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Chair

Mr. Norman Doyle

Standing Committee on Citizenship and Immigration

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● (0905)

[*English*]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): Our meeting will now come to order.

For the benefit of our committee members, we'll go until 10:40. Then, of course, we have to deal with the third report of the subcommittee. I believe all members have a copy of the third report, from our subcommittee meeting that was held on Tuesday of this week.

On your behalf, I have the pleasure of welcoming representatives from three different bodies today. We have witnesses from the Canada Border Services Agency, representatives from the Department of Justice, and witnesses from Citizenship and Immigration as well. The topic today is detention centres and security certificates.

I will pass it over to you, Daniel, to begin. Of course, you have a reasonable amount of time—10 or 15 minutes—to do an opening statement, and then we will go to questions from committee members.

Mr. Therrien, welcome.

[*Translation*]

Mr. Daniel Therrien (Senior General Counsel, Office of the Assistant Deputy Attorney General, Department of Justice): Thank you, Mr. Chairman.

First let me introduce my colleagues: Kimber Johnston, Director General, Policy and Program Development Directorate, Canada Border Services Agency; Susan Kramer, Director, Inland Enforcement, also for the Agency; and Anna-Mae Grigg, Director, Litigation Management, Citizenship and Immigration Canada.

[*English*]

We sent you a presentation. Do members have the presentation in question, the overview? Yes? I will obviously not read it all. Rather than speaking from notes, I will take my inspiration from that presentation this morning.

[*Translation*]

This presentation will deal with matters which should interest the committee, particularly the security certificate process, the courts' assessment of this process to date, and the roles and duties of the two organizations with primary responsibility for the process: the Canada Border Services Agency on one hand and Citizenship and Immigration Canada on the other. Finally, I will briefly deal with current detention conditions in Kingston.

[*English*]

I will first speak about the process of security certificates. What are they, exactly? They're a removal tool, an exceptional removal tool. There are a number of procedures in the Immigration Act to remove foreign nationals who are inadmissible. The peculiarity of this particular tool of certificates is that it allows the decision on removal to be made on the basis of a record that is not fully disclosed to the individual. That is their exceptional nature; there is no question that it is an exceptional procedure.

That's the security certificate process. Its goal, then, is to serve to remove individuals who are inadmissible to Canada. Its primary goal is not to detain people, although accessorily, during the removal proceedings and while the person has not been removed from Canada, the act provides for the detention or conditional release of individuals to prevent the risk that they represent during the removal proceedings.

Who exactly may be subject to these certificates? It is a specific number of categories of inadmissible people; it is not all inadmissible people. The people who are subject to them are people inadmissible on national security grounds, people who are inadmissible on serious or organized criminality grounds, or people who are inadmissible for violating human or international human rights, which concretely translates into war criminals.

As I said, the process is exceptional, and because it is exceptional, there are safeguards to this process. The first one is that although normal removal proceedings are initiated by officials—by immigration officers—in this case, because of the exceptional nature of the proceedings, the certificate requires the approval of two ministers of the Crown, the Minister of Citizenship and Immigration and the Minister of Public Safety. Because it is exceptional, the tool has been used very infrequently, sparingly, with an eye to focusing on people who are the most dangerous threat to national security.

The proof of that, since the measure has been in place since 1978 and predates 2001 by a lot, is that since 1991, 27 certificates have been issued. On average, it's fewer than two certificates per year. Compare that to the fact that on average Canada removes approximately 10,000 people a year on removal proceedings generally. It is two a year based on certificates and 10,000 based on the normal removal proceedings. Another significant number, we think, is that since September 2001 only five persons have been the subjects of certificates.

One of the features of the process is detention pending removal. As a practical matter, all of the persons who are currently the subjects of certificates were detained when the certificates were issued. Some have been released since, but the practical consequence of the issuance of the certificate is that the person is detained.

The law makes certain distinctions that I will explain briefly. Permanent residents who are the subjects of certificates are entitled to a detention review before the Federal Court every six months during the removal proceedings. It's under the detention reviews that Mr. Charkaoui, for instance, was released a number of years ago.

Foreign nationals are automatically detained by law during the removal process, or at least until the certificate is found reasonable, yet the Federal Court has decided, in the case of Jaballah, that on charter grounds there should be a detention review for foreign nationals during the process. Mr. Jaballah is currently detained but has applied for release. He is currently in the midst of a detention review because of the finding of the court that despite the statute, foreign nationals should be entitled to detention reviews.

● (0910)

After the certificate has been found reasonable by the Federal Court, and I will explain that process in second, a different detention regime applies. The court has found that the person is indeed inadmissible; it's no longer an allegation by the government. The government is therefore now in a situation of treating the person as removable, the court having accepted the inadmissibility of the person.

At that time, the detention regime provides that removal is the objective. If the government has been unable to remove the person within 120 days of the Federal Court decision confirming the reasonableness of the certificate, the person is then entitled to a detention review. Two persons were released under that regime: Mr. Suresh, and Mr. Harkat more recently.

Concerning the review of the certificate itself, as I said, the certificate is an allegation by two ministers that the individual is inadmissible on stated grounds, particularly national security grounds. The main safeguard of the process is that the Federal Court reviews this determination by the ministers, and the court has all of the information, including the classified information upon which the government relies.

During that process, the individual who is the subject of the certificate does not see all of the evidence but receives a summary, which is mandated by law, of the information. That summary is actually fairly extensive, so they know in some detail the allegations against them. What they do not know are three things: information that would disclose the sources of information, particularly when the safety of the source would be at risk; information that would reveal investigative techniques; and information that was provided in confidence by foreign governments. The individual sees everything else.

As I said, the court sees all of the evidence. An important safeguard of the process is that the court is there to rigorously test the evidence. You will have heard concerns that the individual at first does not see all of the evidence, and counsel for the individual does not see all of the evidence, so who tests the government's case? The court tests the government's case rigorously, and when you read judgments confirming the reasonableness of certificates, you will see that the court is extremely rigorous in that exercise. That's the review of the certificate per se.

A related issue or procedure is the pre-removal risk assessment. I will turn in a second to the question of removal to torture.

The pre-removal risk assessment serves essentially to determine whether the person is indeed at risk of torture. Mechanically, what does that do? There is an assessment by the CIC minister, or a delegate of that minister, as to whether the person is indeed at risk of torture. That assessment, made administratively, is then reviewed by the court.

So the Federal Court has two roles in looking at certificates when risk of torture is alleged. They determine whether the certificate is reasonable, i.e., whether the person inadmissible to Canada. The second role is to look at the lawfulness of the pre-removal risk assessment.

● (0915)

[*Translation*]

What have the courts said up to now about the security certificate procedure? We are all aware that three cases were argued before the Supreme Court in June. The Court must render a judgment on whether the procedure is reasonable, fair or just. Up to now, Canadian case law has fully approved the constitutional validity of security certificates. Various aspects of these certificates had been challenged in court. Since this procedure was created, both the Federal Court and the Federal Court of Appeal have upheld its constitutionality. However, the Supreme Court must now consider these cases and will render its judgment shortly I suppose.

As far as non-disclosure of the case file to the person against whom the certificate has been issued is concerned, the Federal Court decided that, in spite of this exceptional aspect, this procedure is constitutional. The two reasons invoked, which I have already explained, are the following. On one hand, the summary disclosed to the person is sufficiently detailed for him or her to know what allegations are being made. On the other hand, the role played by the Court, which is to ensure the legality of the procedure, is another guarantee mentioned by the Court in concluding that the procedure is constitutional.

The matter of the amicus curiae, that is to say, a friend of the court, is frequently invoked when procedural fairness is discussed. What have the courts said on this point up to now? The Federal Court stated that a friend of the court, or an amicus curiae, is not required to render the procedure constitutional. In this case as well, the issue is before the Supreme Court, and we are waiting for its judgment.

What have the courts said about the matter of detention? Once again, the Federal Court and the Federal Court of Appeal have held that the provisions concerning detention were constitutional, particularly as far as the cases of Ahani and Charkaoui are concerned. The indefinite nature of the detention was invoked on several occasions. The Federal Court of Appeal ruled that, as long as it was possible for a person to be removed from the country, detention was not indeterminate and was therefore constitutional. Some United Nations committees have examined the matter of whether such detention was reasonable. The United Nations Human Rights Commission also decided that these provisions comply with international law.

In spite of the fact that these judgments agree with the government's position, it must be noted that the Court is obviously concerned by the duration of the detention, which undoubtedly explains why certain persons subject to a certificate have been released.

I will try to deal as briefly as possible with the matter of removal in cases in which there is a serious risk of torture. This is a key issue as far as human rights are concerned, and it explains at least partially the extended time limits granted in cases of removal of persons subject to certificates.

First, let's talk about the law. The Immigration and Refugee Protection Act generally grants persons protection against removal when they face torture. However, in cases of persons who are inadmissible, for example, on grounds of national security, the law provides that it is possible to deport a person who is in serious danger of being tortured if the decision-maker, in this case, the Minister of Citizenship and Immigration or his delegate, is of the opinion that the national security interests of the state are more important than the possibility of the person being tortured once deported. This is provided for by law. In the Suresh case, in 2002, the Supreme Court had to consider the constitutionality of these provisions.

The Supreme Court set out a certain number of principles. First of all, removal to face torture is contrary to international law, in particular the Convention Against Torture, whether or not the person is a dangerous criminal or a terrorist. Protection under the Convention Against Torture is said to be absolute. However, the Court did not stop at that. It had to rule on the constitutionality of this legislation on the basis of Canadian law, therefore, on the basis of the Charter.

As far as the Charter is concerned, the Court stated that, generally speaking, removal to face torture will also be unconstitutional. Normally, a state must find another way of dealing with the risk a person may represent rather than having him or her deported to face torture. However, it is possible that there may be exceptional circumstances in which, after weighing the interests of the state and the individual, it may be constitutional to remove someone even if he or she is at risk of being tortured.

Since the Suresh case, delegates of the Minister of Immigration must therefore weigh these interests when conducting pre-removal risk assessments. They must determine whether that person is in danger of being tortured and, if that is the case, if this risk is serious. They must also determine if, because of national security considerations, there are exceptional circumstances that would, within the meaning of the Suresh case, authorize Canada to remove that person to face torture. A certain number of administrative decisions have been rendered to that effect. A delegate of the Minister of CIC may thus consider it appropriate to remove a person to his or her country of origin even if that person runs the risk of being tortured.

With this procedure, part of the delay is attributable to the judicial review of these decisions. Up to now-there was the recent Jaballah case-several decisions have been set aside for procedural reasons. The delays are explained by the fact that an administrative decision is rendered first of all, followed by an application for judicial review and then another administrative decision. The person remains in detention all this time, which is worrying. This is probably what convinced the Court to release three out of six persons who are presently the subject of certificates, even though the Court was of the opinion those persons are dangerous. In five out of six cases, the Court agreed with the government and ruled that the certificates were reasonable and that the person was inadmissible on grounds of national security. The sixth case is still pending before the Court. As far as the decisions concerning the six current cases are concerned, the Court agrees that the persons are inadmissible.

An important ruling was made on this point on October 15, I believe, in the Jaballah case. The Federal Court Trial Division decided that, in spite of the government's claims, there were no exceptional circumstances, and therefore it would be unconstitutional to remove Mr. Jaballah to Egypt. This is the first time something like this has happened. The judgment is recent, and the government is currently studying the possibility of appealing it.

I have explained the process. I will now briefly explain the respective roles and responsibilities of the Department of Public Safety and the Department of Citizenship and Immigration. As I have explained, both ministers are responsible for signing the certificate. Therefore, they must be satisfied that the person is inadmissible for the reasons already mentioned. The ministers may also request that the hearing in Federal Court be held in the absence of the opposing party. This is still done.

As I have already mentioned, the Minister of Citizenship and Immigration is responsible for conducting the pre-removal risk assessments, and therefore the assessment of the risk of torture. The Minister of Public Safety is responsible for the issue of warrants of arrest for certain persons, as well as for their detention and removal. The Minister is also responsible for granting release to persons who wish to voluntarily leave Canada for their country of origin.

● (0925)

[*English*]

I'll say a few words about the current detention facilities and questions of release and detentions. As you know, since April 2006 the persons still detained under certificates are detained in a federal facility in Kingston, Ontario. Essentially this facility was built following the concerns raised by the Federal Court about the conditions of confinement in the Ontario correctional facilities, which were used until that point. My colleague Susan Kramer will be able to answer questions that you probably will have about how the regime is more favourable or not in Kingston and in provincial jails.

Let me say generally that the federal facility in Kingston can accommodate a maximum of six people, and the goal is to better meet the needs of the detainees and address certain issues that the court had previously raised. Among other advantages are contact visits with family, access to telephone and video conferencing, religious services and observances, and exercise facilities for several days per day, where in the provincial facility this was limited to 20 minutes per day, because the detainees were in solitary confinement in the provincial facilities, but they're not in the Kingston facility. Of course the very fact of solitary confinement itself was an issue in the Ontario facilities; it no longer is. They were in solitary confinement previously; now they can associate with each other.

As a last word, out of the six people who were the subject of certificates, three remain detained and three were released on conditions. The conditions that were imposed by the Federal Court vary among the three individuals in question, but in the most rigorous case, it essentially amounts to house arrest. The individual has to remain home, can leave only with permission, and there's electronic monitoring that is part of the release order. These are people who are released under exceptionally strict criteria.

Thank you.

The Chair: Thank you.

We will now go to questioning.

By the way, the detention facility would be run by CBSA, would it not?

Mr. Daniel Therrien: Yes.

The Chair: We will go to our seven-minute round of questioning and start with Andrew.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Thank you very much, Mr. Chair.

The issue of security certificates has received great debate in this committee. If you look at the citizenship report recommendations in the previous Parliament, there was a very strong aversion to the security certificate process being instituted against citizens.

We had before us one witness—and it's in the report—Justice Roger Salhany, a retired superior court justice. He essentially stated that the Canadian judicial system is not set up to hold inquisitions, as they might do under the French system, where you have a justice who does criminal investigations.

The point is that it's fairly simple and it's very broad. You have someone accused of a crime. Reasonableness is a very low threshold. But if you look at a couple of cases as to how our justice system operates, we have Paul Bernardo and Clifford Olson—very dangerous individuals who will spend the rest of their lives in jail. Of course, you also have people like Guy Paul Morin, Donald Marshall, Steven Truscott—a whole list of people—wrongfully convicted.

What our justice system does, with all the safeguards, with the appeals, with “beyond a reasonable doubt”, is try to find a balance. I point that out because, even if you have all that, you have many wrongful convictions, and many people in Canada have been hanged. Of course, there are cases where they're still trying to prove innocence many years after the cases were dealt with. We have the case of the guide in Quebec who was wrongfully executed, whose family is just starting to push for having the gentleman's name cleared.

I throw that out because Justice Salhany is a very good justice, who has written many books that are used in courts, and maybe in law schools. I'm sure Ed probably took courses from him and used the books on evidence.

But this really is what's at issue here. We have a terrible situation right now, because what you really have is the crown prosecutor and the police giving evidence before a justice in camera, and there's no test of that evidence—no test of that evidence. There's no representation from the accused. It's not good enough to get a summary of what the reasons might be for issuing the certificate. The fact of the matter is there's no testing of evidence that's given to the justice.

I would submit to the committee that what happened with the Arar case, where the RCMP misled the Americans to have a Canadian citizen taken to torture in Syria and, when the RCMP had information that this was wrong, withheld that information.... The goodwill that would be required for this kind of system to work is just not there.

I would even submit to you that what happens when you undercut the judicial system we have, which has a pretty fine balance, is that you tend to corrupt the system itself. We always have to be careful that doesn't happen.

Now, what Justice Salhany suggested needs to be done, and I think the Supreme Court is dealing with this issue right now and that we can expect a judgment sometime this fall—Meili and I were observers for some of the hearings at the Supreme Court—is to provide a lawyer who's going to—

The Chair: You have two minutes, so won't you provide a question?

Hon. Andrew Telegdi: —be able to testify. It's not necessarily the defendant's lawyer, but it could be somebody appointed by the court.

● (0930)

One of the things that came up there as well is that in England, which had a similar process, it was struck down by the European Court of Human Rights. They have in place one of these systems.

My question is this. Given all the problems that we have had with the security certificates, given the history of what happened to Mr. Arar and others we don't know about, why have we not put in place somebody who could protect the integrity of the system by testing the evidence that's put before the judge and enabling the judge to make a decision in the manner that he was trained to? That's my question. Why haven't we done that? Why are we waiting for the Supreme Court to force the government to do it?

● (0935)

The Chair: Fifty seconds.

Mr. Daniel Therrien: Actually, you're asking why has the law not been changed, and I'm not sure you're asking the right person. What I can say as an official is that the system we have has so far, subject to what the Supreme Court will tell us soon, been found to be fair, constitutional, not perfect, exceptional, and there's no question about that, but we're dealing with a very difficult dilemma of how to deal with individuals who are a security threat, who in five out of six cases, again, have been determined by the Federal Court to be a security threat and who should be removed from Canada—because that's the normal policy of the state, to remove persons who are security threats.

The immigration tool is a legitimate tool. The process is obviously the subject of very legitimate debate—but if I may take more than fifty seconds—I would be inclined to follow with why immigration law versus criminal law, which would address the premise of the member's question, which I think is important to answer, with your permission.

The Chair: Yes. We'll give you a minute or so before we go to Madam Faille.

Mr. Daniel Therrien: Mr. Telegdi's question raises a number of important questions, the independence of the judiciary and the question of fairness and special advocates, but at the heart of it is why immigration law versus criminal law, criminal law having fuller safeguards.

So we have people who the government claims, and the court accepts, are security threats. Should we not prosecute them? Canada is not alone in facing the problem that we're facing with these individuals. No country, no liberal country, no democratic country has found a way to effectively prosecute people charged with terrorism when the nature of the case is that a part of the evidence is secret evidence that cannot be disclosed to the individual, so it is a dilemma that all western countries face and no country has solved that problem.

In Canada, in the context of the Air India file, Mr. Rae looked at this question and issued a report about a year ago, which led the current government to ask Mr. Justice Major, in the context of the Air India inquiry, to look at this question and try to give advice to the government on how best to use intelligence information as evidence in a criminal trial in a way that protects national security interests and provides as much fairness to the accused as possible. This is a very difficult issue, not solved by anyone, and I think the government will look forward very much to the recommendations of Mr. Justice Major.

The Chair: I would ask committee members to manage their time a little better in their preambles so the witnesses can have a reasonable amount of time to reply. It is 9:40 and we only have about an hour left. All members need to be given an opportunity.

Madam Faille.

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Thank you, Mr. Chairman.

I appreciate your presentation. However, every time a witness makes a presentation, he or she speaks about processes and systems. Several persons and departments intervene in these processes and systems, and all seem to have in mind removal at all costs.

On the one hand, lawyers invoke procedure, the law or the system; on the other hand, CSIS submits evidence, but the person concerned is not allowed to see this evidence. As far as CIC is concerned, it invokes the pre-removal risk assessment, or PRRA. Considering that everyone seems to refer to the PRRA, I would not want to be in the shoes of the public servant who conducts this assessment.

In addition, the recourses of the persons under suspicion are very restricted in connection with the decisions that Citizenship and Immigration makes about them. Have you ever had doubts about decisions made by PRRA officers? Everything depends on them and CSIS. Do you blindly accept the decisions made by the PRRA officers?

After the Maher Arar case, you will understand that the committee is concerned about the process. When persons are locked up for long periods, the time required to collect the evidence is invoked. During this process, do you question the quality of the information obtained? To what extent is it reliable? Are your decisions based on suspicions? This is what happened in the Maher Arar case.

I will have other questions to ask later.

● (0940)

Mr. Daniel Therrien: The PRRA officers are front-line officers. They conduct a preliminary assessment and are experts in risk assessment. Another person then decides if that person is a security risk. The person who makes the final decision is a senior official, a delegate of the Minister of Citizenship and Immigration. His or her role involves reviewing the assessment made by the PRRA officer. Therefore, on the one hand, there is an administrative assessment by a senior official; on the other hand, the Federal Court will review the final assessment made by the Minister's delegate.

Ms. Meili Faille: In the Jallabah case, you say that you will appeal the decision.

M. Daniel Therrien: We are examining the possibility of appealing the decision.

Ms. Meili Faille: I understand. You are doubtlessly not in a position to state the grounds for appealing the decision or not, isn't that true?

Mr. Daniel Therrien: That would be premature.

Ms. Meili Faille: Yes, but there is still an intention to appeal?

Mr. Daniel Therrien: The matter is being studied.

Ms. Meili Faille: Alright.

Since the implementation of security certificates, how many have been declared invalid and for what reasons?

Mr. Daniel Therrien: Three certificates have been invalidated. I have not looked at the details of these decisions, but in general they were invalidated because the Court was of the opinion there was insufficient evidence to conclude the person was inadmissible. These decisions were rendered on the merits.

Ms. Meili Faille: Alright. Since then, the system has become a bit more sophisticated. Was the pre-removal risk assessment process applied after these decisions, or did it already exist?

Mr. Daniel Therrien: The pre-removal risk assessment process was applied subsequently to these decisions, but I do not see any connection. The Court set aside the certificate strictly because of inadmissibility, while the PRRA deals with the risk for the person in a distinct manner.

Ms. Meili Faille: Alright. As far as you're concerned, what skills are required to conduct a pre-removal risk assessment?

● (0945)

Mr. Daniel Therrien: I will ask my colleague from CIC to answer this question, as the public servants in question report to her.

[*English*]

Ms. Anna-Mae Grigg (Director, Litigation Management, Department of Citizenship and Immigration): In terms of the skills and training that the PRRA officers receive, they have a two-week training period during which they're trained on refugee evaluation and refugee, international, and Canadian law. They also have decision-making and weighing and balancing—evidence-assessing—skills. They are experienced officers to begin with, in terms of the immigration program and their ability to assess information, but they have two weeks of specific training with respect to refugee protection.

[*Translation*]

Ms. Meili Faille: Is it possible for you to give us an updated table of Department employees—it is not necessary to name them—indicating their training, the extent of the training they received, as well as the number of years they have been PRRA officers

[*English*]

Ms. Anna-Mae Grigg: I'm sorry, I'd like to hear the question again.

[*Translation*]

Ms. Meili Faille: Is it possible for you to give the committee a table indicating the number of years of experience of PRRA officers, the training each one of them has received, as well as the number of decisions they rendered? It is not necessary to name them.

[*English*]

Ms. Anna-Mae Grigg: I can obtain that information for you. I don't have it now.

[*Translation*]

Ms. Meili Faille: Could you please give this information to the committee later on?

[*English*]

Ms. Anna-Mae Grigg: Yes, absolutely.

The Chair: Thank you, Madame Faille.

Mr. Siksay is next.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Thank you, Mr. Chair, and thank you for being with us this morning. I appreciate the presentation that was made.

Mr. Chair, while I share some of the broad concerns that Mr. Telegdi raised and Madame Faille raised, I want to ask some specific questions about the facility in Kingston. I have a number of questions. I tend to be a different questioner. I have short questions and like short answers.

Does CBSA or CIC operate any other detention facilities specifically, or is this the only one they're operating?

Ms. Susan Kramer (Director, Inland Enforcement, Canada Border Services Agency): The Canada Border Services Agency has four immigration holding centres for which they are responsible. We have one in Vancouver that has 24 beds, one in Toronto that has 120 beds, and one in Laval that has around that many as well. They're all created for low-risk clients, because the high-risk clients are detained in provincial facilities.

Of course, there's the centre at Kingston for the security certificate cases. Although the centre in Kingston is operated by CBSA, the service provider is Correctional Service Canada, mainly because these clients are high-risk.

Mr. Bill Siksay: Correctional Service Canada is the service provider. Are the employees who work there employees of Correctional Service?

Ms. Susan Kramer: Yes, they're on special assignment. The way they provide the service may be somewhat different, because the cases are different. We're not dealing with convicted detainees, we're dealing with security certificate cases, and as a result there are adjustments and modifications made to how the centre is operated.

We're the detention authority, and they provide the service. It is the same as in other Canada Border Services Agency detention centres, where we hire a private company.

Mr. Bill Siksay: I might not have the right language for it, but with regard to the Kingston facility, is there a specific rule book for detainees that would be available, as a code of conduct on how the facility operates and that kind of thing—the kinds of rules they have to follow? Is there such a thing?

Ms. Susan Kramer: Every person who is detained by the Canada Border Services Agency is given an information pamphlet as well as specific detention facility information. There are also protocols in place that govern the operation of the centres. They are called the president's directives.

Mr. Bill Siksay: Can you provide those to the committee?

Ms. Susan Kramer: Yes, certainly.

Mr. Bill Siksay: Would the protocols deal with the day-to-day functioning of the facility?

Ms. Susan Kramer: I can give examples of the kinds of things that they might cover: health care, religious observances, fresh air, gym access, visits, telephone calls, and canteen service.

Mr. Bill Siksay: The presentation mentions that there is a grievance procedure in place.

● (0950)

Ms. Susan Kramer: That's correct.

Mr. Bill Siksay: Can you explain what that is?

Ms. Susan Kramer: It's a three-pronged procedure. For example, if it's a health issue, it's referred directly to the Correctional Services health authority. If it's not resolved at the lowest level there, it moves up to the next level, then up to the next. Canada Border Services Agency and Correctional Service Canada are involved in each process.

If it's an operational issue, then we refer it to Correctional Service Canada. If it's a policy issue, Canada Border Services Agency takes the lead on it. There's encouragement made to resolve issues at the lowest possible level, and to resolve them informally.

Mr. Bill Siksay: Ms. Kramer, could you provide the list of the flow of these kinds of grievances and who the official would be to deal with them?

Ms. Susan Kramer: For health issues?

Mr. Bill Siksay: For all the categories, yes.

Ms. Susan Kramer: For health issues, it goes to Correctional Service Canada health authority. For operational issues, it goes to Correctional Service. And for policy issues, it goes to the Canada Border Services Agency.

Mr. Bill Siksay: Could you provide us—not now, but maybe later—with the names of the specific people?

Ms. Susan Kramer: We have a redress process in one of the president's directives, so when you get a copy of that, you'll see it as well.

Mr. Bill Siksay: Does it name the specific individuals who would handle the grievances?

Ms. Susan Kramer: No, it would list the level, because of course the names of the people would tend to change.

Mr. Bill Siksay: Can you tell me what kind of programming is available for the detainees at the Kingston facility?

Ms. Susan Kramer: The detainees are detained because they are supposedly awaiting removal and because of their security certificates. They're not being detained for rehabilitation purposes, so our goal is not to rehabilitate them. But at the same time, we recognize that there are some benefits to providing access to certain programs. For example, they get a daily newspaper, and we do allow them to have self-study. There is no formal provision made for education or work, and of course we'd have to consult with our CIC colleagues to see if work or student permits would be required in those cases. There is no problem with self-study.

The facility is also unique in the sense that we're not talking about hundreds of people, which would make it easier to do programs or provide work opportunities. So it's a challenge.

Mr. Bill Siksay: So it's very limited in the sense of what's even contemplated to be available for these detainees, even though it could be a long period of detention, and has been for some of them.

Ms. Susan Kramer: Yes.

Mr. Bill Siksay: Can I ask about some specific questions and issues around the facility? I understand that there were questions about air conditioning and heat issues. Have those been resolved to your understanding?

Ms. Susan Kramer: To my understanding, yes, they have. It was a new centre and the first time we created such a facility, so it's been a learning process along the way. Many improvements have been made since we first started, one of them being the installation of air conditioning.

Mr. Bill Siksay: I understand another issue is that there is never any direct sunlight in the exercise area. Could you describe the exercise yard?

Ms. Susan Kramer: The exercise area is about the size of a house lot. So in many respects it would be bigger than most people's backyards, a city home. I'm unaware of the fact that there is no direct sunlight there. I've been to the place myself, and it's certainly a nice facility.

Mr. Bill Siksay: Thanks, Chair.

The Chair: You mentioned a 120-bed facility in Toronto. How many people would be in that facility?

Ms. Susan Kramer: One hundred and twenty.

The Chair: It's full?

Ms. Susan Kramer: Not all the time; it varies. Sometimes it's full, and we have to refer our clients to other detention areas; sometimes it's not totally full.

The Chair: Okay.

Ed, please.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Thank you, Mr. Chair.

From what I'm hearing, it seems that one of the issues is the reasonableness and fairness of the process itself. I know that the distinctions between whether you're a foreign national or a resident or a citizen are starting to blur, but I think Mr. Telegdi made some rather interesting and precise points as to the concerns with the process. Even though you might indicate that it's a civil process as opposed to a criminal process, the fact is that many of the detainees are there for a significant period of years, so the consequences would be quite severe if an error were to be made. In that context there obviously is a balancing that needs to take place.

I realize that sources of information and investigation techniques need to be protected, but when you get information from foreign governments that is to be kept in confidence, then of course some of the veracity of that is an issue. As I understand it, there is no appeal to the process, so the first crack, so to speak, at the evidence is an important one because it determines a lot of the consequences that will follow.

When we look at what the judges have to say, they say two things are significant: the substance of the allegations and the opportunity to respond. Our judges, as Mr. Telegdi points out, are not necessarily advocates, and they don't make a point of probing the evidence; they generally try to hear it on an unbiased basis and then make a decision. A judge has to decide what information is passed on to the potential detainee and what information is held back; the detainee or his counsel do not have access to the information that's held back, and some of that, or even that decision, may need some probing. I think judges find themselves uncomfortable—or at least that's the implication—in having to be judge, jury, and advocate, and it is that very narrow point that many have a concern with.

Of course, when that evidence is there, it could be probed, not necessarily by counsel for the detainee; an impartial third party with security clearance could do that kind of independent probing, so that the judge could weigh the evidence as opposed to being involved in the process. Is that a possibility, given everything that you know about the functions and processes of the system?

● (0955)

Mr. Daniel Therrien: Absolutely it's a possibility. The system we have has been sanctioned. Its constitutionality has been approved so far, subject to what the Supreme Court will say. But there could be other ways of trying to balance fairness and national security considerations, and certainly giving that kind of role to a security-cleared counsel would be a possibility.

As Mr. Telegdi said, this is something that currently is in practice in Britain. One could say it affords more fairness. That's a judgment call parliamentarians will have to make. I will say this, though; it is absolutely a possibility.

On the question of whether judges are comfortable or not in the inquisitorial type of process that we have, we have a variety of comments by trial judges on this point, but at the end of the day this raises questions about judicial independence.

For sure the Supreme Court, when it heard the cases in June, was interested in the fairness of deciding without fully disclosing the government's case. That was one concern or line of questioning that the court had.

Another line of questions had to do with judicial independence. Even if it's fair to ask the court to have this role, does it impinge on judicial independence to ask that of a judge? These questions are before the court.

A special advocate could conceivably address these questions. I will just say on special advocates and their use in Britain that they've not been considered or felt after practice to be a panacea. Obviously, even if you have a special advocate, there have to be limits or parameters around roles—concerning the communications between the special advocate and the individual once the information has been disclosed to a special advocate—which mean that there are limitations that can never bring that kind of process to the standard of criminal trials. In part for these reasons, some of the special advocates who were used actually withdrew from their role because of concerns with this.

So it's a possibility, but it's not a panacea.

● (1000)

Mr. Ed Komarnicki: I appreciate that it's not a panacea, and if the advocate felt uncomfortable and wanted to withdraw, obviously you're able to imagine what position a judge may feel himself or herself to be in, in that case. Really, it is a balancing act, but it's asking how you can protect the interests of the state, or all of us in a general sense, with the least obstruction to the individual.

Mr. Daniel Therrien: Absolutely.

Mr. Ed Komarnicki: It's in that process that something like this might be useful.

Of course, those who are citizens who would be facing similar kinds of things would be tried, would they not, under our criminal justice system, simply by virtue of the fact that the same kind of security interests are concerned and they're here, as distinct from those who haven't gained that status?

I guess what I'm saying is that you have two sorts of system in operation, one for those who are citizens and one for those who are not, and yet accommodation could be made by some slight adjustments, it would seem, if we're able to do this.

Mr. Daniel Therrien: It is absolutely possible. It is very legitimate to consider this question of the use of special advocates.

The Chair: Thank you. We're well over seven minutes, so we'll have to pick it up on the next round, Ed.

Jim, please. These are five-minute rounds.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): I have five minutes, so I'm going to be very quick and I want your answers, please, to be the same.

Were any of you involved in the Suresh affair, in the decisions made, the direction to the minister? Yes or no?

Mr. Daniel Therrien: No.

Hon. Jim Karygiannis: Were any of you involved in the six cases that are right now in front of...of the individuals who have been held?

Mr. Daniel Therrien: In some capacity, yes.

Hon. Jim Karygiannis: Okay. I understand there's an individual held in Kingston who has a family of about five kids. The family lives in Scarborough. Am I correct in this?

Some of the kids are Canadian-born. Yes or no?

Ms. Susan Kramer: I can't confirm that.

Hon. Jim Karygiannis: You can't confirm that. Can you come back to us, please?

Can you also come back to us to let us know how the family has access to him?

Ms. Susan Kramer: Special arrangements have been made, recognizing that placing the centre in Kingston would cause some challenges for family visits. The families all have access to video conferencing.

Hon. Jim Karygiannis: i'm sorry, if I'm a five-year-old child, you're going to tell me I can speak to my father on a video conference? Is this what you're telling me?

Ms. Susan Kramer: That option is available.

Hon. Jim Karygiannis: Mrs. Kramer, do you have any children of your own? How would you like to video conference with your children?

The Chair: I don't think that's a relevant question to ask.

Hon. Jim Karygiannis: It is relevant. It is relevant to my constituents.

The Chair: I would ask that the—

Hon. Jim Karygiannis: You have visited that centre. My constituent has children. My question to you is very specific: how can his children see the individual you are holding?

Ms. Susan Kramer: In comparison to the visiting conditions at the Toronto West Detention Centre, rather than having 20-minute visits twice a week, they now can have daily visits of up to 3.5 hours a day, and—

Hon. Jim Karygiannis: I'm sorry, are the children able to see him, yes or no?

Ms. Susan Kramer: In addition to that, there's—

The Chair: Please allow the witness to answer in the fullness of time on this.

Ms. Susan Kramer: There's no glass in between, so there's much closer contact with children. Furthermore, when it becomes a challenge to get there, we do offer the video conferencing service. It's accessible three and a half hours per day—

Hon. Jim Karygiannis: Sorry, you've lost me. Are children able to visit, yes or no?

Ms. Susan Kramer: Yes, of course.

Hon. Jim Karygiannis: They are able to visit?

Ms. Susan Kramer: Certainly.

Hon. Jim Karygiannis: And children and families are able to visit in the trailer with the individual you're holding?

Ms. Susan Kramer: Yes.

Hon. Jim Karygiannis: Okay. You said you have visited the facility.

Ms. Susan Kramer: Yes.

Hon. Jim Karygiannis: So you've seen ahead of time that the trailer had air conditioning or heat or was—

Ms. Susan Kramer: Yes.

Hon. Jim Karygiannis: Until the point in time that they went on strike, had you done nothing about it? They went on a hunger strike this year.

● (1005)

Ms. Susan Kramer: There's a system in place for when they would like to change their conditions; they can be brought to our attention and they'll be resolved.

May I just point out that air conditioning in the particular set-up that was there was very challenging. It was not something that could be done from one day to the next; it was done as soon as we practically could.

Hon. Jim Karygiannis: They had to go on a hunger strike to get air conditioning and phone service.

Ms. Susan Kramer: We do not encourage hunger strikes that—

Hon. Jim Karygiannis: I'm sorry, did they have to go on a hunger strike, yes or no? Answer my question to the point.

Ms. Susan Kramer: My understanding is that yes, they did go on a hunger strike.

Hon. Jim Karygiannis: Your understanding? So the facts that I have in front of me here are your understanding?

Let's make this perfectly clear. Did they have to go on a hunger strike? Don't give me your understanding. Did they have to go on a hunger strike to get—

Ms. Susan Kramer: We did not force anyone to go on a hunger strike. That was their choice—

The Chair: Order.

It seems to me, Mr. Karygiannis, that you're being belligerent with the witness. I would like the witness to be given every opportunity to answer the questions.

Hon. Jim Karygiannis: Well, if the witness answered the question to the point—

The Chair: I would please ask you to allow the witnesses to have whatever time they need to answer without interruption.

Hon. Jim Karygiannis: They did go on a hunger strike before they were given air conditioning and a phone—yes?

Ms. Susan Kramer: I can't tell you exactly at what point they went on a hunger strike, because they do happen regularly, but I can tell you that there is a mechanism in place, a redress mechanism, to resolve issues that need to be brought to our attention.

Hon. Jim Karygiannis: Weren't they on a hunger strike in May 2006?

Ms. Susan Kramer: They may have been. I don't have that information in front of me.

Hon. Jim Karygiannis: Let me tell you, then, that the hunger strike ended on June 28, after achieving their objectives. Am I correct?

Ms. Susan Kramer: They go on hunger strikes regularly.

Hon. Jim Karygiannis: The last hunger strike—you obviously are familiar with the centre?

Ms. Susan Kramer: Yes.

Hon. Jim Karygiannis: When was the last hunger strike?

Ms. Susan Kramer: Was it in May? June?

A voice: The end of June.

Ms. Susan Kramer: It was the end of June.

The Chair: Officials can please feel free to brief the witnesses.

Hon. Jim Karygiannis: And what was the hunger strike on?

Would you like to have your official join you? It seems that he knows a little bit more about it than you do.

The Chair: Okay, we'll have to pick it up on the next round. That was five minutes. We're done; we're over time.

Thank you, Mr. Karygiannis.

We'll go to Nina.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair, and thank you to all for your time—

Ms. Raymonde Folco (Laval—Les Îles, Lib.): I have a point of order, Mr. Chair. I would suggest strongly to the chair that if he's going to call the gentlemen by the title of "Mister", he should also call the ladies by the title of their married name. Nina is Madame Grewal, just as Mr. Karygiannis is Mr. Karygiannis.

The Chair: Noted by the chair.

Mrs. Nina Grewal: Thank you, Mr. Chair, and thank you all for your time and your presentation.

Mr. Therrien, you mentioned in your presentation that three people involved in the security certificates process were granted a release on conditions. Can you describe the conditions of release for these individuals?

I can't understand one thing. Why were these men who are supposed to be inadmissible to Canada on security grounds being released into the community?

Mrs. Kimber Johnston (Director General, Policy and Program Development Directorate, Canada Border Services Agency): I can answer your first question with respect to the conditions of release. As Mr. Therrien mentioned earlier, the conditions vary depending on the individual who is released.

Mr. Suresh, for example, is out on a $40,000 cash bond, as well as an additional $150,000 performance bond. He is required to report once a week.

Mr. Charkaoui is out on electronic monitoring, as is Mr. Harkat. They too have been asked to post a cash bond: Mr. Charkaoui a $50,000 cash bond, and Mr. Harkat a $35,000 cash bond.

In addition, they have various restrictions around the time they must be in their homes, and again that varies per individual. They also have restricted access to telecommunications and to associating and communicating with certain individuals. Those are the types of specific conditions for each of those three individuals.

I'm sorry, could you repeat your second question?

Mrs. Nina Grewal: My second question was, if those men were inadmissible to Canada on security grounds, then why were they being released into the community?

Mrs. Kimber Johnston: I can answer that in part, but Mr. Therrien might also like to provide his point of view on this.

As he mentioned earlier, one of the concerns has been the length of time in detention. The fact of the matter remains that from the government's point of view, these individuals are still considered to be dangerous, and dangerous to the security of Canadians. However, in light of the length of time they were detained, this was a concern to the court. Ultimately the checks and balances came into play, and the court decided in the case of these three individuals to release them, but again under very strict terms and conditions.

Daniel, did you want to add anything?

Mr. Daniel Therrien: No, I think that's a complete answer.

Mrs. Nina Grewal: Do I have time left, Mr. Chair?

The Chair: You have two and a half minutes.

Mrs. Nina Grewal: Go ahead, Barry.

Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC): I'm going to need more than two and a half minutes, so I guess I'll continue with this the next time.

But I want to talk about decision-making processes a little and what kinds of mistakes can be made. In the business world, there's a book called *Getting to Yes*. The suggestion is that in a negotiation, yes is the desirable answer, and no, meaning no negotiated settlement, is not what you want.

In a criminal court, we want to get to the correct answer, whether it's guilty or not guilty, recognizing that there are two kinds of mistakes that can be made. You can either find a guilty person innocent, or you could find an innocent person guilty. I think our system is set up in such a way as to avoid the latter, recognizing that we may actually err on the side of freeing guilty people so that we don't incarcerate people who are innocent.

In our immigration system, the appeals are set up to get to yes, I would argue—in a normal immigration system or for refugees—because we recognize that the appeals are there to get a yes answer. When someone is admitted to Canada, the government doesn't appeal it to try to block the refugee or immigration status. I think that's based on the notion that what we don't want to do is make an incorrect decision where we deny a refugee or immigrant claim, because the consequences of that could be more dire than letting someone in who perhaps technically doesn't meet the test if it was perfectly applied.

I've raised that because in the case of security certificates, there's obviously a serious mistake than can be made on either side. If you issue one and detain someone who should not be detained, obviously there's a serious violation of that individual's rights. On the other hand, if we admit someone to Canada who actually is a security threat and we don't stop them, that could pose a very serious security threat to public safety in Canada. I think that's the difficulty of the situation you're in. There's no kind of easy side to err on here. Errors on both sides potentially have serious consequences.

My specific question is this. When someone is detained and when the court upholds that they are a security threat to Canada, we're saying we wouldn't put them out of the country if they were going back somewhere where potentially they could be subject to torture—

● (1010)

The Chair: A very brief answer, as you're just hitting five minutes.

Mr. Barry Devolin: My question is this. If someone has come from a place where there is not a threat of torture and we want to deport them, have there been circumstances where they simply choose not to leave the country and remain in detention?

Mr. Daniel Therrien: Of the certificate cases, no, there have not been. They all come from countries where country reports by reputable organizations would say there is some risk of torture. But beyond this general analysis of the country conditions, there needs to be an individualized assessment of whether the individual in question is truly at serious risk of torture.

In some of our cases, the delegate of the Minister of Citizenship and Immigration has come to the view that the individual in question does not face a substantial risk of torture—that torture exists in the country of origin, but that the individual in question is not personally at risk of torture—and this would provide a reason to remove.

The Chair: Thank you.

Madame Deschamps.

[*Translation*]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Thank you, Mr. Chairman.

I will ask some questions concerning the conditions in detention for the persons detained in Kingston. Do they have facilities for family visits? Can they share a meal with their family and children? Do they have access to cafeteria services? Do such facilities exist?

Likewise, these people have differing cultures and religions. Are their religious choices respected—Ramadan, for instance—and all that might entail?

Earlier you mentioned a check on conditions of detention done once every six months. What did you mean?

● (1015)

[*English*]

Ms. Susan Kramer: I'll begin with the conditions of detention. When the centre was created, one of the first things we looked at was emergency response; for example, transportation, evacuation, what to do in the case of fire, what to do in the case of an emergency situation. Once those emergency response and contingency plans were done, we looked at other things—for example, visits. The detainees are allowed to have 3.5 hours of visits any day except for a statutory holiday. Usually they have to apply ahead of time, for security reasons. They're allowed fresh air for four hours and 45 minutes per day. They have access to a gym.

The facility is self-contained, so the entrance is separate from the adjacent Millhaven Institution. As a result, because they're together —they are not in segregation or protective custody—they can mingle with each other, they can talk with each other. There is a common area. They can eat together.

Ms. Meili Faille: Can they share a meal together?

Ms. Susan Kramer: Sure.

Ms. Meili Faille: What can they eat?

Ms. Susan Kramer: Special arrangements have been made to respect their religious requirements; for example, they get halal meals. When it is Ramadan, they make sure they get a—

Ms. Meili Faille: Yes, but can the family share a meal together? During Ramadan, can they share a meal together?

Ms. Susan Kramer: When the family comes to visit, they can eat together if they want. All the people who come in, of course, are searched.

Ms. Meili Faille: Okay, but what time are the visits?

Ms. Susan Kramer: They're any time between 12:30 and 4:30.

Ms. Meili Faille: Okay, so at the time of Ramadan, they cannot share a meal together at the time they can eat together.

Ms. Susan Kramer: That's correct.

Ms. Meili Faille: But what we were told by the family is that when they go to visit during the visit time, they only have access to the machines, and the machines that are there only have chocolate bars, chips, and soft drinks.

Ms. Susan Kramer: There's a redress procedure in place, and if they want some conditions changed, we're open to everything. We're willing to consider their requirements, but they must bring them to our attention.

Ms. Meili Faille: So what you're alleging is that at the present time the family has not mentioned this.

Ms. Susan Kramer: That's correct.

Ms. Meili Faille: Okay. We'll find out. We'll make sure that you get the request from the families.

Ms. Susan Kramer: They have access to phone calls.

Ms. Meili Faille: The rest we know. We just wanted to know whether the religious culture is respected and that they have visits at the time when, during Ramadan, they share family time. I just wanted to know that, because it is important. In the provincial facility, it was one of their requests.

Ms. Susan Kramer: We have hired an imam to ensure that the religious requirements are respected.

Ms. Meili Faille: It's okay. Thank you.

The Chair: Order.

I'm going to Madame Deschamps for the last minute, please.

[*Translation*]

Ms. Johanne Deschamps: Thank you, Mr. Chairman.

I have another question. You stated that, since 1991, 27 security certificates have been issued. Are you in a position to say how many of the persons subject to a security certificate were deprived of the possibility of being heard, of knowing the charges brought against them and of being able to answer them?

Mr. Daniel Therrien: The procedure is such that the person cannot see all the evidence, but…

Ms. Johanne Deschamps: Neither can he or she be present.

Mr. Daniel Therrien: At all? The hearing is public in part. I don't know if some persons availed themselves of their right to undertake anything publicly, but they are entitled to do so.

[*English*]

The Chair: Thank you, Madame Deschamps.

Mr. Devolin.

Mr. Barry Devolin: It's my understand that sovereign nations like Canada have the right to accept or refuse foreign nationals who want to enter the country.

A witness: Yes.

Mr. Barry Devolin: For any reason, or in fact no reason, a sovereign state doesn't need to actually provide justification to refuse entry. They have the right to refuse foreign citizens from entering the country. I mean, when I cross the border into the United States, if the U.S. border service says I can't come in, I don't have a right to appeal. I have to accept that decision.

Mr. Daniel Therrien: For no reason at all has never been Canadian policy. Whether that would be consistent with international law I cannot say, but certainly Canadian policy has always been to prescribe inadmissibility grounds by law.

Mr. Barry Devolin: Right. Maybe I'm not using the right words. In terms of who may be the subject of certificates, serious criminals could also, not only terrorist threats, right?

Mr. Daniel Therrien: Yes.

● (1020)

Mr. Barry Devolin: So a security certificate could be issued to someone who is trying to enter Canada from the United States, for example, if we thought this person was a threat to Canada for criminal reasons rather than for terrorist reasons?

Mr. Daniel Therrien: Yes, although the main reason a certificate will be used, as opposed to the normal removal proceedings where the individual sees all of the evidence, is that the person is inadmissible, point one; and point two, the state has classified information that it cannot disclose. That's an essential characteristic of certificates.

Mr. Barry Devolin: Okay. What I'm trying to determine here is that if someone were trying to enter Canada from the United States by land, for example, and the Canadian government had some reason to believe a threat to Canada was posed that may not be public, that person is detained.

There's the definition of torture, for example. I'm trying to figure out, if a Paul Bernardo type of person tried to come into Canada and the government had some reason to not want them to come into the country, and in order to remove them to a jurisdiction where, for example, there was capital punishment...would that be considered torture?

Mr. Daniel Therrien: Capital punishment per se is not torture, no.

Mr. Barry Devolin: Okay.

Mr. Daniel Therrien: Because capital punishment where it is exercised in the other state is a lawful sanction.

Mr. Barry Devolin: Okay. That's my question.

The Chair: You have two and half minutes. Do you wish to use it?

Mr. Preston.

Mr. Joe Preston (Elgin—Middlesex—London, CPC): I'll go. Thank you very much, Mr. Chair.

What my friend was getting at is that countries have the right to deny people who don't fit the laws of their country to come into their country.

Mr. Daniel Therrien: Yes.

Mr. Joe Preston: Great.

And I think Mr. Komarnicki was talking earlier about the distinction between citizens and non-citizens, and how the trial base is taking place—how they're treated differently, one under a civil situation and one under another. He suggested that a special advocate may be an answer to bridging that gap, and you also thought this might work and that it was or is being used in England.

Mr. Daniel Therrien: That's correct.

Mr. Joe Preston: In your preamble before we started questioning, you also said that these certificates are used for only the most dangerous or threatening of people to come to Canada.

I see they're used fairly sparingly, if we're talking about 27 certificates since 1991 and five since 2001. This is not a system that we're using with great regularity. It seems to be the exception to the rule, rather than not.

In your preamble, you also said that we remove 10,000 people annually from this country.

Mr. Daniel Therrien: Yes.

Mr. Joe Preston: Are the rules used to remove them? I recognize that you're talking here about the most threatening and most dangerous people, so we probably are a little safer or trying to be a little more strict on the rules. But I would doubt that there is not a procedure to follow on the 10,000 people we do remove, that there is probably a pretty strict procedure that's followed there too.

Mr. Daniel Therrien: The normal procedure essentially requires an immigration official to prepare a report stating why the person is inadmissible. That report is reviewed by a member of the Immigration and Refugee Board, the adjudication immigration division, in a hearing where the individual sees all of the government's case and has an opportunity to respond.

The Chair: Thank you, Mr. Preston. You'll have to pick it up again.

Bill.

Mr. Bill Siksay: Thank you, Chair.

Ms. Kramer, the Kingston facility is located on the grounds of the Millhaven maximum security penitentiary. Is that right?

● (1025)

Ms. Susan Kramer: That's correct.

Mr. Bill Siksay: Do the detainees receive any services at Millhaven, or do they receive everything within the specific facility we're talking about?

Ms. Susan Kramer: Because Correctional Services Canada is the service provider, their food would come from there. We would also use their medical facilities, if required.

So there is some sharing, but one of the principles we've respected all along is that we cannot comingle our security certificate detainees with the convicted population. Strict rules are kept so that doesn't happen.

Mr. Bill Siksay: So likely the only time they would actually go into the institution would be if there was a health issue. Is that your understanding?

Ms. Susan Kramer: Yes.

Mr. Bill Siksay: Coming back to the religious requirements of the detainees, my understanding is that one of the spouses is someone who has chosen to wear a veil and that means her veil can't be removed in the presence of men she's not related to. Is that accommodated at the detention centre?

Ms. Susan Kramer: Yes, it is. We've ensured that during visiting hours, there is a female staff person on all the time.

Mr. Bill Siksay: I want to come back to the statistics. There have been 18 removals under security certificates since 1991. I think that was the year.

Mr. Daniel Therrien: Yes.

Mr. Bill Siksay: Could you provide us the information about which countries those folks were removed to, and if it was their country of citizenship or a third country? Is that something you could provide to us later?

Mr. Daniel Therrien: Later, yes.

Mr. Bill Siksay: I'd appreciate that. Thank you.

I know that CIC has a list of moratoria countries to which Canada does not deport people. Is that list a factor in considerations around the security certificate detainees?

Ms. Susan Kramer: We have a temporary suspension of removals to certain countries. However, in a security certificate case or the case of a serious criminal, where you balance the rights of the individual versus the safety and security of Canada, we have on occasion removed despite the fact that there may be some risk.

Mr. Bill Siksay: And can you tell me how the process of removal to a third country works? Does that have to be done with the agreement of that third country? How is that negotiated? Can somebody tell me about what that process is like?

Ms. Susan Kramer: I don't profess to be the expert on removal to third countries, but usually it involves identifying a country where the person may have lived as a permanent resident—even though they are not a citizen—or where they may have spent some time, and then of course negotiations have to take place.

Mr. Bill Siksay: Mr. Therrien, you mentioned that when you're assessing the risk of torture, there is the issue of whether the country is known to practise torture. You mentioned that there are currently some concerns about the countries of citizenship of some of the detainees, but you also said it has to be a process of individualized assessment of individual risk of being tortured if they went back. Can you tell us how that assessment is made or what kinds of considerations go into it? Could someone tell me a little about that?

Ms. Anna-Mae Grigg: In terms of how the pre-removal risk assessment process goes, the initial level is with the PRRA officers, who regularly make these kinds of decisions. They review the application made by the individual and the submissions they and their counsel have made. In addition, they look at all sorts of sources of information on country conditions. They may use things that UN bodies, for example, and various international NGOs and research institutes have produced. There is publicly available information that they review in addition to the information the individual and his or her counsel submit. They do weighing and balancing with that information.

That's the file they see. They don't see any of the rest of the government's case. They see the submissions from the individual, plus publicly available information about country conditions and practices.

They make their assessment. If they find there is no risk, that decision can be reviewed by the Federal Court and appealed up through the judicial system. If they find there may be an element of risk, the next step is for the minister's delegate to review. The minister's delegate will receive information from the PRRA officer, so they have that file in their assessment. They will have information from CBSA on the restriction assessment—in other words, the risk to Canada—and they see the information the government has that's been made available to the department in terms of risk.

● (1030)

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

We will now go to Mr. Komarnicki.

Mr. Ed Komarnicki: Thank you, Mr. Chair.

I have a question for Ms. Kramer. I don't know whether she would know whether Mr. Karygiannis has raised the concerns in the past that he has raised here with department officials or security people with respect to treatment of the specific individuals he had indicated.

The other note I have looked at in talking about the security certificates is that all the active cases we have here—Harkat, Hassan Almrei, Charkaoui, Jaballah, and Suresh—occurred during the reigns of various ministers of justice—

Hon. Jim Karygiannis: Mr. Chair, I'd like to have clarification, please, on a point of order. Is Mr. Komarnicki asking the witness whether I've raised correspondence with the department on the issues? Is this what you're asking?

Mr. Ed Komarnicki: I've asked what I've asked, but if—

Hon. Jim Karygiannis: I need clarification.

Mr. Ed Komarnicki: If he needs clarification, I'm asking if she has any knowledge that he has actually raised these issues he's raising here before the committee with the appropriate officials in the same sense that he has raised them here.

Hon. Jim Karygiannis: Isn't it a little bit out of order whether I've raised them or have not? I don't think that's any of your concern.

Mr. Ed Komarnicki: I'm not questioning the member of Parliament; I'm questioning the person—

Hon. Jim Karygiannis: You're questioning whether I have raised it with them. I don't think that's appropriate, and I'm asking the chair to disallow that question.

The Chair: I don't know if that's a proper point of order, or even if it's proper to ask officials if a member of the committee ever really asked those questions in the privacy of a meeting with the officials.

Mr. Ed Komarnicki: No, not in the privacy of a meeting; it was just whether he has raised those issues with officials.

Hon. Jim Karygiannis: You can do an access to information request and find out. I don't think that's an appropriate question.

The Chair: Okay.

Mr. Ed Komarnicki: That's okay, you can have a huddle. Just don't dock it from my time.

The Chair: Yes, that question would be very much out of order, because it's a matter of privacy between the individual committee member...and the questions he might have asked or not asked to officials at another time.

Mr. Ed Komarnicki: You might be trying to muzzle; I don't think you want to muzzle me.

The Chair: So the officials, if they wish, may disregard that question.

I'll ask Mr. Komarnicki to move on to his questioning. We're rapidly running out of time here.

Mr. Ed Komarnicki: Mr. Chair, once again, I appreciate your ruling, and accept it of course, as I always have in the past. We'll move on.

I wanted to point out that as I look at all of the active cases, including Suresh and others, these security certificates, the legislation surrounding them, and the operation of them were during various ministers, such as Wayne Easter, Mr. Coderre, Anne McLellan, and many others, who may or may not have a say in how these have been handled procedurally.

Having said that, I guess one of the issues I found in the discussions was that if you find that someone is a security risk—and it has been in a couple of the cases—and you can't export them back to where they came from because they're at risk of torture, and there's no trial process that would actually convict or acquit them of the charges, we come to the inevitable conclusion that they are in detention perhaps indefinitely. Assuming nothing changes and no review brings new evidence, do we not find ourselves in the awkward position of somehow having to deal with these individuals who have no hope of release?

How would you handle that? What's the answer to that issue?

Mr. Daniel Therrien: That's the ultimate dilemma. What I can say is that as I've mentioned, the Federal Court has found that under the current law, so long as removal is possible—ie., while the risk of torture assessment has not been completed, including judicial review of the risk assessments—detention has been set by the Federal Court of appeal not to be indefinite. Not that it's not long—everybody agrees that it's for a long duration—but it's not indefinite while removal is still a possibility. What happens when removal is no longer a possibility?

● (1035)

The Chair: Thank you, sir.

Mr. Ed Komarnicki: He hadn't quite finished his point.

The Chair: Were you finished your answer? Please go ahead and complete your answer.

Mr. Daniel Therrien: It's a dilemma.

Mr. Ed Komarnicki: Okay. Thank you.

The Chair: We will now go to a five-minute sharing here between Mr. Telegdi and Mr. Karygiannis.

Hon. Andrew Telegdi: Mr. Therrien, you're a lawyer, you're a senior counsel, and you talk about protecting the interest of the state. I would suggest to you that part of protecting the interest of the state is protecting the integrity of the system. We know that evidence extracted under torture and evidence given by jailhouse snitches are not very credible. There's no capacity within the system to test that evidence before the justice. Then the whole process becomes tainted and ends up being contrary to the interest of the state.

So I'm going to get back once again to that question. The English system might be no panacea, but it's better than the system we have. Why could we not be proactive? Why do we always have to fight it to the last barricade, as the department has done by going to the Supreme Court? Why can't we be proactive and say we want a system that protects the integrity of the process?

Mr. Daniel Therrien: As I've said, despite not being a panacea, it is a very legitimate policy question for parliamentarians to consider, whether to add a special advocate. But I would suggest that this is a policy issue for parliamentarians, and it is not one for an official to answer at this point.

What I can tell you is what the current law is, and I certainly agree with you that part of the interest of the state is to ensure that democratic values and values of respect for the rule of law are seen in the procedures that exist in Canada. To that extent, the certificate process is an attempt to achieve that balance.

But there may be better ways to achieve that balance. Again I say that at the end of the day, this is a policy issue for parliamentarians, whether to change the current law that we have.

Hon. Andrew Telegdi: It may be a policy issue for parliamentarians, Mr. Chair, except that it is the department that comes forward with suggestions for new legislation through the minister.

I'm going to pass at this point in time to Mr. Karygiannis.

The Chair: You are right on cue, Mr. Telegdi.

Hon. Jim Karygiannis: Mrs. Kramer, when did Ramadan finish?

Ms. Susan Kramer: It was October 24.

Hon. Jim Karygiannis: I understand that facilities for the inmates to be with their families finished at 4:30. Is that correct?

Ms. Susan Kramer: That's correct.

Hon. Jim Karygiannis: If I am incarcerated and my family wants to visit me, and Ramadan means that I can have food with my family after the sun sets, how are you accommodating that?

Ms. Susan Kramer: First of all, I'd like to reiterate that we do have an imam on staff that we hire. The imam provides us with—

Hon. Jim Karygiannis: I have met the imam, and what you're telling me and what he told me are two different things, so please go back to my question. If I am being incarcerated, how would you facilitate a visitation with my family when they can only visit me after sunset during Ramadan?

Ms. Susan Kramer: Visiting hours are from 12:30 till 4:30. They have 3.5 hours of visiting family time every single day, except statutory holidays.

Hon. Jim Karygiannis: So you're not facilitating. If I'm being incarcerated, you're not facilitating my visitation of my family to celebrate Ramadan—Eid al-Fitr—after sunset?

Ms. Susan Kramer: I'm sorry, and I apologize, but I'm uncertain of that as a religious requirement.

● (1040)

Hon. Jim Karygiannis: Christmas is celebrated the night before, and usually Christ's birth is at 12 o'clock, so this is really when you get together with your family and celebrate. Ramadan, the celebration of Eid al-Fitr, is celebrated after sunset, so how are you facilitating visitation by the family for them to celebrate Eid al-Fitr together after sunset?

Ms. Susan Kramer: No special arrangement has been made for a celebration, although we have on numerous occasions made exceptions for special situations—for example, the birth of a grandchild. However, when something is an issue, there's a redress mechanism available, and we'll do our best to accommodate special requests and balance those with the security requirements of the institution.

Hon. Jim Karygiannis: Can you please come back to the committee in a couple of weeks and let us know what redress mechanisms you're willing to put forward—

Ms. Susan Kramer: Yes. Part of the president's directives outline what the redress mechanisms are. I believe Mr. Siksay has already requested them, and they'll be provided to the committee.

The Chair: Thank you very much. That completes our questioning this morning. We do have a committee waiting to come in.

Thank you for your presentation. The information you gave us today will serve us well when we visit the detention centre. Hopefully that will be on Monday. Thank you.

We will suspend for a moment to give our witnesses a chance to move on, and then we will get into the third report of the subcommittee.

● _____ (Pause) _____ ●

The Chair: The meeting will now reconvene.

Mr. Devolin, you wanted to raise a point of clarification on the meeting just adjourned.

Mr. Barry Devolin: Yes. I raised an issue not to create controversy, but I think I may have a fundamental assumption that's incorrect. I'm wondering if possibly the researcher could get some information and report back to the committee.

The point that I made, and I may be incorrect, was that a sovereign country like Canada has the right to refuse entry to other people who choose to enter Canada with a reason or no reason.

For example, if I drive to the American border in a car and I have a passport, it's my understanding that the American border official does not have to let me into the country, and if they say no, I don't have recourse. I'm presuming the same thing happens from the other side in the same way: if I want to visit a country where I require a visa, that country can deny me a visa, and I don't have the right to appeal to some third party to force them to change their decision.

The Chair: You would like to have clarification of that.

Mr. Barry Devolin: I would like to get that clarified. As I said, when someone arrives at our border, whether by car or by airplane at an airport, does Canada as a nation—or the staff that represent us at the border—have the right to refuse entry to that person?

The Chair: Yes.

Ms. Raymonde Folco: Yes, they can, but they have to give a reason.

The Chair: Okay. Now, we won't get into a discussion on that.

Mr. Barry Devolin: That's the point. That's the point.

The Chair: What?

Mr. Barry Devolin: That's the disagreement. You see, Madame Folco says they must give a reason, and it's my understanding that they do not have to give a reason. That's what I want clarified.

The Chair: Let's leave it to the analyst, and he'll report back to us at the next meeting.

I'm kind of rushing it along a little bit because we only have 15 minutes and we have a committee outside waiting to get in.

We have to deal with the third report of the subcommittee. Do you have a copy of it in front of you, all committee members? That's the meeting we had on Tuesday, and I think you all have a copy of it. This is what we came up with at the subcommittee for the upcoming meetings on November 9, 21, 23, and 28.

Do we need a motion to adopt this?

Madame Folco has a question.

Ms. Raymonde Folco: Thank you very much.

I asked this question in the steering committee, and I'm not altogether satisfied I really understand what the answer was, and I'll ask the question before the full committee again.

What I see in front of me for the four days is—

● (1045)

The Chair: That's Thursday, November 9...okay, four days.

Ms. Raymonde Folco: Yes, four days. It's the one dealing with security certificates, and that was today; on Tuesday next we're doing the refugee issues; then on Thursday, Federal Court backlogs—I don't see what that has to do with refugee issues, and I'd like to have that explained—then on Tuesday, suburban impact of refugee movements. That sounds more like settlement to me. Then we have private sponsorship.

What is the focus? This is the question, Chair, I asked at the steering committee: what is the focus of our meetings between now—let's say 9 o'clock this morning—and the end of the November 30 meeting?

The Chair: The Thursday meeting you referred to, which was November 23, was brought up by, I think, Madame Faille; and the Tuesday, November 28, meeting was brought up by Mr. Siksay; and the Thursday one was private sponsorship, brought up by Mr. Siksay as well. So all three of these were talked about at the subcommittee.

Mr. Siksay.

Mr. Bill Siksay: All of these fit into our study of refugee issues, which is our task for the fall. It was our first priority determined by the committee at our meetings in the spring, our prioritization exercise.

The Chair: That was my understanding.

Mr. Bill Siksay: As for the issues we're dealing with, we're having officials from the department come to give us background on refugee issues, which I think is crucial and which is something we've discussed doing before. The issue of backlogs of Federal Court cases: the refugee case backlog at Federal Court is an important issue and I'm glad this made it to the list. That's why the Department of Justice officials have been invited.

We've all heard of the changes in where new immigrants and refugees settle in Canada in our communities, and I raised the issue of the changes the suburban communities haven't had a lot of experience with in the past, and are now facing. The city of Burnaby is one where a large percentage of new immigrants and refugees from British Columbia are now settling, so there are a number of stresses on the community as a result of that. We thought it would be helpful to the committee to hear the experience of a particular community. I'm glad to say it's my own community, although most of the pressure is not in my riding; it's in the other Burnaby riding.

Private sponsorship was one of the specific refugee issues the committee identified back in the spring, so that's why it's on the list, to hear from folks on that particular issue.

The Chair: That was my understanding as well. And most of us here were at the committee meeting on Tuesday when we talked about this, so I took it for granted that everyone at the subcommittee was in agreement with it.

Ms. Raymonde Folco: First of all, on private sponsorship, I see various difficulties with the calendar. If we're going to discuss the suburban impact of refugee movements, which is linked more to how refugees settle and the problems of settlement when they do—which is an important question but it's not directly related to refugee flow—I would submit that we need to have witnesses.... If we're going to have one from Burnaby, I'm fine with that, but we should have witnesses from other parts of the country as well. That's one issue on Tuesday, November 28.

I don't see that private sponsorship is linked to refugee issues. That's one question.

The other question is regarding Thursday, November 30. I'd like to remind the chair that the House is not sitting that day, so I think it would be interesting to look at this. I submit—

The Clerk of the Committee (Mr. William Farrell): What day would that be? Thursday, November 30. Why would it not be sitting?

The Chair: The convention.

Ms. Raymonde Folco: Thursday and Friday, Mr. Farrell, and it would be nice if you checked. Please check.

The Chair: A point of order, Mr. Siksay.

Mr. Bill Siksay: Madame Folco will understand that we did say at the planning committee that we would accommodate members of the Liberal Party. I hope she remembers that commitment we all made, and if since then the House has decided not to sit on the 30th, we will fulfill that request.

● (1050)

Ms. Raymonde Folco: Absolutely.

Mr. Bill Siksay: So her criticism, I think, is a little out of line.

Ms. Raymonde Folco: I'm sorry, I did not criticize whether I was going to be there or not. In fact, that was not my intention at all, Mr. Siksay. My question was this. I do not see—and I repeat it—how private sponsorship is directly linked to refugee issues. It seems to me that private sponsorship has to be a special subject on its own.

What I query, Mr. Chair, is the fact that I don't see a distinct objective towards which this committee is going in terms of looking at security certificates and Federal Court backlogs. I would like to state my intention to vote against this calendar, because I think we are not going towards one objective, which is the report back to the minister and to the House of Commons on what are the main problems of refugee issues and what recommendations this committee can make to it.

The Chair: I want to get some clarification here. It's my understanding, unless I was at a different meeting, that we agreed—and you agreed with it as well, Madame Folco—on Tuesday that this was the calendar we would pursue.

But anyway, let's continue the discussion. We had Bill with a point of order, then we had Andrew, and then we have Madame Faille.

Bill.

Mr. Bill Siksay: The private sponsorship program is a specific refugee program operated by the Government of Canada. That's why it's on the list, and that's why it's important that we hear from people who are involved with that program.

The Chair: Yes.

Who is next? Mr. Telegdi.

Hon. Andrew Telegdi: I was actually going to make a point on the private sponsorship.

We have a problem. Here we have the private sponsorship offering to do a lot more than they're doing, and we're frustrating them by not allowing them to do the sponsorship. It doesn't make any sense, because it seems to me we can accommodate more refugees, and it doesn't cost the government anything because it's private sponsorship. We should be cooperating with them as much as possible, because we don't want to frustrate them and have them get out of the private sponsorship business.

The Chair: Thank you.

Madame Faille, and then Mr. Komarnicki is next.

[*Translation*]

Ms. Meili Faille: I would like to add something on the subject which Ms. Folco did not think was necessarily connected with the matter of refugees.

I agree with Bill that all parties must work together. We have added representatives of the Liberal Party, the Conservative Party and the Bloc Québecois to the agenda.

It is quite appropriate to deal with the matter of private sponsorship during these days, considering the delays, which are increasing. On one hand, the Department must give us the reasons for the delays; on the other hand, we must hear the clients.

[*English*]

The Chair: Thank you.

Mr. Komarnicki.

Mr. Ed Komarnicki: Mr. Chair, I appreciate that the parliamentary secretary wasn't able to be at the steering committee and planning committee, no doubt. But one of the things I had mentioned initially is that when we're dealing with, say, sponsorship, as we will be on Thursday, November 30, we should deal with a series of witnesses who give a broad perspective on all of the issues, so you can then come to some conclusion. We've heard at least two parties directly or indirectly on sponsorship and to do with refugees, and now we're having another one. There is no place there where all of us can say, here is who you should hear on a comprehensive basis so you can have some kind of conclusion at the end.

The other point is on the security certificates. For instance, I notice that in the agenda you have the Harkat committee, perhaps family members—I think there was some material passed—and Mary Foster, who I think is perhaps an advocate in that regard. I'm not sure how that relates to refugees. Perhaps I'm missing something, but—

Ms. Raymonde Folco: It really does eventually, if you—

Mr. Ed Komarnicki: You could argue that, but I don't know how it is that we're going to be talking to the Harkat family and the advocates on behalf of them specifically when we're looking at issues relating to refugees. But if we're going to, then perhaps we need to extend that to include everyone who has an impact on those issues, which may include, say, ministers who were there at that time or other people, that kind of thing.

But I think we're going way adrift on the security certificates. Initially I thought we were just going to do a visit to Kingston, and I thought, fair enough, I haven't seen Kingston and perhaps we should see it. But then we said we'd bring in department officials—

● (1055)

The Chair: There's no indication we will yet, because—

Mr. Ed Komarnicki: Regardless. But I'm just making the principle, and now we're getting the Harkats in and we're going to get others in. If we're going to expand in that fashion, we need to really expand, so we get the full picture instead of bits and pieces.

It's an issue I harped on initially and may raise again. Time is running out to deal with this appropriately today, but that's the concern I have. The agenda as put forward is reasonably well put together, subject to my concern.

The Chair: Okay, thank you.

Mr. Karygiannis.

Hon. Jim Karygiannis: As far as the Harkat family is concerned, their parent is incarcerated in Kingston. From the perspective of the family and what the family is going through, especially the children of the incarcerated individual, it's important to listen to them, because all the refugees and a lot of the people who come through... the clerk said 120 beds in Toronto, and he was trying to figure out if these people are on certificate.

As for the Harkat family or the family of any other individuals who have been incarcerated for a long time, it not only points out the difficulties people face when they're incarcerated for a long time, it also points out the difficulties families face when somebody's coming to the airport and all of a sudden an immigration official chooses to, let's say, incarcerate you for a month, two months, three months. So you will hear a dire straits situation of what's happening to a family, and how that's tearing the family apart.

I am sure the parliamentary secretary cares about joining families and making sure that families, especially in the Canadian immigration system, are together and are productive citizens working—

The Chair: Okay. We have a committee coming in and I have—

Hon. Andrew Telegdi: You have me, and I care, and I'm sure the parliamentary secretary cares. But I'd like to move the agenda, because we have to get out of here.

The Chair: Okay, I'm trying to complete the list here.

Did you have a follow-up point, Madame Folco?

Mr. Ed Komarnicki: If Andrew moves the agenda, my sense is to say we should move it for some further consideration at our next opportunity, so we can discuss some of the issues that have been raised here. The agenda's not bad, and I'm going to ask that we move it forward, but continue with—

The Chair: We have to contact these witnesses, and that's the problem in delaying the agenda. We just can't delay it.

Hon. Jim Karygiannis: Move on with the agenda.

Mr. Ed Komarnicki: I wonder how it's connected to refugees. Nobody's answered that question, and Mr. Siksay seems as if he's able to, but....

The Chair: Madame Folco.

Ms. Raymonde Folco: Thank you, Chair.

When we have these titles, study of detention centres or refugee issues, it would be very helpful if we had a descriptive paragraph, a very short resumé of four or five lines at the most, that would say what we are looking at on refugee issues on November 21 and how that fits into the whole concept of refugee issues. Because the first day, November 30, private sponsorship, is not clear to me. If I had three or four lines saying this fits into that in this way, then it would be clear to me.

Obviously it's too late for this one, but the next time we discuss the calendar, I would very strongly suggest we have some kind of description that says this is where we're going and these are the parts and how they fit into one another, so we don't need to spend time discussing it in this committee. It will be clear.

Thank you.

The Chair: Okay, the motion is before us, Mr. Siksay, that the subcommittee's report and the agenda be adopted. All in favour? Those against?

Mr. Bill Siksay: Can we do that over again, Chair, please?

The Chair: All those in favour of the subcommittee's report and the agenda, please raise your hands. There are five for and five against.

Okay. I was chair of the subcommittee report, and it was agreed by one of our members and it was agreed by me to bring this agenda forward, so I would have to vote in favour of moving the agenda forward.

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: This meeting is adjourned.

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