England and make a lot more money than they're ever going to make coming to Canada. So that applies to the risk.

It was really unfortunate, because when the problem started there was some promotion by some groups over in Europe trying to get the Roma out of there, and they saw this as a solution.

The one question I have is, how does Hungary handle the borders now, given that they've got a sizeable minority in Romania? If anybody was at risk from over there, it would be people going from Romania to Hungary, coming from there.

Mr. Jonathan Faull: Thank you.

First of all, border management is obviously an extremely important issue. The first thing to be said—and I think this is extremely important—is that we have a common set of rules and procedures on how our common external borders are managed. So every land border, every airport, every seaport of the European Union is managed in accordance with rules set in Brussels, and the procedures are identical. A huge investment in training and equipment has been made over the last 10 to 15 years since the Iron Curtain fell. Since these countries showed an interest in joining the European Union, there has been a long, sustained effort on our part, on the part of the existing member states, through twinning mechanisms and indeed a lot of assistance from Canada and other friends around the world as well.

The situation today is that when they join the European Union, they must meet the standards for policing our external borders, and therefore the Hungarian-Romanian border, to take your example, is treated in exactly the same way as Amsterdam airport, the Finnish-Russian border, or any land, sea, or air border in the European Union. Does that pose problems for countries where, in border areas, people speaking the same language and sharing the same culture find themselves, because of the way European empires were assembled and then broken up...does it make their lives difficult? Of course it does. And we have a number of answers to that.

First of all, there are a number of local border arrangements, such as special visa regimes, special border crossing regimes, or keeping borders open at all times of day and night—sometimes villages are cut in half—so that people can carry on their local lives. Ultimately, this problem will be solved very soon because Romania will be a member of the European Union, either on January 1, 2007, or January 1, 2008. Then that border will be a European border and life will be a lot simpler for people living on either side.

That won't solve the problem of the Ukrainian border. There will always be difficulties—Europe's a funny place—but we will always try to find solutions that are sensitive to the needs of local people while providing the security we all need, because once you're inside the European Union, you have various rights to move around within it. So it matters to the people in London, Brussels, or Madrid what happens all the way over there on the Finnish-Russian border, or at an airport in the south of Italy, or on the Hungarian-Romanian border. We know that. It's a common endeavour.

● (1825)

The Chair: Our last question will go to Madame Faille.

[*Translation*]

Ms. Meili Faille: It is not necessarily a question.

Many business people have trouble obtaining a visa to travel to Canada. Processing of their applications, security checks, medical exams, take up an enormous amount of time and we are slowly eroding our advantage, compared to the European Union.

I am told that cases that are backlogged in Canada are ones that pose a security problem. However, the same applications are accepted in other countries, such as Australia and countries of the European Union. Often, these people have a lot of money, some are millionaires. They automatically obtain a European passport. That is one facet of immigration.

However, does this type of procedure exist for other categories of immigrants, such as workers? Are there other reasons why Canada does not want to eliminate obligatory visas? I believe that some of these reasons may be security reasons. Some people try their luck in different countries and find a way to enter them. I don't want to belabour the point, but security considerations could cause the United States to put pressure on Canada to keep the mandatory visa policies in place.

Mr. Jonathan Faull: It is certain that security is a very important concern for all countries and you happen to be neighbours with a country for whom security has become the main concern, for obvious reasons. September 11 happened on American soil. We have to understand them. The security of our fellow citizens, of our infrastructure plays a huge role and influences decisions we make in this area, I fully understand that, and it is legitimate.

[*English*]

The Chair: Thank you for your presentation today. It's very much appreciated.

I should inform you that the Parliamentary Secretary to the Minister of Citizenship and Immigration is on our committee, and I'm sure the minister will be made fully aware of your concerns today.

Mr. Jonathan Faull: Thank you all very much for your attention.

The Chair: The meeting is adjourned.

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