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—
Chair

Mr. Norman Doyle

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• (0900)

[English]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): Good morning, everyone. Welcome.

On behalf of our committee, I want to welcome witnesses from the City of Burnaby, the Burnaby School District, and Fraser Health who are here this morning. It's hard to believe that you made it, with the weather conditions in British Columbia these days.

We have an hour until 10 o'clock, when another group joins us here. So we'll have to be fairly on schedule, because we have a committee that comes in here at 11 o'clock as well.

You have an hour, and I invite you to make your opening statements. I'm sure the committee will have some questions or discussions they want to get into a bit later. Maybe you could introduce yourselves and then take off with your opening comments.

Thank you.

Mr. Sav Dhaliwal (Councillor, City of Burnaby): Bonjour, Mr. Chair and members of the committee.

First, on behalf of the City of Burnaby, I would like to thank you for inviting us to address your committee.

I am Sav Dhaliwal, a councillor of the City of Burnaby.

Ms. Diana Mumford (Trustee, Burnaby School District): I am Diana Mumford, a school trustee in the Burnaby district.

Ms. Karen Roth (Public Health Nurse, Burnaby Health Promotion and Prevention, Fraser Health): I am Karen Roth, a public health nurse in the Fraser Health Authority.

Mr. Basil Luksun (Director, Planning and Building, City of Burnaby): Good morning. I am Basil Luksun, the director of building and planning for the City of Burnaby.

Mr. Sav Dhaliwal: Once again, thank you. I'm very thankful for the opportunity to speak with you this morning.

After hearing from Basil Luksun and me, you will hear two separate but very related presentations: one from Diana Mumford, a school trustee in Burnaby, and the other from Karen Roth, a community health nurse with our regional health authority, who just stepped off the airplane. They will give you more specific information about the challenges they are facing in serving refugees and immigrants in the health and education fields.

In my remarks I'll set the stage for our collective presentations. By citing the Burnaby experience, I intend to reveal how suburban municipalities have been affected by rapid increases in refugee and

immigrant populations. I will also discuss an example of how we have tried to respond to the increases. Specifically, I'll talk about our multiservice health facility, a community-driven proposal for coordinating and enhancing service delivery for refugees and immigrants in Burnaby and adjacent municipalities.

Before talking about the Burnaby situation, I would like to state the obvious. Canada is a land of immigrants. We are admired internationally for our multicultural policies and proactive approaches to welcoming immigrants and respecting individuals and cultural diversity.

Indeed, Basil and I have experienced first hand the welcoming and generosity of our new home country. We both came to Canada with basically a suitcase and a few dollars in our pockets. We know only too well the importance of having appropriate supports in place to help newcomers adapt and contribute to Canada and the communities in which they live.

Burnaby is part of the greater Vancouver area and is situated immediately east of and adjacent to Vancouver. It's the third-largest city in British Columbia, with a population of just over 200,000 people. In 2001, nearly half of Burnaby's population consisted of immigrants. This is in marked contrast to 1986, when only 25% of the population were immigrants. Further, in 2001, 28% of Burnaby residents spoke a language other than English at home. Also germane to this meeting, in recent years the city has been receiving over one-third of all government-assisted refugees arriving in B.C. The main source countries for these refugees include Afghanistan, Sudan, Iran, and Indonesia. These refugees present many challenges to our city and to the overall service delivery system.

Some of the key challenges we have seen relate to these refugees' low incomes, limited English language and literacy skills, health concerns, and emotional and physical trauma. In short, these refugees face enormous obstacles as they try to adapt to their new surroundings. Without appropriate support and understanding, their chances of success are severely compromised. This results in hardships for the individuals, while also hindering our efforts to maintain a cohesive, harmonious community. We cannot let this happen.

We believe that every refugee and immigrant has the potential to thrive and contribute to the betterment of our community and our country. In Burnaby, we want to harness and develop that potential. While we have an excellent array of community service providers in the city, they are stretched extremely thin and lack the funding or resources to adequately respond to the increasing needs in the community. It's our firm belief that the provision of sufficient resources and support for our service delivery system would be a sound investment in our collective future.

In time, our citizens, our communities, and our nation would reap the benefit of such investments. We should also be able to avoid the socially and financially costly consequences of a segregated society, as evidenced in France last year.

With the foregoing as context, I will briefly describe our multiservice hub proposal, a community-driven model aimed at helping us to respond better to the needs of our increasing immigrant and refugee population.

I believe that the committee clerk has provided you with the copies of a council report entitled "Federal Funding Proposal for Multi-Service Hub Facility in Edmonds". In the time available, I won't be able to speak at length about the proposal. I'll just touch on some key points.

The proposed facility is to be located in the Edmonds area, in the southeast part of Burnaby, which has a large concentration of immigrants and refugees.

• (0905)

The City of Burnaby is pursuing significant upgrades to civic infrastructure in the area. A new firehall was recently constructed, and a new library will be built next year. In addition, we are currently in the design stage for a new recreation centre complex. These are all within a short walk of the proposed multi-service hub facility.

In the midst of these initiatives, extensive consultation was conducted among community members and service providers in the area. They asked what else could be done, and the multi-service hub facility emerged. It represents a collective vision of how best to meet the needs of the refugees and the immigrant population while at the same time helping to build the community and the city.

The proposal involves the establishment of a 30,000-square-foot multi-service facility on city-owned land. It is adjacent to a community school and a city-owned building that accommodates a range of community agencies.

The concept is to provide a welcoming place in which immigrants and refugees can meet, obtain services, and participate in programs. In essence, it will be a one-stop resource, one that's based on a collaborate model and offers a rich and coordinated range of needed programs and services.

A few of the many programs and services that would be offered from the hub include language and literacy classes; settlement services; public health programs; family, sport, and counselling services; youth services; and community outreach.

In addition to serving immigrants and refugees, the hub would also be a welcome community resource for the broader community.

The aim is to promote community cohesion and ensure that we don't further isolate our immigrant and refugee populations. We believe that this facility will be a model for communities facing similar challenges.

The city is proposing to contribute the land for the facility with an estimated value of \$2 million. We would be looking to the senior governments to provide the capital funding for construction. We would also be looking to the senior governments and non-profit agencies to deliver the services and programs from the facility.

Burnaby city council endorsed the proposal this January. We approached the federal and provincial governments for support. While acknowledging the merits and innovation of the proposal, the message we received was consistent: no capital funding programs are available for development of the hub facility. Therefore, we are currently at an impasse. We have an abundance of goodwill, and the city has committed all that is within our means, but there are no serious prospects for funding. In the meantime, the challenges faced by our refugee and immigrant populations continue unabated.

To conclude, I would like to thank you once again for the opportunity to speak before you today. I would like to leave you with three messages. One, suburban municipalities face very real challenges in trying to accommodate and meet the needs of refugee and immigrant populations. Two, despite a limited social service mandate, Burnaby has come to the table with innovative, viable opinions and options to help meet the needs of our immigrant and refugee communities. Third, we can't do it alone.

On behalf of the City of Burnaby, I strongly urge you to recommend that the federal government establish a capital funding program that will support a creative partnership initiative such as our proposed multi-service hub facility. By so doing, the government would not only be helping our refugee and immigrant communities, it would also be helping the broader community, as well as facilitating the establishment of a stronger, more cohesive, and vibrant Canada.

We are a suburban municipality with half of our population comprised of immigrants. Further, over a third of the government-assisted refugees arriving in B.C. move to our city.

We welcome immigrants and refugees to our community. We believe these people have the potential to make a positive contribution both to Burnaby and Canada. However, they need help and support as they prepare to make their contributions. We ask for your leadership, collaboration, and resources as we collectively help these people on the road to full and prosperous lives as contributing members of society.

Thank you.

● (0910)

The Chair: Thank you, Mr. Dhaliwal.

We will move now to Ms. Mumford.

Ms. Diana Mumford: Good morning.

I am pleased to be able to address the committee on behalf of the Burnaby Board of School Trustees and to speak to you about some of the challenges we face in meeting the educational and social needs of our new student citizens.

The Burnaby School District has experienced many changes in the past two decades in direct relation to immigration patterns and trends. Approximately 20% of our student population currently receives English as a second language support and over 50% of our community has a first language other than English.

In the past few years there has been a dramatic increase in the number of refugee families arriving in our community. Currently, Burnaby receives 50% of all government-assisted refugees destined for B.C.

We believe school districts play a key role in helping immigrant and refugee students develop the fundamental skills and knowledge required to be successful in Canada. Although school districts are only funded to provide educational services to immigrant and refugee students, we are also involved in a wide range of settlement needs and issues for children and families for which there is no funding support.

As already indicated, the pattern of immigration to Burnaby has changed quite significantly. As mentioned by Councillor Dhaliwal, the mix and the countries of origin are now very different. According to a recent Immigrant Settlement Services report, 33% of the 2,444 refugees arriving in B.C. between January 2003 and December 2005 were school-aged, that is, between five and 19 years of age. In terms of place of origin, approximately 33% were from Afghanistan, 31% were from East Africa, and 20% were from the Middle East.

Currently, federal Immigration officials appear to focus almost exclusively on the head of the household in making immigration decisions. Little attention appears to be paid to the needs of the other family members until they arrive in Canada. Consequently, we are discovering a significant increase in the number of immigrant and refugee students with special education needs and frequently with a multiplicity of learning challenges.

Furthermore, a number of refugee students suffer from post-traumatic stress syndrome. While the actual number of students affected by PTSS may be small, the effects of this disorder on sufferers, fellow students, teachers, and the school community can be significant.

We are also experiencing a growth in the number of students whose families are still in survival mode, and this is especially true for many refugee families. It's difficult to learn when one is struggling to survive.

To compound the challenges facing our school district, immigration and refugee students continue to arrive in reasonably large numbers throughout the school year and have to be accommodated immediately upon arrival. However, students arriving in B.C. after

September 30 are not counted for funding purposes, so their needs must be met without additional budget resources.

Our concerns can be summarized under four areas. The first would be the past educational experience. An increasing number of students and families arriving in Canada are illiterate in their first language and have little or no formal education. Youths arriving in their later teen years with less than grade three entry-level English language skills are less likely to develop the language required to graduate prior to turning 19 years of age, or to be prepared for suitable entry-level employment. This lack of formal education often complicates and delays educational progress and can lead to increased chances that these young people may be unemployable or destined for a life of under-employment.

Second are the family dynamics. Immigrant and refugee children often have more English language proficiency than their parents. This can result in a shift of controls within the family unit toward the child. This realigned balance of power can create long-term negative changes in response to legitimate authority.

Third are the shifts within cultural communities. There are dozens of cultural communities in British Columbia. Some are long-established, while others are relatively recent. Some tend to be insular, while others embrace integration. Some are relatively small, while others have grown to dramatic proportions in recent years, thereby affecting the communities where they live in substantial ways. The resulting social displacement is not a well-understood concept in any sector of the larger community, making this phenomenon extremely difficult to address in our schools.

● (0915)

Fourth is skill development and youth employment. Because of their age on arrival, limited English language ability, and/or other needs, a growing number of immigrant and refugee students run the risk of leaving our schools with inadequate skills to cope with even entry-level work opportunities, and they are unable to pursue post-secondary training opportunities. The lack of adequate education can lead to an increase in the percentage of unemployed or under-employed youth who are then further marginalized in society.

In summary, Canada's economy and democratic future will depend in large part on all levels of government working together to support the education, settlement, and integration of our immigrant and refugee youth.

The Burnaby School District understands the critical role that the public education system plays in preparing youth to be productive members of the workforce and to participate fully and actively in a democratic society.

I wish to be very clear: B.C. school districts, such as Burnaby, are up to the challenge. However, from our perspective, all levels of government must clearly recognize the direct relationship between successful settlement and successful education, the potential impacts of current democratic changes on both settlement and education, the need to respond to these changes in a collective proactive manner, and the need for resources and a collaborative effort to support successful settlement and foster a smooth transition from secondary school to productive employment and active participation in the Canadian workforce.

The multi-service hub facility proposed by the City of Burnaby is a dynamic, forward-thinking proposal that warrants government support. As well, there needs to be a public recognition of the significant role that school districts play in providing front line settlement services that help our immigrant and refugee youth become productive participative citizens. One tangible way of recognizing that role would be to provide school districts that enrol a significant number of refugee students with targeted federal funding to help support the fundamental needs of these new Canadian citizens.

Thank you for your time.

The Chair: Thank you. I appreciate your presentation.

Ms. Roth has something to say as well.

• (0920)

Ms. Karen Roth: With the introduction of the Immigration and Refugee Protection Act in June 2002, significant changes were introduced to Canada's refugee resettlement program. Since the introduction of the act there has been a particular focus on refugees in urgent need of protection and resettlement in Canada. The introduction means that resettled refugees are no longer barred entry to Canada based on existing medical conditions.

The immediate outcome of the federal policy has resulted in an increase in special needs refugee clients with chronic and acute health needs who require long-term support in order to successfully integrate into Canadian society.

Although resettled refugees undergo a basic medical examination and a chest X-ray in the country of origin, their health status can change significantly during the waiting period prior to entry into Canada.

To give some context to this presentation, on arrival to British Columbia, the refugees stay at the Welcome House for 14 days, where they are given an orientation to life in Canada that includes assistance for the necessary applications and documentation forms, and help with finding housing. They are offered a primary health care screening at the Bridge Clinic.

The Bridge Clinic is a community health clinic that was established in September 1994 as—

The Chair: I think we have a problem.

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Could you slow down the pace? They cannot translate.

Ms. Karen Roth: Sorry. I'm trying to get in as much information in five minutes as I can.

The Bridge Clinic is a community health clinic that was established in September 1994 as a partnership between British Columbia Multicultural Health Services and the Immigration Settlement Services Society in the Vancouver Coastal Health Authority. Its purpose is to address the primary health care needs of refugees with or without legal status.

Once the family leaves Welcome House and relocates into their new housing, there's insufficient support available to assist them to adapt and integrate to their new life. The members of many of the families I visited are often illiterate and innumerate in their own language, have no English skills, and suffer from the violence of war and traumas of many years of living in refugee camps.

It is usually overwhelming for them. Many need basic help dealing with modern life: toilets, electricity, shopping, money, parenting, and schooling. The list is endless. It is hard to know where to begin. I will limit my talk to specific challenges to refugees trying to access health services.

Since the IRPA, these primary health screens have detected an increase in refugees suffering from chronic diseases such as diabetes, hypertension, heart disease, HIV, and mental health conditions such as chronic depression and post-traumatic stress disorder.

At present, Fraser Health Authority is being faced with the challenge of providing primary care to this growing population. Many local physicians and walk-in clinics are unable to provide service to refugees with no English and complex medical and social conditions, resulting in the only access to primary care being the emergency department.

The situation for Burnaby is worsening, as the Bridge Clinic is no longer able to offer its service beyond the first three months of refugees' arrival, due to service demands and funding cuts. With the increasing complexity of medical conditions and necessity for multi-medical specialists to respond to these conditions, there is a resulting increase in the need for medical translators. Clients often fail to receive treatment for communicable diseases such as HIV, TB, malaria, and intestinal parasites, and children fail to receive services from outside agencies to diagnose and treat conditions.

Although Fraser Health has language services available to health care providers, most other community agencies do not have the funding available to pay for translators. Public health nurses are more and more having to take on the case management and coordination of care in the community for this burgeoning population. In the last seven months, Burnaby Preventive Health Services has spent \$19,000 in translation costs for that area of health alone.

In British Columbia, unlike the rest of Canada, free ESL classes are provided to ELSA level three only, after which they must pay for further instruction. Level six is considered basic conversational English. The expectation on refugees is that after one year on the resettlement assistance program, they will then find employment and begin to pay back the government loan incurred to relocate. As research indicates, it takes five years of intensive immersion in ESL programs before conversational English is achieved. This will be a growing problem for Fraser Health for many years.

At present, most tertiary and specialist care centres are located in Vancouver, which poses the following problems:

Refugees unable to speak or read English cannot be informed of appointments without a translator, and then are challenged on how to reach them, as they are unable to use the transit system. There are no systems in place to facilitate this and no established communities with volunteers with linguistic skills.

Funding for travel to refugees is designed for one travel zone, when hospitals in Vancouver are three zones away. The cost of attending appointments to the economically disadvantaged family results in them missing appointments or not being able to afford food that week. Pre- and post-natal care for HIV-positive women is only available in Vancouver at the Oak Tree Clinic. If the woman has a primary physician, the medication could be couriered to the family physician. Once again, access to a primary physician for this population is severely limited. This leads to the families having to go to Vancouver to collect their medication.

Under existing legislation, disabled refugees are not able to apply for designation as disabled until one year after their arrival in Canada. At present, limbs and prostheses are available from a charitable institution in Vancouver that has no translators or means to assist these individuals with travel costs or physiotherapy.

Non-English-speaking refugees are unable to access birth control, due to their limited access to primary care physicians. Attempts to facilitate organizations such as OPTions for Sexual Health, formerly Planned Parenthood, were unsuccessful due to the lack of funding for translators. Finding pharmacists in Burnaby to participate in the interim federal health pharmacy benefit system is a challenge. Reasons for this include the extensive paperwork required to be submitted by them to obtain financial recompense and the delay of up to six weeks to receive payment. Consequently, there are times when the refugees living in Burnaby are unable to fill their prescriptions unless they travel to Vancouver.

- (0925)

An appropriate birth control option for non-literate refugees with psychosocial conditions who are unable to administer daily medication is the intra-uterine device, IUD, which is not covered by the interim federal health act. This means that the refugee must wait for 12 months until they are covered by welfare to obtain their IUD. This often results in unplanned pregnancies that place further financial demands on the economically disadvantaged families.

Vitamin D supplements for children are not covered, which is a particular problem for a group that has suffered years of malnutrition prior to coming into Canada.

The impact of the numbers of refugees arriving here who are HIV-positive is only just beginning to be felt, and will have an ongoing effect on the whole health care system.

Families with children with special needs are the most challenging and hardest to assist. Unable to read, write, or speak English, these families are expected to navigate, with no additional support, various government forms and applications for equipment and services for their children. Often these children do not receive treatment and are lost in the community until school entry.

At present, there are no special resources for adults, youth, or children who do not speak English and suffer from chronic depression and post-traumatic stress syndrome. As a result, it is very difficult to develop strategies and provide services. The combination of medical and psychosocial issues and insufficiently supported translocation to Canada is resulting in increasing numbers of crises and suicide attempts.

Many of the refugees arrive in Canada after years of malnutrition that has long-term effects on their physical and dental health. As a result, adults and children often have abscesses, and have sustained facial and dental injuries from acts of violence, causing severe pain. It is not unheard of for these adults to extract their own teeth because they can find no source of help.

Frequently, refugees are unaware they have emergency dental coverage through the interim federal health program. Dental offices have expressed concern that they have provided emergency dental treatment and not been paid by the interim federal health act. The pre-authorization process for dental treatment under the interim federal health program can be cumbersome and unpredictable. There appear to be inconsistencies in what is approved and what is not.

Research has shown that adults with decay transfer cavity-causing germs to their young children. By not treating the dental disease of the adults, we are ensuring that the next generation will be at high risk for tooth decay, and so the cycle continues. It is not uncommon for treatment costs for very young children to exceed \$2,000, not including the \$500 per hour for the general anesthetic that is required to provide treatment safely to already traumatized children.

After one year as permanent residents, the children may become eligible for the healthy kids program, which pays for some dental treatment and eyeglasses for children younger than 19. Unfortunately, their parents are not eligible for any free dental care, even during pregnancy, when dental bacteria may result in pre-term or low birth weight babies.

In conclusion, there needs to be an innovative, multi-service approach that helps immigrants and refugees while facilitating a stronger, more cohesive, and healthier community, and reducing the costs of translation services. The hub would provide such an answer.

● (0930)

The Chair: Thank you for your presentations. They were very interesting indeed.

We have about a half an hour, which will give seven minutes for each of the parties to make some comments or ask questions.

Mr. Wilson.

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

Thank you very much for coming and making a long trip out here from British Columbia. I left on Sunday, and it took me 15 hours to get here, so I can only imagine how long it took you, with the snow in Vancouver.

You said in your presentation that Burnaby's intake of refugees is 33% to 50% of all the refugees in British Columbia. What is the exact number of refugees that Burnaby has taken in the last 12 months?

Secondly, what does the trend line look like for numbers taken in over the last four or five years? Third, what do you project the numbers to be in the years to come?

Mr. Sav Dhaliwal: We'll let Basil answer that.

Mr. Basil Luksun: Between January 2003 and December 2005, 2,444 government-assisted refugees came to B.C., and 823 of them came to Burnaby.

We believe that between November 1 and December 15 of this year, Burnaby will receive an additional 282 government-assisted refugees. So the number is increasing.

I believe Diana has recent statistics from the school district.

Ms. Diana Mumford: These have to do with the students coming here who are 18 years and younger. The data are for an eight-month period from January to August of 2006. For those 18 years and younger, we've had 150 individuals, 75 of them coming to Burnaby, which is 50% of them. Surrey had 24%, Richmond 16%, and so on. The top five source countries were Afghanistan at 25%; Colombia, 11%; Sudan, 9%; Congo, 7%; and Iran, Liberia and Somalia, 7%.

Mr. Blair Wilson: Why would refugee claimants choose Burnaby? I know it's a beautiful community, but there are so many other communities within British Columbia they could select. In your view, what is Burnaby offering that is the magnet for that vast number?

Ms. Diana Mumford: They seem to—

Ms. Karen Roth: I think the thing is that Burnaby offers low rental accommodation. It also has landlords who are less vigilant in enforcing restrictions on the numbers of clients in a house. For example, two-bedroom accommodation, from economic necessity, is often housing eight people. I also think they know there's a community evolving in Burnaby, and people go where someone else can speak their language and knows their country. We're actually

victims of our success, in fact, in that we're offering such a great service that we're attracting more.

I also would like to point out that these statistics underestimate the number of refugees in B.C., because they're collected by ISS, which only follows a client for two years. We are increasingly finding migrating refugees from other provinces, who are not included in these numbers, which is important to bear in mind. People are landing in Ottawa and Winnipeg, but within a month are transferring to B.C., i.e., to Burnaby.

Mr. Blair Wilson: I'm also finding that in the entire immigration process. People are landing in Quebec, for example, and then moving to British Columbia a year, two or three years later. So there's a huge increase in the immigrant population in British Columbia.

What support have you been receiving federally and provincially to help you deal with this huge influx of people to Burnaby?

Mr. Sav Dhaliwal: We're receiving very little; in fact, I think it's just the standard services. We're finding that the difficulty people are feeling everyday is that they are just not getting the basic services. What they are getting is through what we can provide unofficially from our own resources. There aren't any services outstanding from either the federal or provincial governments directly for the refugees; they are finding their own way through the maze. That's why we're here for the facility we're proposing.

The multi-service hub would be the one-stop welcoming place for anyone who needs any kind of help. That includes both from the translation perspective and that of getting people to where the services are needed.

Right now people are basically confused; they're lost. They go to their own community leaders looking for some help, who are also stretched for resources and having difficulty meeting their own day-to-day needs because they're also having a difficult time adjusting.

The other day leaders from the Sudanese community came to us and to our local MPs and MLAs and said, we have no place to go; can the city look after some of the immediate issues? As I said in my presentation, we just don't have the resources.

● (0935)

Mr. Blair Wilson: For the multi-service hub facility you're speaking of—and you said earlier in your presentation that you've canvassed the government for resources for it—how much are you looking for to complete the facility?

Mr. Basil Luksun: Mr. Chair, in trying to seek funding, we have approached the Minister of Citizenship and Immigration, the Minister of Transport, Infrastructure and Communities, and we have been attempting to work with the Western Economic Diversification Office. To date, we haven't had any success.

The capital costs for the facility are estimated at about \$12 million. Having said that, the City of Burnaby probably has about 80,000 square feet of space it has made available to non-profit organizations at either a low rate or rent free. So the city does contribute to that.

In terms of your question as to why a lot of the refugees come to Burnaby, some factors have been mentioned. The other factor is that we have a system called community schools, which is fairly unique, partly funded by the city from some of the provincial ministries and the school board. It is unique in that we attempt to address the community issues that come to the fore. So, for example, if you go to one of our community schools....

And we have six or seven, Diana?

Ms. Diana Mumford: Currently, we have seven.

Mr. Basil Luksun: We have seven in Burnaby. It's not uncommon that you would see a refugee in the community room in a fetal position on a couch, just looking for a place for some relief.

The Chair: I'm going to have to be fairly strict on the time here to ensure each party gets seven minutes, and I know people like Mr. Telegdi want some brief questioning, as well. But I'll go to Madam Faille and then on to Mr. Siksay, and back here.

If we have time, we'll get you on, Mr. Telegdi.

Go ahead, Madam Faille.

[Translation]

Ms. Meili Faille: I would like to hear your comments on how refugees are integrated into the Burnaby community. Can you talk to us about the commitment made to welcoming these people and how the different communities interact?

[English]

Mr. Sav Dhaliwal: I'm sorry, I missed the first part of the question. I was trying to get myself adjusted to the translator.

One thing we did was have the community service providers—particularly non-profit organizations—come together, and they basically have been saying to the city that we have issues. What we did with the staff was bring them all together to ask what is going to immediately help—their needs in schools, their needs for health, their needs for accommodation.

One of the things they all came together on was that a multi-service hub, which they spoke of, could bring all kinds of people together and provide basic services in terms of translation, in terms of really basic health-related issues, and address cultural issues, address where to go—the kinds of things that they have already taken upon themselves to do through community schools or recreation centres, where they're trying to do these bits and pieces.

But really, they aren't covering everything, and we'd like to see these services provided through this multi-service hub facility.

[Translation]

Ms. Meili Faille: Within the refugee and immigrant population arriving in Burnaby, what is the percentage of francophones?

• (0940)

[English]

Ms. Karen Roth: I don't actually know off the top, but I do know that there are a lot of French-speaking refugees from the Congo and the former Belgian Congo.

We often find that we rely on French as the person's preferred language because we don't have access to Swahili interpreters, so people coming from Tanzania and Kenya are actually speaking that.

It's a real challenge. Many of these families are very isolated, and it's very difficult, obviously. Unfortunately, British Columbia only has .03% of the population speaking French, so in some respects some of the challenges facing these families are as much as any for any other language.

[Translation]

Ms. Meili Faille: What effort are you expending to provide services to that French-speaking population, which finds itself in a vulnerable situation?

[English]

Ms. Karen Roth: We've an inter-agency approach from parks and recreation in the city of Burnaby. We run a newcomers group once a week for two hours in which Fraser public health provides the translators. We run it in seven languages, as we're trying to also develop a sense of community cohesiveness.

So we do offer a French interpreter and we cover topics such as immunization, health, and parenting, which is a huge issue because the form of discipline for refugees is against the laws of the country of Canada—physical punishment isn't normal. So we explain that. But it is very challenging, because although they speak French, they don't actually read French. So many of the resources available are not usable for this population.

[Translation]

Ms. Meili Faille: What is the unemployment rate in Burnaby? More specifically, how many jobs are available to the refugees who arrive in Burnaby? How are you getting the major employers of the region involved? Perhaps you can also tell us if government offices are located in your city and what percentage of immigrants are employed in the public service.

[English]

Mr. Basil Luksun: Mr. Chair, we do not have any specific programs in terms of unemployment among the refugee group. In terms of the economy in B.C. now, the unemployment rate is fairly low, but I suspect among the refugee group, it's much higher. In terms of employment, it's certainly one of the issues that we see to get assistance on, because to have that economic stability in the family is very important in getting not only the parents, but the children, on the right path.

One interesting concept we have in Burnaby is a co-op that was started by an Afghani woman. They run it; it is very successful. They are in the basement of a medical building. What it also brings is a lot of confidence for them and a lot of socialization skills.

So certainly the whole aspect of jobs is extremely important to us.

Ms. Diana Mumford: Also, in the school system, when we have children coming in at 15, 16, and 17 years of age and they're illiterate in their first language, we're trying to, in a very short period of time, provide them some basic literacy, basic numeracy, some job readiness skills, and then some opportunities for work experience. But because they have a very short period of time of maybe a year or two in which to learn all of that, it makes it very difficult to prepare them for a job experience afterwards.

[Translation]

Ms. Meili Faille: Quebec's territory is quite vast and people who decide to settle in remote areas encounter many difficulties in obtaining services from Citizenship and Immigration Canada nearby.

Is this the case in Burnaby? Does Citizenship and Immigration Canada provide services in Burnaby or in an area close by?

[English]

Mr. Sav Dhaliwal: I don't believe there is any. We don't know of any place where the refugees and immigrants can go directly right in Burnaby to seek any services. To my knowledge, there aren't any at all. The community services like non-profit organizations are trying to take the lead to help them.

• (0945)

The Chair: Thank you.

I'll have to move on to Mr. Siksay.

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

It's great to have some fellow travellers from Burnaby here today, some company from Burnaby. It's good to see all of you. Thank you for your presentations and for your work in the community. I know it is a particular challenge, but it's also a community that's been very motivated to coordinate to the best of its ability the services that are provided to new residents of the community.

I also want to thank you for spending extra time getting here, with the challenges from the snow storm this past weekend.

Basil talked a little bit about the community school program and how that's one of the reasons that Burnaby is attractive to people. It's also one of the places where community services get focused in a particular neighbourhood. I wonder, Diana, if you can just tell us a bit more about that, particularly the Edmonds Community School and the Second Street Community School and their roles in the issue of refugee resettlement.

Ms. Diana Mumford: The community schools provide a host of opportunities for families, and there is a community room within the school where parents can come in. There's food that can be brought in. There are community kitchens where they learn to cook the food that they find in our country that may be unfamiliar to them. There are quite often donations of clothing and other household items that they can pick up, as well. There's also the opportunity that we have a school coordinator who can connect them with the community services within our community. So it's a very vibrant area.

Also, in our community schools now we're developing family literacy centres where a parent or guardian can come in with their preschoolers and be involved in preschool activities—reading,

playing games, and such. It starts to develop a literacy piece for the students, but it also gets the parents and the families more involved in our schools, so they'll feel more accepted when they get there at school age.

Mr. Bill Siksay: Many of us have found that often with refugee and immigrant populations the elementary school system is the only point of contact, in many ways, with the broader community, back and forth among the recent arrivals.

Diana, could you say a bit more about the problem around budgeting, where you don't know how many refugee students are going to be arriving in any given year, and with the September cut-off in terms of funding for the provincial government?

Ms. Diana Mumford: Provincial funding is tabulated for the number of students who have arrived in our schools by September 30 of that school year. Any students who arrive after that, October 1 and on to the end of June, are not funded by our provincial system. Those students must be accommodated within our existing resources. That adds a real challenge, particularly when you're dealing with refugee students who are bringing in a multitude of special needs. We're trying to create new programs or alter current programs to accommodate them and that's a huge challenge for us. They're not being recognized when they come as having these issues, and so we end up with them and we need to help them be successful.

Mr. Bill Siksay: Karen, in your presentation you mentioned the inadequacies of the health coverage that refugees get, the difficulties around transportation and interpretation, and how there doesn't seem to be any particular support for those kinds of programs.

Could you tell us a bit more about the transportation issue, for instance? Burnaby is a suburban community, but many of the services that are available are delivered in Vancouver. Can you tell us a little about how that affects a refugee family as to how much time they would spend travelling, the distances involved?

Ms. Karen Roth: Sure. I think many of the refugee families are composed of six to eight children, and particularly, we're focusing on those most in need. We're taking families that need to seek specialist treatment in tropical diseases, HIV. So you're paying for three zones, where the actual funding for resettlement was only designed for one zone. So it can cost a family \$25 to \$30 to get to an appointment, which they have to go to, there's no other option. If you're living in Burnaby...in Vancouver. Basically, parents sometimes miss the appointments or they just don't have any food for that week. The amount of assistance is based on welfare, which is the lowest in the whole of Canada for British Columbia, but it is one of the most expensive provinces to live in. So that's why we're coming across this situation.

Also, the problem is that many of the communities don't have funding for translators. It was never designed to meet the needs of refugees. So unless a public health nurse attends with the client, with the interpreter from Fraser Health, the client doesn't get access to a translator. So that's another challenge facing us.

● (0950)

Mr. Bill Siksay: You mentioned in an earlier meeting I had with you that there were no translators available. I think Dinka was the particular language. Could you say a bit more about that particular situation?

Ms. Karen Roth: I think the diversity of the different languages that we're seeing is particularly from the Sudan. There are 13 tribes in Sudan. They're nomadic tribes that speak very unusual languages. For the level of English to Dinka that we need, there is only one translator available, who works for the immigration settlement services. Often we find we are unable to provide translators for these clients, particularly from countries such as Uzbekistan, from some of the former Soviet Union that speak unusual dialects. It's a real challenge. And also the cost of this is astronomical. Just for Burnaby Public Health, it's \$19,000 for Burnaby Preventive Services, which is without including any of the acute care or the maternity services.

With the ELSA level only being to grade three in British Columbia, and we know that grade six is for conversational, this is going to be an ongoing problem for many years.

Mr. Bill Siksay: Basil, you mentioned the Afghan Women's Co-op. It's a sewing co-op, I believe. I know that social enterprise was one of the criteria for the federal government in terms of the kinds of projects it wanted to support around immigrant and refugee settlement. Can you say a bit more about that? I know it was hard to find a location in the city that would accommodate that kind of enterprise and the hub proposal was looking towards being able to do that kind of thing.

Mr. Basil Luksun: Mr. Chair, the whole issue of social enterprise is quite important. One of the facets of the hub is to try to promote that. While I did mention that there was a sewing co-op and it is very successful, we are looking at other avenues. For example, catering is another one. Where people do have the skills and they can be marketed, it does make a big difference to the adults and to their whole situation.

The Chair: Thank you.

Finally, Mr. Komarnicki.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Thank you very much again for attending and making a presentation. Certainly I have read your material, and it's a concept that is innovative. Having a one-stop place makes a lot of sense. I wonder if you have looked at other models, not necessarily in Canada but perhaps elsewhere, to see if that type of concept has been put in place, whether it can be emulated and whether you can learn anything from that.

I was taken aback a little with some of the statistics you have in terms of the refugees in Burnaby, particularly in the school population. I note that about 255 students out of a total population of 427 in Edmonds were relatively new to Canada. Over 70% spoke languages other than English, and a total of 27 different languages were spoken in the school. That must provide an incredible challenge, for sure.

I noticed that the Open Door Society in Saskatoon, Saskatchewan, indicated they had support workers being sent into both elementary and high schools to provide assistance with homework, language,

and mediation among students, parents, and teachers, partly because of some of the issues you have raised. So the problems that are being faced are common throughout our country, I suppose, and other countries.

Have you looked at other models, not necessarily in our country but outside, to see how they might be implemented or how they might affect the model you're putting together?

Mr. Sav Dhaliwal: No. Basically, through our community we got together all the service providers, non-profit organizations that face these challenges every day, and this was one of the models we came up with. When we discussed this with some of the federal counterparts, our MPs and MLAs, it was suggested that this be a pilot project for us to set something up so we can have resources available to meet with people from different parts of the world, resource it and staff it in such a way as to provide some basic needs for their languages and for the cultural diversity from which they come to us.

I'm not too sure if the staff had the opportunity to look somewhere else, other than at this model.

● (0955)

Mr. Basil Luksun: Mr. Chair, we haven't sort of looked internationally at other examples, but what we have done subsequently through the B.C. settlement and adaptation program, meeting with representatives from the provincial attorney general, employment and income, community services, economic development, children and families, education, the solicitor general, child and youth, and, from the federal government, Citizenship and Immigration, HRSDC, Service Canada, Canadian Heritage, Status of Women, and the City of Burnaby and the non-profit organizations, we met to see what we really need to do to address the needs of the refugees. Of all the issues that came up, the issue of the hub was identified as the best.

Ms. Diana Mumford: Could I clarify that in our high schools we have over 90 languages that the students can bring into the building? It's an astronomical challenge to meet those kids.

Mr. Ed Komarnicki: It is a challenge. Certainly when I read through your material there is no question that there's a significant need that needs to be addressed. Perhaps your approach is the wise one and the way to go.

In terms of dollars and cents, the city intends to put up about \$2 million worth of land. You're asking \$11 million from the federal government. What proportion are you asking for on the capital side from the provincial government?

Secondly, building the building is one thing, but operating it on a continuing basis and having the staffing requirements and operating costs, how are those going to be apportioned? Were you expecting some of the agencies to contribute to that, or were you expecting to have federal-provincial involvement on an ongoing basis down the road?

Mr. Basil Luksun: Mr. Chair, we have made the major request for capital funding to the federal government. As I mentioned earlier, the city is contributing \$2 million in land. We do have some 80,000 square feet that we are making available to the community.

In terms of operating, what we do foresee is a provincial component. Health is a component. The school board is a component. And depending on the programs that are incorporated into the facility, we would look for operating funding from those sources.

Mr. Ed Komarnicki: Are you expecting the provincial government to be involved in the capital construction portion of the hub itself?

Mr. Basil Luksun: If we can't get any provincial funding, we would be happy to take funding from any source, whether it be federal or provincial.

Mr. Ed Komarnicki: To date your indication is that there will not be any provincial contribution for capital funding?

Mr. Basil Luksun: To date we have not had any commitment for any provincial funding.

Mr. Ed Komarnicki: Of course, as you know, in the budget we had this year, there was \$307 million committed to settlement integration, which will go to various settlement agencies. I'm just wondering if you have looked at whether some of that funding could be incorporated in your operation, or have you gone as far as talking to the societies receiving funding, or who will be receiving additional funding?

As a supplement to that, I notice that the Edmonds Neighbourhood Resource Centre is located next to your facility. Are they providing some of the services you will be providing? How do you intend to tie the two together? So there are two questions there.

Mr. Basil Luksun: Mr. Chair, absolutely, the Edmonds Resource Centre is helping. For example, the question was raised earlier about whether there are other groups helping with the refugee situation. We have many, many community groups assisting, and they just do a tremendous job in the city. There are groups like Burnaby Family Life and South Burnaby Neighbourhood House; there is a major collection of clothing for the refugees; there's an emergency food bank trying to get programs through the Burnaby Christmas Bureau. There is just a host of issues they deal with in a very, very difficult situation, and they do a wonderful job. They are some of the places who occupy the space we provide.

• (1000)

The Chair: Thank you.

I really wish we had more time, because I obviously have a long list of people who want to have a few words, but hopefully you will be able to get together with individual members of the committee and probably pursue some of these points.

Thank you for coming. It's very much appreciated, indeed. Please be assured that we do have people here from the Department of Citizenship and Immigration, and we have the parliamentary secretary, who's on the committee. So your requests and concerns will certainly be made available to the minister; he will know about them and we'll be getting an answer back, I'm sure.

Thank you for coming.

I notice we have our second group of witnesses here, so we'll suspend for a minute.

Thank you.

• _____ (Pause) _____

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The Chair: I think we'll begin.

On behalf of our committee, I'm very pleased to welcome this morning Archbishop O'Brien, Archbishop of St. John's, and Archbishop Roger Ébacher, Archbishop of Gatineau, who are representing the Episcopal Commission for Social Affairs, the Canadian Conference of Catholic Bishops.

Welcome, Your Graces, to the committee.

We have until about eleven. What we generally do is invite our witnesses to make opening comments, if they wish. Then our committee members, I'm sure, will have questions and comments they want to make as well.

So we pass it over to you, Archbishop Ébacher. Thank you.

[*Translation*]

Most Rev. Roger Ébacher (Chairman (Archbishop of Gatineau), Episcopal Commission for Social Affairs, Canadian Conference of Catholic Bishops): Good morning, Mr. Chairman, ladies and gentlemen, Members of Parliament.

Firstly, allow me to thank you for welcoming us so warmly. I believe that this meeting is very significant because the issue we will touch upon today is very important to us.

To mark the 93rd World Day for Migrants and Refugees, Pope Benedict XVI has chosen the "migrant family" as his theme. Recognizing that the experience of migration often leaves refugee and immigrant families disfigured and weakened, the Pope challenges us — churches, social society and governments alike — to make certain that everything is done to guarantee the rights and dignity of these families.

Allow me to put this call in a clearer context. Today, two children from my diocese are lost in Rwanda. Patrick is 10, and Angel is 14—

• (1005)

[*English*]

The Chair: Could you slow down a bit? Sometimes our interpreters have problems if it's too quick.

Thank you.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): If they have an extra copy of their speech, maybe they can give it to the translator.

The Chair: I think that's been done. They have it down there.

Sorry about the interruption, Archbishop.

[Translation]

Most Rev. Roger Ébacher: Patrick is 10 and Angel is 14. They were removed from Canada by the Department of Citizenship and Immigration with their father, Mr. Jean Bosco Rwiyamirira, on October 3, 2006. After living eight years — most of their lives — in Canada, these children, like many young Canadians who were born elsewhere, embraced Canada as their country.

Mr. Rwiyamirira worked in the secretariat of the Rwandan embassy in Ottawa. Making an astonishing break from diplomatic protocol, he denounced the violation of human rights during the Rwandan genocide. This action put his family at risk, and so Mr. Rwiyamirira — as any father would — put their security first: he claimed asylum as a refugee in Canada.

Mr. Rwiyamirira wasted no time in making an exemplary contribution to Quebec society. In 2005, Premier Jean Charest awarded him an honour in recognition of his contribution to the common good.

Canada, as you know, has a moratorium on deportation to Rwanda — for good reason. Nevertheless, one official in the Department of Citizenship and Immigration — not a judge, not a court of law — had the authority to order this family's removal without any possibility of appeal. And the Department did this in violation of Canada's obligations under article 3 of the International Convention Against Torture. Unfortunately, the circumstances of Mr. Rwiyamirira and his family, along with many similar cases, suggests that in practice, Canada does not always respect its international treaty obligations.

Today, my diocese has lost direct contact with Mr. Rwiyamirira. We know he is in prison in Kigali on a charge of desertion. This is an alarming state of affairs, because it shows the consequences of Canada's violation of the strict obligation not to practice *refoulement* in international law. We have intermittent communication with his children: they are in the care of distant relatives, and have left behind every semblance of their lives in Canada.

Your committee, Mr. Chairman, may not be the place to review specific outrages like this. We recognize that you are not the de facto appeals court provided by Parliament in the Immigration and Refugee Protection Act. However, the situation faced by this family is a powerful illustration of the core message in our pastoral letter "We are aliens and transients before the Lord our God".

The core message is this: human dignity is neither theoretical nor abstract. When it is wounded, you know it. The wound can last for the rest of your life. This is especially so in the case of a family.

We recognize the positive elements of the Canadian refugee system. However, serious reform is essential so that human dignity can take precedence over all other considerations. We do not make this assertion out of episcopal idealism. Every day, in the pastoral life of our dioceses across Canada, we witness the struggle of people seeking asylum in Canada, and especially the injustices that persist in view of the government's failure to implement a transparent and effective appeal system, as required by the Immigration and Refugee Protection Act.

We witness the ordeal caused by inordinate delays and fees which prevent family reunification. We witness the very real suffering of

people whose status is under a moratorium, and specifically the youth who see their lives destroyed by delays that can last many years. We witness the impoverishment of agricultural workers, immigrants and refugees who, due to the lack of adequate support services and the persistent failure to recognize foreign accreditation, suffer higher rates of unemployment and lower earnings.

We witness the very real vulnerability of women in what the Vatican describes as the "feminization of migration" and the absence of resources to shield them from economic exploitation and men's violence against them.

• (1010)

We witness the abomination of human trafficking as women and children are reduced to sex slaves.

We congratulate the minister for announcing in May that Immigration officers will now have the power to issue temporary residence permits for up to 120 days to the victims of human trafficking, for exempting them from processing fees, and allowing access to benefits under the interim Federal Health Program.

At the same time, if the CBC is correct, they continue to face serious barriers to immigration. There still does not seem to be an integrated, proactive strategy to eradicate human trafficking from Canada.

We witness the vivisection of human dignity in slow motion, and it is clear in the work of this committee that you have witnessed this also—in the testimony you have received, and in your visits to detention centres. You have seen how measures that are intended to keep Canadians secure against terrorism in fact flout deep democratic values like respect for human rights, the rule of law, and the intrinsic worth of each person.

The courts have seen this, the Arar Commission has seen this, and you have seen this too. However, Canadians often fail to see that human dignity also requires that no woman, man or child be forced to migrate or seek asylum.

It is therefore vital that the Government of Canada redoubles its efforts to counter the environmental destruction, famine and disease that come with global warming by taking meaningful action to implement Kyoto further to the report of Sir Nicolas Stern; to stop the trampling of human rights and civic freedoms under the heels of despots by building international support for the just application of the responsibility to protect; and to reverse the engineered impoverishment of vast populations by delivering on the promise of integral human development.

The message to take up in your report to the House of Commons and in your discussions in your respective caucuses is that: it is within our power as a country to solve these problems. It is within our power as a country to build a refugee and immigrant system in Canada that places human dignity, first. Such a system would treat the two children of my diocese—Patrick and Angel—with the care and attention they deserve as children with an eternal destiny, and never dehumanize them as administrative burdens. It is within our power as a country to answer a global culture of fear of strangers, a culture of suspicion and deeply rooted terror, and to replace it with a culture of peace, a culture of unequivocal and authentic hospitality.

Thank you.

[English]

The Chair: Thank you, Archbishop.

Archbishop O'Brien.

●(1015)

Most Rev. Brendan M. O'Brien ((Archbishop of St. John's), Episcopal Commission for Social Affairs, Canadian Conference of Catholic Bishops): If I might, first of all, I also want to say how pleased I am to be invited to speak before this standing committee.

As Archbishop Ébacher mentioned, each year in the Roman Catholic Church we have World Day for Migrants and Refugees. It's celebrated in the middle of January. In 2006, on that occasion, this document "We are aliens and transients before the Lord our God", Pastoral Letter on Immigration and the Protection of Refugees, was published, which was distributed throughout the country and is available on our website. So in my remarks I want to bring out a few of the ideas and a few of the concerns that are mentioned in this document.

In the Hebrew Scriptures or the Old Testament, King David proclaimed to his people, "We are aliens and transients before the Lord our God, as were all our ancestors". I think this awareness of our precariousness reinforces the importance of welcoming the stranger. This is why hospitality is, you might say, the ancient name for justice.

Our Lord holds in judgment people who, out of hypocrisy or callousness, fail to welcome the stranger. The sin is an offence against the beatitudes, and it is one that can be committed both in our personal failures and collectively.

We might ask, why should hospitality matter? Well, it matters because human beings are created to live in communion with each other, and to deny this, to exclude, to shun, to render, or *refouler* is to dehumanize profoundly a person. So in ancient times and in many parts of the world today, the refusal of hospitality ends up being a death sentence.

If I might suggest, Mr. Chairman, a core question for your report to the House of Commons could be how does Canada's refugee and migrant system meet the test of hospitality as justice?

I would propose four elements of an answer, drawing, as I said, three of them from our pastoral letter, and the last from recent developments in the Vatican's international examination of counter-terrorism.

Let me begin with the first. In entering into the safe third country agreement with the United States, Canada has left in the hands of a foreign government the determination of the final disposition of people to whom we deny refugee status. This places us, then, at risk of violating our international obligations under the United Nations Convention relating to the Status of Refugees, to respect the principle of *non-refoulement*.

The safe third country agreement allows Canada illicitly to wash its hands of these obligations, leaving it for U.S. officials to render, *refouler*, or hold in detention people who could otherwise have had a viable refugee claim, and there is no appeal and every likelihood that the safe third country agreement violates the Charter of Rights and Freedoms.

Furthermore, the safe third country agreement is problematic in the context of recent developments in U.S. counter-terrorism legislation. The passage in September of the Military Commissions Act further embeds the category of material support of terrorism.

This was first introduced in the U.S.A. Patriot Act. This category is used routinely to deny asylum to refugees fleeing from religious persecution, terrorist cabals, rape gangs, and despotic regimes. It is used to return them, then, to the hands of their oppressors.

So when Canada shuts the door on people who might but for this safe third country agreement have bona fide refugee claims, we become complicit in a bureaucratized evil that is correctly denounced by a growing number of inter-religious consensus in the United States.

●(1020)

So we make our own the words of these Jewish and Christian and Muslim leaders who insist that refugees cannot become the unintended victims of the war against terror.

This situation shows that there is a painful Canadian reality in the Holy See's response to the report of the United Nations High Commissioner for Refugees, where it says:

A certain deterioration of the legal concept of asylum appears to be taking place as some states give preference to national legislation or bilateral agreements over international refugee law.

We recommend, therefore, that Canada abrogate the safe third country agreement. Preparatory to this, we urge the committee to recommend a comprehensive, objective, and high-level review of what has become of the people who were turned away thus far through the application of this agreement.

Though we speak at considerable removal from the world of the House of Commons, the second point I want to make is that it is hard for us to understand how governments can fail to implement the appeal provisions of the Immigration and Refugee Protection Act and not face some form of meaningful censure. It was on the promise of a fair and timely appeal system that the legislation carried. The executive branch's failure to fulfill this promise is a sign of obdurate defiance of democratic authority.

In the absence of an effective right to appeal, many parishes and denominational congregations are placed in the position of having to make agonizing decisions of whether or not to grant sanctuary. As other witnesses I'm sure have testified to you, it is very rare that churches choose to grant sanctuary, notwithstanding the many requests they receive. They do so only after close examinations of the facts before them, through an extensive process of communal deliberation. Granting sanctuary, then, for these churches is an exercise of their informed conscience that must take into account the prospect of breaking the law, risking fines and imprisonment, or violating conscience and the imperative of hospitality.

When all other recourse has failed, I think granting sanctuary is a way to call the government's attention to an exceptional injustice and a way to denounce a specific and unacceptable failure of the immigration system in faithfulness to the Lord's own call to hospitality as justice. We recommend, therefore, that the committee unanimously call upon the government to implement a rigorous, transparent, and timely appeal system, as required in the act.

The third point would be that there seems to be a lack of political will to make private or collective sponsorships work. One of the most arduous burdens a family can bear is to be separated and uprooted for a prolonged period of time. For example, according to the department's own figures, 50% of the cases in Africa and the Middle East have delays of 22 months, with 70% to 80% of cases taking 29 to 34 months. From this, it seems that the delays are in fact a form of systematic discrimination, a head tax exacted in time, not in money. We also note, by the department's own numbers, that 70% or 80% of cases reuniting refugee women and men with their children take up to 16 to 21 months.

We recommend to the committee that it call upon the government to eliminate obstacles that impede the speedy reunification of families and reduce the waiting time for collective sponsorships. For our part, we stand ready to collaborate with the government to make this system work.

• (1025)

Finally, on October 5, 2005, the Holy See intervened at the United Nations High Commission for Refugees to denounce the mushrooming of detention centres for asylum seekers and a generalized policy of detention that is more a rule, prompted by national order and security, than an exception. This is a product of a culture of fear, a culture that cannot be reconciled with democratic values. It feeds, in the words of this intervention, racist and xenophobic behaviour.

We recommend that the committee call upon the government to guard against a generalized policy of detention, ensuring that our system is in accord with the values of a free and democratic society.

It is for this committee to continue the work of reasserting the primacy of human dignity, human rights, and respect for the rule of law as core democratic values that make demands on Canada's refugee and migrant system. It's good to remember that the Roman Catholic Church is comprised of people from every part of the world. You can see this in any church or cathedral in the country. Moreover, the country has grown stronger through its capacity to embrace religious pluralism, to authentically reflect the face of the human family.

You do not therefore work alone, but instead have a vast constituency of Canadians, ourselves included, who continue to believe that Canada's vocation is to be a sign and safeguard of a new global culture of peace and hospitality. This culture of peace and hospitality comes first of all from our affirmation, in the face of terrorism, nihilism, fanatical fundamentalism, and militarism, that every woman, man, and child is of equal human dignity and we share a common transcendent destiny.

We have every confidence that the imperative of hospitality asserted in your work as legislators and in our work as pastors will preserve democracy and allow it to flourish because it has allowed faith, solidarity, and communion to flourish.

Thank you.

The Chair: Thanks to both of you for these very interesting presentations.

I think we have approximately seven minutes per party to make some comments or pose some questions.

Mr. Karygiannis.

Hon. Jim Karygiannis: Welcome to our committee. The work the church has been doing—not only the Catholic Church but all the churches—with different immigrant and refugee communities right across Canada is to be commended and recognized.

The Chair: So sorry to interrupt, Jim.

If people wish to share their time with other party members, please feel free to do so.

Hon. Jim Karygiannis: One of the things we have noticed in the last few years is the length of time it takes to reunite families. You mentioned in your speech that it's taking something like 16 to 24 months. In some cases it might take a little longer.

What facilities are there, be it from the church or other organizations you are working with, to make sure you provide for the stability and well-being of the families and encourage a healthy state of mind until this reunification of father, mother, and children? Sometimes we have a wife with a couple of kids here. The kids come when they're eight or ten, and it takes three or four years before the father comes. By that time the young adults are 14 or 15, and you see them doing all kinds of weird things and acting out.

What kinds of services are there, or are lacking? What would you recommend this committee supply the communities—what kind of funding or help—to make sure these Canadian families are strong and positive?

Most Rev. Brendan M. O'Brien: Perhaps I can just give an example. At the basilica in St. John's, we've had a collective agreement to bring a family from Sudan. We started three or four years ago to try to bring this family to Canada, because one of the relatives is a member of our parish community. They were living not in the Sudan, but in another country, and I believe, for example, that parishioners of the parish were sending money to this other country to try to help them live while this process was going on.

Through our committee, also, in Canada, we were supporting this relative. For example, we were allowing him to phone Africa regularly to keep in touch with them. Mr. Doyle knows this case very well, because we appealed to him a number of times to help with this case, because there seemed to be, for whatever reason, delays.

Happily, about a month ago, the family arrived. There are four sons, if I'm not mistaken, and one of them is very young. We've been able to find a house for them—someone gave his house. Right now what we're doing is looking for 20 people to give \$35 a month, which will help us, then, to support them in some way until they get established. We found a school for them. They don't really speak English that well, so they're going to have quite a difficult time. This is just one example I'm familiar with of the things we need to do.

Our concern is whether there is some way this process can be sped up. As I say, I think it was about three to four years for this case to be looked at.

•(1030)

Hon. Jim Karygiannis: I know there are other colleagues who want to ask some questions, so I'm going to defer my time to the next on the list.

The Chair: Andrew, you have about three minutes or so.

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

I just want to make the point that I think what you're doing in terms of sanctuary is very important. I just want you to know that the committee has always agreed that we should have the RAD and we should implement the RAD. Unfortunately, we're not able to get that message through to the minister who is in government, because he relies very much on the bureaucracy. Until this issue that we should have the RAD is raised high enough on the political agenda, the bureaucracy is going to block it every time. I'm just putting it out for you.

I think you're doing very important work in terms of educating people when you're giving sanctuary, because it's an educational process, as well. It really is inconceivable to me that we passed the RAD and it was never implemented.

On that, I very much commend you and wonder what you can do to raise public awareness about it, because refugees are not a sexy issue. Refugees, as a matter of fact, too often get stigmatized and get tied in to criminality and security kind of stuff. It really is unfortunate, because they really cannot defend themselves. So to the extent that you have been involved, I commend you for it. What can you do to raise the political profile even more?

[Translation]

Most Rev. Roger Ébacher: First, as far as the rights and dignity of refugees are concerned, I firmly believe that we cannot give in. We must practice hospitality. We all know what is happening on a global scale. The situation of refugees is a major issue in our world today.

As for the case I mentioned, it is very clear that had there been a right to appeal, it would have been possible to take some time to launch an appeal. The fact that a single official can make a decision

on a plane is, in my opinion, a very short sighted way of operating. I am not sure that this respects human rights.

That is why we made the point in our letter and we will continue to make it. I think that this is necessary. These types of situations raise public awareness to a large extent. At least that is what happened in our area. People are beginning to understand what is happening and are offering their support. There is no doubt that the civil society must support the efforts made by government on behalf of refugees. I think that we still have to raise awareness about that. We have to continue to ask the government to implement the process prescribed by law.

•(1035)

[English]

The Chair: Thank you, Your Grace.

Madam Faillie.

[Translation]

Ms. Meili Faillie: Thank you.

Welcome to the committee. It is refreshing to hear what you have to say. We need this kind of support. Since 2002, the Bloc Québécois has often insisted on the fact that refugees must be treated more fairly and equitably. The Appeal Division is something we hold very dear to our hearts. A private member's bill was tabled and will be debated in the House of Commons in the not too distant future. Mr. Telegdi said that this issue should become a little more political and should become more important to Canadians. Everyone, everywhere, keeps on repeating this. However, we don't feel that the subject is getting the attention it deserves.

Over the years, immigrants' rights have been eroded. This is worrying. Your letter accurately reflects the situation. You of course have a great deal of experience in this field. Furthermore, I am pleased at the greater role Mr. Raymond Gravel will play. I had the opportunity to work with him on several immigration and refugee cases over the past few years. We need more people like him. We must also pass legislation.

Unfortunately, some provisions do not go far enough compared to what was originally called for, including how to deal with people who do not go back to their countries of origin because they are on the list of countries affected by the moratorium. The case of Mr. Jean Bosco, a Rwandan national, quickly illustrated the limits of the immigration system. It also became clear that the people who believe in our system were powerless. In fact, we have only just touched the tip of the iceberg. Indeed, several hundred nationals from Congo are currently in the same situation as the Rwandan national in question.

The immigration community is not as strong as it used to be, but government officials do not seem to grasp the reality of the situation. In your letter, which is fairly complete, you may have forgotten to mention some situations. I would like to draw a few of them to your attention. Mr. Khan and Mr. Falcón Ríos, whose claims were upheld by the Committee against Torture, now find themselves in a legal vacuum in Canada. There are also people whose geographic situation has changed and who have become stateless. All these people are here, on Canadian territory.

Furthermore, there is the issue of religious asylum. As far as I know, the claim to religious asylum has been rejected in the case of Mr. Cherfi. However, the United States granted him refugee status. Quebec has already agreed that Mr. Cherfi can stay, but there has been no movement at the federal level and, in fact, there have been delays.

Further, the court challenges program was abolished by the Conservative government. The most vulnerable persons — who include immigrants or stateless persons — could turn to this program to defend themselves before the courts. Who will challenge the Safe Third Country Agreement if access to justice has been denied?

Do you find it normal that refugees who have been granted protection should have to wait such a long time to be reunited with their families? I believe that in answering the question, one begins to understand the reality of immigrants to Canada.

• (1040)

Most Rev. Roger Ébacher: You have asked a number of highly relevant questions, but I cannot answer all of them. I would at least like to reassert the great importance — and I hope your committee will stress this — of refugees in our world and in Canada. In fact, some 14% of the foreigners we welcome to our shores are refugees. One might say this is generous, but the needs are great, and that should be taken into account.

The issue of family reunification is a very painful one, however. In my diocese, over the past few years, we have established a sponsorship program with assistance from the governments of Quebec and Canada. Over 200 refugees have come to Canada in that period. One person waited three years for an answer to his reunification application, and when the answer finally did come, it was no. After three years! I could feel how much that person suffered.

Is there no way to fast-track these procedures? if the answer is no, people have to know as quickly as possible so that they know what the situation is. What I hear is human suffering. These are human beings, not numbers. We see a situation like this every day. What you have just said is extremely important. As for the other cases, they are very numerous. We have not listed them all.

Thank you.

[*English*]

The Chair: Thank you, Madam Faillie.

Mr. Siksay, please.

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

I want to thank you both for your presentations this morning. As a New Democrat and as a Christian, it's great to be reminded of the justice requirements of our faith. I think you've put that very clearly. I've always believed that the hospitality requirements, the justice requirements that it involves have been a key element of Christian practice. I want to thank you for making that very clear this morning.

Also, I did write to you at the time this document was distributed, to express my appreciation for it. I think it's a very important document. It outlines the issues facing refugees very clearly. Again, it's an excellent piece of work and a very helpful one.

I also want to thank you for your very strong language this morning and for the clarity of that language on the issues that you enumerated. I think it's been very helpful to us to hear that and to have such very clear recommendations around abrogating the safe third country agreement, around the refugee appeal division, and around the private sponsorship program. I think you'll find sympathy in most quarters around this table on those issues.

I want to ask you two specific things.

You also distributed a letter that was sent to President Bush back in the summer. I'm wondering if you could tell us a bit more about it. I know you mentioned it in your presentation, Archbishop O'Brien, but could you tell us a bit more about how that came about and about the concerns in there? It is a very powerful letter, a very strong letter, and I think it backs up your concerns about Canada's participation in the safe third country agreement.

Most Rev. Brendan M. O'Brien: I don't have the letter with me, but if I remember correctly, it has to do with how things have changed so much in the last few years because of the security concerns, especially this issue of material support. For example, if someone is considered to have given material support to some group that could be recognized as being somewhat of a terrorist group in their country, then when they apply for refugee status in the United States, they will often be refused. We have a whole bunch of examples of this.

When you look at what is considered material support, it is sometimes almost ridiculous—somebody who perhaps had to offer material support under duress, or some situation in which someone is living in a regime that is very undemocratic and that person in some way has given even insignificant help to some group that is in contestation with the government. If this can be shown, they are excluded as a refugee claimant.

As you say, it's signed by about 20 or 25 leaders in the United States, really bringing to the attention of the President that whatever this material support was supposed to mean, it is being used in a way that is really detrimental.

Thank you.

• (1045)

[*Translation*]

Most Rev. Roger Ébacher: The very broad definition of terrorist groups and unofficial terrorist groups in the U.S. pact is also causing problems. There is a risk it will have huge repercussions on refugees who want to come to Canada. They cannot even apply for refugee status because they are blocked before the application process. If they could get to Canada, they would be received.

There is also the issue of material support. For example, a nurse required to care for a terrorist as part of her duties runs the risk of being considered a terrorist herself. That is unacceptable. This is the kind of thing I feel we should look at very closely indeed.

[*English*]

Mr. Bill Siksay: Thank you.

I think this letter is very helpful to us in examining our obligations to those folks who don't get an opportunity to make a refugee claim in Canada. So I very much appreciate you bringing it to our attention.

I want to also ask about the comments you made about the Holy See's concern about detention and the rise of detention. You didn't mention anything specific about Canada. I know we haven't used detention to the same degree that other countries have, but I wonder if you have any specific concerns about the use of detention in Canada. It is something the committee has done some work on recently.

Most Rev. Brendan M. O'Brien: I am not familiar myself with particular cases, but I think what we're trying to say is that in trying to safeguard, obviously, the necessary national security and what not, one has to be careful that this does not become such a preoccupation that you put aside any concerns for human rights. There has to be, really, some kind of balance between those two values.

I think that is basically what we're trying to insist on, that this idea of detention not become generalized. There may be instances when it is needed, but it should not become a generalized procedure or approach.

Mr. Bill Siksay: Has the commission taken a stand, for instance, on the use of security certificates in Canada? Has that been part of your deliberations?

Most Rev. Brendan M. O'Brien: Not that I am aware of. Perhaps Monseigneur Ébacher may know. I know that we have written to the minister a number of times on different issues of this nature, but I am not particularly sure of that.

Mr. Bill Siksay: I had another question. I know that in the document you mentioned the incident when, in 2004, the immigration officials and police went into the United Church in Quebec City and removed someone who had sought sanctuary there. You had concerns about that. I wonder if you could talk a little bit more about that. I think that was the first time it ever happened in Canada. It was the first time a religious institution's ability to offer sanctuary had been violated in that way. I wonder if you would make some comments about that.

[*Translation*]

Most Rev. Roger Ébacher: At those events, the Archbishop of Quebec, Catholics and Anglicans all protested together. In my view, that is a non acceptable situation. Religious hospitality is an exception that underscores the fact there is a problem. This is not a rule for churches, obviously. However, there was a problem. Instead of breaking down doors and using force, the problem should be examined to see where its roots lie. The solution isn't to deport people by force, particularly since the person in question came back to Canada afterwards. That person was recognized as being eligible for refugee status.

This is a very clear case, which shows we have to look at the issue very carefully. However, as we said earlier, we cannot guarantee that similar cases would not happen again if there was a right to appeal. Respect, as well as freedom and responsibility of conscience, all play an important role.

Thank you.

[*English*]

The Chair: By the way, has the Bush administration made any reply to the letter as yet?

Most Rev. Brendan M. O'Brien: I am not aware of any, Mr. Chair.

The Chair: Thank you.

Mr. Komarnicki, please.

Mr. Ed Komarnicki: Thank you very much. I just have a few questions.

There's no doubt that there are a great number of refugees in the world, into the millions. The question is how many you can absorb, and it becomes a numbers thing, in that sense. I know that proportionately, among other countries in the world, Canada ranks quite well in terms of the numbers we take in. I'm sure we can do better, and perhaps more, and that is something we need to look at in terms of numbers and perhaps of the effect of the safe third country agreement.

Many people have felt that in terms of general outcomes, the United States and Canada are comparable. In terms of how the process goes through it's different, but the total numbers at the end of the road are what count. In the first year's report with respect to the safe third country agreement, some of the comments made were that the objectives of the agreement are "to enhance the orderly handling of refugee claims, strengthen public confidence in the integrity of our respective refugee systems, help reduce abuse of both countries' asylum programs, and share the responsibility of providing protection to those in need".

So there is the public interest component as well. The two have to be balanced somehow. And of course, if it were in numbers of refugees you're going to take in, there are a number abroad and a number who would make applications through the United States, and part of the reasoning behind the safe third country agreement was to deal with the public interest in the absence...or to try to do away with some of the abuse.

Of course, I realize your concern was with the issue surrounding material support and how it might have an effect on that issue alone. I wondered whether there were any other issues.

Then, the United Nations High Commissioner for Refugees also had input to the review and said that essentially—as far as I know, it's the UNHRC's overall assessment—"...the Agreement has generally been implemented by the Parties according to its terms and, with regard to those terms, international refugee law. Individuals who request protection are generally given an adequate opportunity to lodge refugee claims at the ports of entry and eligibility determination decisions under the Agreement have generally been made correctly." And then the Government of Canada noted in that review that it accepted in whole or in part 13 of 15 new or outstanding UNHRC recommendations in its monitoring report.

Would you agree with me that there are two sides to that coin? There's an issue of the integrity of the system—a public interest dealing with any abuses that may take place—and then, that the two countries do have reasonably good refugee systems compared with what's happening in other parts of the world?

• (1050)

Most Rev. Brendan M. O'Brien: My understanding is that this past year the number of refugee cases in Canada is considerably down. I guess the question would be whether this is due to the fact that they're being weeded out through this safe third country agreement. I don't know. That would be a question.

The other thing that has come up in our discussions with different people is that there is a sense that in Canada we might be more sensitive to certain issues than is the United States with respect to refugees, and that if the person, for example, were able to make the claim in Canada, perhaps they would be looked on more favourably than they are when doing it through the States. Again I can't really say that's the case.

Mr. Ed Komarnicki: Probably following from that, resources have to be expended if you're going to take refugees outside of Canada or inside. If you spend a lot of time within the system inside Canada, obviously you have fewer resources to process them outside. In terms of numbers in the world, it's true that refugee numbers have dropped somewhat, but they're still in the millions. There are far more refugees than any country can absorb—and that's the legitimate refugees, without too many issues of determination. So again it's a bit of a balancing act.

But moving to another subject, the sanctuary cases, you mentioned that there's—

Most Rev. Brendan M. O'Brien: What term did you use?

Mr. Ed Komarnicki: In respect to sanctuary protection cases, there's no doubt that if you were to look at another avenue of appeal, such as, let's say, the Refugee Appeal Division—and we have a number of them, on humanitarian and compassionate grounds, pre-removal risk assessment, and various avenues that take sometimes years to put together, but notwithstanding all of that—church sanctuary cases would still exist, wouldn't you agree with me, if only for those very exceptional cases where you struggled and felt that the decision was not made in accordance with how you might have seen it or with the justice of the case?

So we're not going to eliminate church sanctuary cases by another avenue. We can add as many as we need, but there'll still be that need, in your view, I am sure, for sanctuary protection.

• (1055)

Most Rev. Brendan M. O'Brien: If I could just respond a bit, in 2004, around the time of this case in Quebec City, the then Minister of Immigration, Judy Sgro, made some remarks about sanctuary and she invited the heads of all the churches to come and meet with her. At that time I was the president of the Canadian Conference of Bishops, so I did have an opportunity to meet with her and with people from the different churches that are working in this area.

Certainly the impression I got was that all of the churches would rather get out of this sanctuary business, if you want to call it that. In other words, we're not really in favour of this at all. But because we

feel that there are these situations where there is no second look at the merits of the case.... There are procedural methods; you could have the case looked at in terms of its legality and what not. But to really take a look at it, there was the feeling that it is really not fair for one person to be able to make that kind of determination.

But as I say, I think if this process were in place now, the churches probably would still be complaining that some terrible thing has happened to somebody, and I'm sure that would be the case, but I think we'd have less reason for doing that.

The Chair: I'm sorry, Mr. Komarnicki, I have to cut it off right there. We always have a time problem at our committee. If we didn't have another committee coming in right now we could go over time a little bit more, but unfortunately some of the other committee members are coming in.

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Well, they're early, Mr. Chair. It isn't eleven o'clock yet.

The Chair: We have two minutes.

[Translation]

Ms. Raymonde Folco: Thank you, Mr. Chairman.

[English]

I'd like to ask my question.

The Chair: Okay, maybe I'll allow a fast question here.

Madam Folco, go ahead.

[Translation]

Ms. Raymonde Folco: Since I will not have time for questions, I will make a brief comment.

I would like to congratulate you, and thank you as well. I worked with the late father Julien Harvey, whom you no doubt knew very well, and who for many years focused on the issue of refugees and immigrants generally, at the Montreal Centre for Faith and Justice. I know that Christian churches, and your church in particular, have been looking very carefully about what the government can do. Even though I am very much a lay person and firmly believe in the separation of church and state, I do believe in it a little less sometimes. I would have liked you to have a little more influence over the state.

I know I will not have time to ask a question, but I would like to say I have very much appreciated your reminding us that immigration has always existed, but foreigners have always been turned away, and always been poorly welcomed by the societies forced to receive them. You have brought a broader and deeper perspective to the issue of immigration, and to the integration of immigrants.

I should add that it would be very useful for us — I mean the committee and society in general — if churches spoke up more and if we knew more about the work they do. I'm not just talking about sanctuary — the concept in which I firmly believe, even though I'm not a Christian — but also about what you do to help sponsor families, for example. Your work has to be more widely known so that others in society can follow your example.

Thank you. I am just waiting for the chair to tell me I'm out of time.

[English]

The Chair: Thank you, and again, I wish we had more time to allow all members to get into this discussion.

Thank you very much for your presentation today. We really appreciate it. And thank you for your very clear language, as well. We appreciate that. Please be assured that your recommendations will be made to the citizenship and immigration department.

Now we go to new business.

Mr. Siksay.

• (1100)

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

I just want to ask two things. One is a request and one is a reminder. The request is I'm wondering if we could have a meeting of our agenda and planning committee to look at our remaining time

and the issues that we haven't covered. I think there were some suggestions for other witnesses as well, and I wonder if we could take a look at that. Maybe we could do that next week some time.

The Chair: We could do that probably on Monday. Leave it with me; I'm going to try to schedule that.

And what is the reminder?

Mr. Bill Siksay: I just want to remind members of the committee of the event tonight at six o'clock in Room 300 at Confederation. Members of the support group for Mohamed Harkat and some of the other security certificate detainees and possibly Mr. Harkat himself will be there. We'll also have the film by Alexandre Trudeau on the security certificate process as well.

The Chair: Members are reminded.

The meeting is adjourned.

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