



House of Commons
CANADA

Standing Committee on Citizenship and Immigration

CIMM • NUMBER 039 • 3rd SESSION • 40th PARLIAMENT

EVIDENCE

Wednesday, December 15, 2010

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Chair

Mr. David Tilson

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• (1550)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good afternoon. This is the Standing Committee on Citizenship and Immigration on Wednesday, December 15, 2010.

Pursuant to Standing Order 108(2), this is a follow-up to the briefing by the Department of Citizenship and Immigration on its role in the Government of Canada's response to the earthquake in Haiti.

I know, Madame Deschênes, that you have a paper. Members have seen it, and it's been suggested to me that we forgo that and go right into questions.

Is there any disagreement with that? No disagreement.

Ms. Claudette Deschênes (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): I was so looking forward to reading it.

The Chair: I know. I just do as I'm told here, Madame.

Mr. Trudeau.

Mr. Justin Trudeau (Papineau, Lib.): If my colleague wants to take the first round, I'll let him.

The Chair: Monsieur Bélanger, for seven minutes.

[Translation]

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Thank you, Mr. Chair.

Good afternoon, Mr. Gilbert and Ms. Deschênes. I would like to have another look at the figures we received regarding special programs implemented following the January 12 earthquake. For instance, I have been told that, before the earthquake, there were 1,700 applications awaiting processing in the family class and that, since then, they have all been processed.

Mr. Rénaud Gilbert (Director General, International Region, Department of Citizenship and Immigration): That's not true. There are still 12 people awaiting processing, 4 of them for security reasons, and the others for medical reasons.

Hon. Mauril Bélanger: Could you give us some details on those 1,700 applications? Were they all approved?

Mr. Rénaud Gilbert: No. Some of them were refused. We will provide you with the details.

Hon. Mauril Bélanger: I have the same question regarding the other categories. We were provided with general figures, but we were not told how many applications were approved, how many

were refused, why they were refused, and what happens once they are refused. That is what I would like to know.

Ms. Claudette Deschênes: I don't know if we will be able to give you all the details regarding the reasons for refusals, but we can give you... You may recall that, to make sure that the applications were processed as quickly as possible, we had set a deadline for new applications. We wanted to try to process them within 12 weeks because we knew that the situation was urgent. One of the problems we experienced is that, often, the applicants failed to provide us with all the required information.

We tried to be flexible in how we ask for information. Therefore, we were more flexible than we had been in the past. We communicated fairly regularly with clients or with sponsors in Canada, and if, after that effort, people failed to respond, we would close their file.

We chose to close the files, but we would reopen them if the family was able to find the documents or answer our questions. We wanted to be able to show that we had made all the necessary efforts. Following all that, a certain number of applications were refused. I will check with Mr. Gilbert to see if he has found any data in the meantime.

Mr. Rénaud Gilbert: I don't have data on the 1,700 applications, but I do have data on all the applications that have been processed since the earthquake, with regard to this client class. We have examined 4,525 cases, of which 2,229 were approved, 1,404 were refused, and 892 were closed, as Ms. Deschênes has mentioned. Many of them...

• (1555)

Hon. Mauril Bélanger: They have been closed until further information is provided.

Mr. Rénaud Gilbert: Yes. In many cases, we have reopened the file once the person got in touch with us again.

Hon. Mauril Bélanger: Do the 4,525 cases involve applications submitted after January 12, or are you talking about all the cases?

Mr. Rénaud Gilbert: It's a bit of both. We are talking about cases for which a decision has been made. These are applications that were submitted both before and after the earthquake.

Hon. Mauril Bélanger: In all the categories?

Mr. Rénaud Gilbert: Only in the family class category.

Hon. Mauril Bélanger: So, the figure of 1,700 is actually 4,500 minus 1,700, isn't that right?

Mr. Rénaud Gilbert: That's right. If you wish—

Hon. Mauril Bélanger: So, there have been 2,800 new cases.

Mr. Régnald Gilbert: Yes.

Hon. Mauril Bélanger: What about the other categories? Could you provide us with details on them as well?

Ms. Claudette Deschênes: We just need to make sure that we find the pertinent data.

Hon. Mauril Bélanger: For instance, there have been 650 applications for permanent residence.

Mr. Régnald Gilbert: I have the total, but I have not divided it into sub-categories.

Hon. Mauril Bélanger: Okay. Are you talking about permanent residence applications?

Mr. Régnald Gilbert: Yes, permanent residence applications.

Ms. Claudette Deschênes: I can give you information regarding cases in the special class, Quebec's special measures.

Hon. Mauril Bélanger: Could we first talk about permanent residence applications?

Mr. Régnald Gilbert: All the 5,850 applications for permanent residence have been processed.

Hon. Mauril Bélanger: Okay.

Mr. Régnald Gilbert: Of that total, 3,241 applications have been approved. I am talking about the number of people and not the number of cases.

Hon. Mauril Bélanger: I see.

Mr. Régnald Gilbert: There were 1,596 refused applications. As we said earlier, 1,013 people withdrew their application.

Hon. Mauril Bélanger: And in the other category, madam? The category of special applications for Quebec?

Ms. Claudette Deschênes: Regarding Quebec, as of December 11, all the processed applications were approved. There were no refusals. However, the cases of 26 people were closed.

Hon. Mauril Bélanger: How many were approved in all?

Ms. Claudette Deschênes: Thus far, 464 people have been approved.

Hon. Mauril Bélanger: Approved people. So no refusals?

Ms. Claudette Deschênes: No refusals.

Hon. Mauril Bélanger: How many cases are pending?

Ms. Claudette Deschênes: Twenty-six of them have been withdrawn.

Hon. Mauril Bélanger: Do you have any statistics on the reasons for the refusals?

Mr. Régnald Gilbert: Not by category. The main reasons are usually marriages or relationships of convenience, and medical, security or criminal reasons. We have not divided them up into categories. In any case, we don't have the figures with us.

Hon. Mauril Bélanger: I have only one minute left, Mr. Gilbert. My last question is about the fees. First of all, do you have the figures on how much money the government has taken in with all those applications? Second of all, in the case of a refusal, is the money paid to the government for application processing refunded to the clients? I have heard about families who paid \$1,000 to \$1,200 for the processing of applications that were refused. It was fairly

obvious that they would be refused, since they were for Ontario and not for Quebec, and Canada has not broadened the categories. So, it was a foregone conclusion that the applications would be refused, but those families were told to submit their applications, to pay the fees and to wait and see what happened.

Has the department looked into refunding the fees, since it was obvious from the beginning that the applications would be refused unless the framework is expanded?

A voice: It's all Quebec's fault.

Hon. Mauril Bélanger: I was just about to say that.

Mr. Régnald Gilbert: You are talking about fees for processing an application. Therefore, whether we are talking about the applications from Haiti we are currently discussing, or about applications in all categories we receive from around the world, there is no refund provided for application processing.

Hon. Mauril Bélanger: Even though we know... I find that very frustrating.

[English]

The Chair: Your time is up.

[Translation]

Hon. Mauril Bélanger: I'm done?

Perhaps I will get back to this later.

• (1600)

Ms. Claudette Deschênes: I just wanted to add that, during the crisis, while there was a special program in place, we waived the applications fees. We will still check this.

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Let's talk about the special program, which the government discreetly announced, on August 31, would come to an end on September 1, at midnight. I imagine that, even though the announcement was low-profile, it was not a surprise, since that date had been selected from the outset as the end date of the program. The program had guarantees as far as processing timeframes go and, among others, the waiving of processing fees and so on.

Why did the government not renew the special program? Was it because it felt that the situation in Haiti had improved and that the program was no longer needed?

Ms. Claudette Deschênes: The recommendation was based on the fact that we had fast-tracked most of the applications deemed to have been filed as a result of the earthquake. So people were given enough time to file their application.

Mr. Thierry St-Cyr: You determined, then, that the processing times, the commitments you had made to limit processing times, were no longer necessary, that those who could not afford the fees had already filed their applications and that any new applications would come from people who could afford the fees. Was that more or less your assessment?

Ms. Claudette Deschênes: From an operations standpoint, we found that the 12-week processing commitment made us counter-productive. We were chasing down files and responses, which usually would have been received a week later if we had given people more time. We found that that kind of decision making and the 12-week commitment were not all that useful. We were not doing what we wanted to do, that is, processing files in a productive manner.

Mr. Thierry St-Cyr: With respect to fees, you determined that people had been given the chance to submit their applications, and that it was time to reinstate the fees.

Ms. Claudette Deschênes: We determined that we had provided an appropriate window of time.

Mr. Thierry St-Cyr: What concerns me most about the end of the special measures program is the fact that the labour market opinion will no longer be waived—once again, I know the term in English, labour market opinion or LMO, but I forget what it is called in French. Perhaps you heard me talking about it this week during the emergency debate. Those who are already here are, to some extent, stuck here. It is my understanding that the moratorium on removals to Haiti has been maintained.

Is that indeed the case? No one is being sent back to Haiti yet, correct? But these people may not be able to renew or obtain temporary work permits. So it may be hard for them to survive. What is the logic behind maintaining the moratorium on removals, while potentially preventing a certain number of people from earning enough money to support themselves while in Canada?

Ms. Claudette Deschênes: The problem is that we are bound to respect the act. Right now, we are complying with the act, as it stands, while trying to figure out what else we can do.

The moratorium on removals has to do with another issue, in my opinion. We are not telling people that they cannot find work. Instead we are saying that these are the mechanisms available to us under the program as it exists today.

Mr. Thierry St-Cyr: The fact remains that without a work permit, people cannot look for a job. They need a work permit.

Furthermore, you mentioned the act. During the eight months following the earthquake, until September 1, the labour market opinion was waived for Haitian nationals already in Canada at the time of the earthquake who applied for a new work permit or a temporary work permit renewal. Since that was allowed for eight months, it must have been feasible. Was it legal?

Ms. Claudette Deschênes: We were able to waive the requirement under a special program.

[*English*]

Mr. Chair, I'm not sure I can answer that question in much more detail. It is a policy decision and a ministerial decision.

[*Translation*]

Mr. Thierry St-Cyr: I am trying to understand why a ministerial exemption was granted for eight months but is no longer allowed. Does that not make it illegal? It is a policy issue. So you simply went ahead and applied the measure under which the requirement would no longer be waived, under which people would from then on have to apply for a labour market opinion.

Despite all of that, do you exercise some flexibility in terms of applying that measure, or do you follow the regular procedure, in other words, the same one that applies to a Mexican worker who comes to Canada as to a Haitian worker who is already in Canada? Do you handle both applications in the same way, or do you allow for some flexibility?

• (1605)

Ms. Claudette Deschênes: I would say that we try to show some flexibility from an operational standpoint. But I cannot say that is what happens with every case.

Mr. Rénaud Gilbert: I would add that a number of the work permits that we issued are still valid. Since they covered longer periods, many people still have valid work permits. In addition, it is always possible to obtain a labour market opinion—I, too, am trying to figure out the term in French—as is the case for other nationals, many of whom continue to be subject to the removal measures.

Mr. Thierry St-Cyr: Does the requirement to obtain a labour market opinion or LMO—I found the French term in the document—apply only to Haitians seeking new temporary work permits, or does it also apply to those wanting to renew the temporary work permit they already have?

Ms. Claudette Deschênes: Only to renewals.

Mr. Thierry St-Cyr: Fine. So some people can still afford to survive in Canada, knowing that they are, to some extent, prisoners here. They cannot return to Haiti. No matter what, there is a moratorium on their removal. Right now, they are allowed to work, but eventually that may no longer be the case.

Mr. Rénaud Gilbert: I should clarify that people are not required to stay here.

Mr. Thierry St-Cyr: I understand that. But if you impose a moratorium on removals to Haiti, it must have something to do with the fact that you find it difficult to send people back there given the country's current situation. So it is assumed that they would want to stay here for an extended period. We do not want to make the situation in Haiti worse. I agree with you: they can go back. Regardless, it is understood that we should keep them, at least until things become a bit more stable. Yet we are putting them in a situation where they may no longer be able to support themselves. We tell them that they can stay here but that they may not have the ability to support themselves.

Ms. Claudette Deschênes: Most of them probably came here because they had family in Canada.

Mr. Thierry St-Cyr: So their families will take care of them during that time.

[*English*]

The Chair: Welcome to the immigration committee, Mr. Dewar.

Mr. Paul Dewar (Ottawa Centre, NDP): It's good to see you, Chair.

The Chair: Do you have questions?

Mr. Paul Dewar: I think I do.

The Chair: Okay. You have the floor.

Mr. Paul Dewar: Thank you very much.

Thank you to our guests.

One of the concerns that many people had following the earthquake was that we would have a rapid response. There was the immediate concern, of course, of the children, and there was Operation Stork. But there was also a considerable backlog that existed prior to the earthquake, as many people know.

There was obviously a need to have parallel streams, in a sense. On the one hand, it was to clear up the backlog, for obvious reasons; that has to do with people not being able to envision sending people back, and to give people peace of mind for the backlog that had existed before the earthquake for those from Haiti who were trying to get status here.

Since that time, as we've heard, there has obviously been a concern around those who have applied because of the earthquake. Now, on top of that, we have what has happened in terms of the cholera epidemic. I'm hearing certainly from people here—and I know from colleagues in Montreal and other places—that there is a concern from the community in general that there needs to be an extension of some of the responses that happened immediately after the earthquake.

So for my question, could we just go through the backlog that pre-existed and the numbers on where that's at, if you have them? What are we doing to extend the special provisions? Has there been any request to the minister to have those special provisions extended?

Also, I apologize for being late, as you might have already covered this, but could you just tell us what kind of backlog we are dealing with since the earthquake? And is there anything new in terms of the request as a result of the cholera epidemic?

Mr. Rénaud Gilbert: I can answer the first part, and I'll let Claudette answer the rest.

Ms. Claudette Deschênes: I was going to do the opposite—

Voices: Oh, oh!

Mr. Rénaud Gilbert: I took the easy question first.

If we're talking about the family class applications that were in the backlog as of January 12, of the 1,700 people who made their applications at that point, there are still 12 people who have an application in process.

For those who applied between January and April, they have all been processed. Of those who applied in May, 97% have been finalized; in June, 96%; in July, 94%; and in August, 90%. Essentially, people who have an application currently in the process are people who applied since September. So the closer we get, the larger the number is with regard to, again, the family class. I'm talking about the family class because that's where we concentrate all our efforts.

• (1610)

Ms. Claudette Deschênes: On the question of cholera and so on, I think the Canadian government has responded in terms of support in Haiti, with over \$7 million in support on that. Right now, we think, when we look at the sponsorships that have been coming in... Again, we've been focused on people who had family members in

Canada and on trying to reunite families. The numbers of sponsorships that are coming in are very low. We've managed to clear the initial request and desire for people to come. We continue to apply significant additional resources to what was there initially.

We have 23 decision-makers doing work on the Haiti and Santo Domingo sort of workload as opposed to six before the earthquake. We continue to have those resources. So we continue to process them as quickly as they come in. We've changed the 12-week thing just because we didn't find it efficient: we were running after numbers as opposed to finalizing cases. But on average, cases are getting processed within four months, which I think is quite a success.

Mr. Paul Dewar: Just on the issue following the cholera epidemic...but then that's something that is fluid, obviously. Are there, as there were after the earthquake, connections between the department and the community that...? In other words, are we going out to the community and engaging with them directly to ensure they are aware that there is still opportunity for people to sponsor at this point?

Ms. Claudette Deschênes: I don't think we're doing it in the proactive way that we did right after the earthquake, but certainly, for example, in Montreal and CIC Ottawa we continue to work very closely with the communities.

Mr. Paul Dewar: Has that come up at all in terms of an approach to do what had been done after the earthquake? When I was talking to Minister Cannon right after the earthquake, one of the things I said was not to wait, to go out, and many others said the same. Some of that was put into place. Has that discussion happened at all to maybe contemplate doing that again?

Ms. Claudette Deschênes: I think there's certainly been discussion about making sure, as the anniversary comes up and that type of thing, but right now I think we're seeing efforts on the cholera and so on in Haiti, not necessarily about people immigrating or coming to Canada.

Mr. Paul Dewar: I think it's something for two reasons. We know a lot of people here were able to help as a diaspora community, often just being able to send resources, money, to people, but also there were concerns that came to their attention that we wouldn't normally be able to hear. Sometimes we'll hear it in our constituency offices, but people just don't know where to go. One of the key aspects of the follow-up after the earthquake was to have government resources imbedded, if you will, in the community. I say that not just because of the immigration facet, but also in terms of ensuring that everyone is able to share information, and I think that's critical. So, yes, it's not all immigration for sure, but it's related.

Ms. Claudette Deschênes: Certainly, on the immigration side, there were a number of people from Haitian backgrounds who work in the public service who came to the department at the beginning and so on, and that sort of network still exists. So we would expect, if they're hearing something from their community, that they would be feeding that back because they know exactly where to come in the department to give us that.

The Chair: Thank you, Mr. Dewar.

Dr. Wong.

Mrs. Alice Wong (Richmond, CPC): Thank you, Mr. Chair.

Thank you for coming to our committee again. I have several questions.

First of all, I'd like to focus on the permanent residence visas. Since the earthquake, how many Haitians have been issued permanent residence visas to come to Canada?

Mr. Régnald Gilbert: The number of visas we issued, I would say —

Mrs. Alice Wong: Permanent residence.

Mr. Régnald Gilbert: —since January 1—that's the date I have, very close to the earthquake itself—we've issued 3,080 visas so far. That's in all categories, but the vast majority are family class.

• (1615)

Mrs. Alice Wong: How does this compare to, say, 2009?

Mr. Régnald Gilbert: We issued slightly over 2,000 last year, so although we were not really functional for the first two months after the earthquake, it's about 54% more than we issued last year. I think those are the numbers we had.

Mrs. Alice Wong: Thank you.

Also, there has been criticism that the Haiti special measures that were implemented by your office, the CIC, did not do enough. For example, they say that we have not expanded the definition of who can be sponsored as a member of the family class. How do you respond to such criticisms?

Ms. Claudette Deschênes: What we did for Haiti we've never done for any other country, so I think we did respond in a very credible way. I think we did demonstrate as much flexibility as we could. We had to take into account the movement out of Haiti, which is sometimes not without risk in terms of marriage fraud or convenience fraud and so on. But I think we did quite well in terms of the acceptance rate. We gave instructions to the mission to be as flexible as possible, to think about the bigger picture, to look at people who had been actually affected directly by the earthquake. I'm personally proud of what we did on the Haiti file.

Mrs. Alice Wong: What about the definition of family members, for example? Have we expanded it for the special measures?

Ms. Claudette Deschênes: The Canadian government did not change its definition of family class.

Mrs. Alice Wong: Will you actually be able to fulfill your commitment for applications received under the Haiti special measures? I think you did mention that in your earlier answer. What about following... We don't have special measures now, I presume. What are CIC's processes and commitments now?

Ms. Claudette Deschênes: As I said, we have 23 decision-makers as opposed to six working on the file. We continue to do that. We continue to process cases as quickly as possible. We're using resources in Canada, in Santo Domingo, in Port-au-Prince. In Port-au-Prince, where the situation continues to be fluid, we have resources focused on the program integrity issue so we can say yes to people where we have doubts, but we can clarify by doing DNA testing or that type of thing.

Our priorities continue to be family class and the cases under the Quebec special measures and the adoption cases.

Mrs. Alice Wong: You touched lightly on the special measures CIC did compared to other crises you've been involved in. Can you expand that a little more?

Ms. Claudette Deschênes: Normally when there's a crisis situation, first of all we look at the level of crisis that exists. We tend to put some special program in place, but we will not normally add significant resources to dealing with the issue. Because we were preparing for our global case management where we want to use the system much more as a virtual network where we can move work to where people are, we were able to mobilize a lot more people from the Haitian family connection, Haitian groups that could speak Creole, that type of thing. A lot of people from the call centre supported us. We had a lot of officers throughout our network who had worked in Haiti before who we were able to bring into the office in Ottawa.

Régnald, do you want to...?

Mr. Régnald Gilbert: I can only add that I'm not sure we had ever had a crisis of that magnitude before. We've had a few. The last one of that magnitude would be the tsunami, for instance, but it was much more spread out. We had clients from different countries in different situations.

But for something like Haiti, we've put in a lot of effort in terms of the number of decision-makers, resources, care with the applications. When we mentioned the 12 weeks processing time, it meant very often not only that we would ask people to do medical forms, but we would phone them every two days asking if they had done them to make sure, or if they needed some guidance.

We've used new tools as well. We often use text messaging to get in touch with clients. We had done that in other circumstances, but with Haiti it was sometimes the only means to communicate with individuals.

• (1620)

Mrs. Alice Wong: Thank you.

Do I have more time?

The Chair: One minute.

Mrs. Alice Wong: Mr. Young.

Mr. Terence Young (Oakville, CPC): Thank you.

Could you please fully describe why so few of the Quebec special measures applications have been processed? How is the process supposed to work, and why have so few gone through? What do you expect to happen in the future?

Ms. Claudette Deschênes: Interestingly, I think the Quebec special measures are also a success for us.

You will remember that applications had to be dealt with by the Quebec government, and they would decide if they were going to approve them or not and issue a *certificat de sélection du Québec*. Then they would need to get that to the applicant or family member, who would then fill out a form and send it in.

We've calculated that for about 80% of the cases there's a 75-day delay between when Quebec says yes and when we get an application form.

When I look at what we've managed to do, the great majority of cases that have arrived before September.... One of the problems is we didn't start receiving cases until May, when we received 28 cases. In June we received 74. The numbers started going up, to 336 in August and 338 in September. Even there, when I look at up to September, we have approximately 80 cases that we haven't made a selection decision on. All those other cases are being processed—doing medicals, getting ready to be issued visas—or have been finalized.

It means we're dealing with cases that arrived here in October or November. I think we've done a good job of moving those cases forward. We were lucky to have the Quebec cases not come in at the same time we were trying to clear the family class cases that were in the system, but I think I talk too much.

The Chair: No. I try to follow the rules and generally fail. Thank you very much.

Mr. Young, we're way over time.

Mr. Bélanger, we're on five-minute rounds.

Hon. Mauril Bélanger: I want to revisit this matter of fees charged. The difficulty is the following.

I attended the meeting at Le Patro here in Ottawa. There were about 700 Haitian families represented there. Basically they were told to make applications to sponsor, even though the people they were trying to sponsor fell out of the categories. Because Quebec had extended its categories and softened its stance, if you will, people hoped these would be considered, so they submitted all applications and included all fees.

I'm just trying to zero in on those people. You have to put yourself in their shoes. They live in the same country, and across the river their brothers and sisters can sponsor but they can't. At one point it became problematic. A lot of people considered moving to Gatineau. Of course you'd like that.

Anyhow, I presume those applications were rejected right off the bat.

[Translation]

Ms. Claudette Deschênes: It was my understanding—and this may have been a mistake on our part—that no fees were required in the beginning.

Hon. Mauril Bélanger: Fees were indeed charged, madam. I met scores of people who had to submit a cheque. Some even took out a bank loan just to pay the fees.

I just want to know one thing. The handling fees are minimal in this kind of situation. In cases where applications were automatically denied, would the government be prepared to reimburse those fees?

Ms. Claudette Deschênes: Since that is a political question, I do not think I can answer.

Hon. Mauril Bélanger: I have already asked Mr. Dykstra in the House, and he did not seem to want to agree to that. I am asking again.

In those cases where people, in good faith, applied and paid the required fees but had their applications denied ipso facto because the Government of Canada decided not to relax the sponsorship rules for citizens, particularly in Ontario, would the government be willing to consider reimbursing the fees paid by those applicants? That question has not been answered.

• (1625)

[English]

Last question—quickly.

[Translation]

If someone appeals the department's decision, I believe the department normally has 120 days to provide its position and submit the documentation. But that is not what is happening with Haitian cases right now. Appeals are being postponed indefinitely. I assume it has to do with the fact that staff are swamped. At least that is what I was told. For the time being, everything is on hold. Do you have any idea when the department will address that?

Mr. Rénaud Gilbert: This is the first I am hearing about Haiti-related appeals not being processed. I do not know why that would be, but.... We would need to look into this matter.

Hon. Mauril Bélanger: I have come across a few cases where that is what is happening to people. The 120-day time limit has come and gone, but these people are being told that their appeals have been postponed indefinitely because the department is busy with other things.

Thank you, Mr. Chair.

Mr. Justin Trudeau: Do I have any time left?

[English]

The Chair: You have a couple of minutes.

[Translation]

Mr. Justin Trudeau: Okay.

[English]

The Chair: It's a minute and a half, actually.

[Translation]

Mr. Justin Trudeau: I want to come back to Quebec's selection process. In light of the 75-day delay you talked about, applications received prior to July 21 are still being processed, even though the program ended on September 1.

Ms. Claudette Deschênes: If the applications were submitted to the government of Quebec—

Mr. Justin Trudeau: Before the cut-off date.

Ms. Claudette Deschênes: Once it approves them, it sends them to us.

Mr. Justin Trudeau: Very well.

Mr. Rénaud Gilbert: That is not our rule. Quebec is the one that chose the cut-off date.

Mr. Justin Trudeau: Yes, it imposed a cut-off date. As far as we are concerned, the special measures program ended on September 1, but that is not the case for applications already approved and forwarded to you by the Government of Quebec.

Ms. Claudette Deschênes: Precisely.

Mr. Justin Trudeau: I received some figures from the Quebec government. Nearly 3,000 selection certificates had been approved as of December 3. You said that 464 visas had been approved as of November 26. Do you expect to receive 2,500 more applications? Does the system have the capacity to deal with that?

Mr. Rénaud Gilbert: Yes. When Quebec issues a QSC.... The figures vary slightly, give or take a few hundred applications, because we do not have the same cut-off date. Out of the 2,700 selection certificates that were issued, we have received just 1,600. When Quebec issues a QSC, it is sent to the applicant. The applicant may then wait a few days, a few weeks or a few months before filing their application with us. So there is a delay, the 75 days we mentioned.

Mr. Justin Trudeau: Why the delay? Does it take a lot of money to file an application? Does the person have to meet certain requirements within that 75-day period or go to the embassy in Haiti?

Mr. Rénaud Gilbert: No, that happens before the person applies. So they receive approval from Quebec. If the person is approved on September 1, the QSC is sent to them, and they get it on the 8 or whenever. Then the person can fill out the form—the same immigration form that every other candidate has to fill out—and send it to our office in Ottawa. Why does it take people an average of 75 days to do that? I could not say. It has nothing to do with any special requirements being imposed on them.

[English]

The Chair: Thank you.

That's it, Mr. Trudeau.

The chair needs help from the committee on two items. If we wish the speaking notes of Madame Deschênes to appear in today's record, I need a motion.

Monsieur St-Cyr so moves.

(Motion agreed to)

The Chair: If we are to sit past 4:30 I need a majority of committee members to agree. Do I have a motion to sit past 4:30?

Mr. Justin Trudeau: Can we discuss that for a second? I have another five-minute round and would like to get a few questions in, but it depends what people....

Mr. Thierry St-Cyr: It's three minutes for me—three and five.

[Translation]

Mr. Justin Trudeau: We will stop at quarter to?

[English]

The Chair: There appears to be majority support.

Are you okay to sit for another 15 minutes, Mr. Gilbert?

• (1630)

Ms. Claudette Deschênes: Yes.

The Chair: I should have asked you first. I also apologize for not introducing you, but you seem to be part of the committee, so I don't introduce you any more.

There seems to be majority support to sit past 4:30 until 4:45.

Finally I'd like to remind members that in the new year the committee will sit on Tuesdays and Thursdays from 8:45 to 10:45, so you'll have to get up early.

Yes, that's in the morning, Mr. Dykstra.

Mr. Rick Dykstra (St. Catharines, CPC): Can you put in a request to change that?

The Chair: The first Tuesday there will be no meeting. I'm going to suggest that the subcommittee meet at a time to be determined by the chair on the Tuesday to make suggestions on what's next.

Mr. Trudeau, you have....

Okay.

[Translation]

Mr. Thierry St-Cyr: I want to pick up on the point raised by Mr. Trudeau earlier. If I understand correctly, as soon as the person receives the QSC, they can apply that same day, if they wish. It is the person who decides to wait for whatever reason.

Mr. Rénaud Gilbert: Precisely.

Mr. Thierry St-Cyr: Okay. We talked about the program in Quebec, which had an expanded family reunification program, broader in scope than that covered by the current definition. According to what you said, that program worked well overall; Quebec did a good job of administering it?

Ms. Claudette Deschênes: The applications that were approved by Quebec seem—

Mr. Thierry St-Cyr: I appreciate that you cannot make any political comments. The Bloc Québécois has long been calling for family reunification to be handed over to the Quebec government, such as first-level immigration decisions. That is a political issue, so it is not for you to comment on. But just answer me this: from a capacity and operations standpoint, based on the experience so far, are you aware of any specific issues with Quebec's handling of cases or dealings with the federal government?

Mr. Rénaud Gilbert: Perhaps I should clarify that Quebec's cases are not considered family reunification cases, so the federal government does not verify whether the person is a family member.

Mr. Thierry St-Cyr: But the Government of Quebec does that verification?

Mr. Rénaud Gilbert: Oh, if you say so.

Mr. Thierry St-Cyr: No, but—

Some hon. members: Ha, ha!

Mr. Thierry St-Cyr: To your knowledge? That is not a concern on your end?

Mr. Rénaud Gilbert: On our end, as with all cases approved by Quebec as independent cases—they are literally in that category—we do not do any verification of whether there is a family connection in Quebec.

Mr. Thierry St-Cyr: Now, on a more general level, in response to an exceptional circumstance, such as the events in Haiti, Kosovo and various other parts of the world, the government always seems to take a somewhat piecemeal approach. That is the impression we, as elected officials, have and that the public has, as well.

Is there an overall emergency response policy, a ready-to-go model that can be used in future disasters? To my knowledge, there is not, but perhaps I am wrong.

Even though you are very busy dealing with the situation in Haiti, has the department given any thought to an emergency plan that would allow it to take immediate action in the wake of a disaster, ensuring that it knew what to do, which measures to implement, how to proceed and so forth?

Ms. Claudette Deschênes: I will say a few things on that, and then I will ask Mr. Gilbert to comment.

There are criteria regarding the type of situation and our response measures, ranging from how to handle removals by the Canada Border Services Agency and people here in Canada to immigration procedures.

We have an outline of such a plan, but obviously, we must assess every situation in relation to Canada's responsibility towards the community in question. So there is a policy component to that.

There is another component I would like to point out. The responsibility of our officers abroad—even though they are there to deal with immigration—is, in the event of a crisis, initially to support Canadians and the department of foreign affairs.

It is very important to understand that, when a crisis occurs, the first 36 hours or the first week are spent first and foremost helping Canadians. Then we take other measures.

If you wonder why it takes more than 24 hours to respond in a crisis, the reason is that our first responsibility abroad is not to worry about immigration, but to help with consular work and to take care of Canadians.

• (1635)

Mr. Thierry St-Cyr: I was not asking about delays in responding to a crisis. I asked whether there was an emergency response plan in place. All the activities you just mentioned, are they part of some plan or document?

Ms. Claudette Deschênes: Yes, with some discussion after—

Mr. Thierry St-Cyr: You have the ability to say to the minister this is what we did in the past, this is what we can do, this is what poses a problem and so forth?

Ms. Claudette Deschênes: Yes, exactly.

Mr. Thierry St-Cyr: Thank you.

[English]

The Chair: Mr. Trudeau.

[Translation]

Mr. Justin Trudeau: I have a few questions along the same lines. In terms of lessons that Immigration Canada learned from this crisis, you said there were things that you had never done before and that some things worked very well.

Are there any principles that you want to maintain, such as the idea of Haiti North? Do you intend to set up processes here?

Were there any success stories that will help you ensure a better response in future situations?

Ms. Claudette Deschênes: As far as Haiti North goes, we had already considered that, not in the event of a crisis, but, for example, when there is a sudden spike in workload and there is not enough space to accommodate additional officers in the mission. We were already considering that. We have already seen that it works.

I think the whole idea of using resources in Canada to support programs abroad, as far as community outreach goes, is obviously another best practice we discovered.

Mr. Rénaud Gilbert: In terms of the office that was set up for Haiti, if a crisis were to hit tomorrow morning, somewhere else—such as the Ivory Coast—we could certainly use the same structure to provide assistance in another situation.

That is, to some extent, why the office was set up for surge capacity, not just to deal with crisis situations, but also to handle backlogs that may arise for various reasons.

Mr. Justin Trudeau: Now let's touch on the specific resources of the embassy in Haiti, which were not very plentiful. There has been a surge in resources since then. In fact, the minister has said it often, as did we all during the emergency debate: rebuilding Haiti is a 10-year project.

Do you intend to maintain additional consular resources in Haiti, especially to deal with immigration?

Ms. Claudette Deschênes: We want to ensure that we are able to deal with surge capacity. It is our view that because of the situation in Haiti and a number of other places, including the Ivory Coast, we need a procedure to meet the needs. So, right now, we are considering ways to make better use of existing resources by shifting them around, as needed.

Under the new system—known in English as—

[English]

global case management,

[Translation]

we will be able to say, for instance, that if one area is more of a priority, the officer may be able to process a part of the file. Officers in Port-au-Prince do not do as much processing, but they do handle files considered to be critical.

Mr. Justin Trudeau: Thank you.

Mr. Wrzesnewszky can have any time that is left.

[English]

Mr. Borys Wrzesnewszky (Etobicoke Centre, Lib.): Thank you.

There were approximately 6,000 visas issued at that time, which were split half and half between permanent resident and temporary resident visas. Considering that about 95% of the Haitian Canadian community is in Quebec, if the same rules about an expanded family class had been applied to the rest of Canada and you used the same proportions, that would have meant an extra 300.

Was there any difficulty administratively to handle an extra 300, if you were already handling an extra 6,000?

• (1640)

Ms. Claudette Deschênes: Our priority was family class, and that's where we wanted to put our efforts.

Mr. Borys Wrzesnewskyj: There were these 6,000 you've referenced here. In Quebec they expanded the family class, so that's 95% of the Haitian Canadian community.

It would have meant that if the family class maximum—because we don't know how it all shook out and how many of these were family class.... There may have been an additional 300 applications under an expanded family class in the rest of Canada. My question is would there have been bureaucratic difficulties that prevented the federal government from expanding the family class in the same way that Quebec had?

Ms. Claudette Deschênes: I'll answer that by saying as a public servant I delivered the act as it exists and as the program exists. That question I think would need to be addressed to the minister.

Mr. Borys Wrzesnewskyj: So we were able to deliver for 95% of Haitian Canadians, the ones who were in Quebec, but not the ones outside Quebec.

Ms. Claudette Deschênes: Our priority from the beginning was on family class. In Quebec and outside of Quebec, our focus was on family class.

The Chair: That's time.

Mr. Borys Wrzesnewskyj: There's still time for another round.

The Chair: No.

I have Mr. Dewar down here.

Mr. Paul Dewar: I don't have a preamble, nor a long question.

The Chair: Mr. Dewar, before I give you the floor, could I ask you to tell Ms. Chow when the new meeting times are?

Mr. Paul Dewar: Thank you. I get to bear the great news. I will do that. Thank you, Chair.

I want to ask a question around settlement and what happens when people arrive. One of the issues, of course—and perhaps it's a lot more in places like Montreal, but I'm certainly hearing about it in Ottawa—is about the support people get when they come here. One of the things that has worked very successfully is the nominee program, which I've witnessed and heard about in places like Manitoba. It's that connection to getting people to the next level in getting jobs and support for them.

Has there been something—you might have covered this already, and I apologize if you have—that is directed to the Haitians who have arrived to make sure they are going to be supported? I know there is the general program—I know all about that. I used to serve on a board here in Ottawa for immigrant settlement programs.

Is there something very specific for the Haitian community—the new arrivals—that is similar to the nominee program, following them through in terms of access to all of the services they need and beyond the usual one-year focus? Is there anything like that or that is being contemplated, similar to the nominee program, which is very connected, if you will?

Ms. Claudette Deschênes: I guess I would say that the program and the special measures were about reuniting families, people who had a support network in Canada. At this point, I don't think we're thinking of any other special program.

Mr. Paul Dewar: Thank you.

The Chair: You have two minutes.

Ms. Claudette Deschênes: I should have had a longer answer.

Mr. Paul Dewar: Yes. I could ask another one. No, I'm just kidding.

Mr. Borys Wrzesnewskyj: Yes or no, if there had been an extra 100 or 200 applications, if the federal government had expanded the family class the way Quebec did, would that have caused a serious problem in processing?

Ms. Claudette Deschênes: Well, I think we processed what we had.

Mr. Borys Wrzesnewskyj: That wasn't the question.

Ms. Claudette Deschênes: I'm not sure that as a public servant I can answer that question.

Mr. Borys Wrzesnewskyj: If Quebec had not expanded the family class, was there any intent federally to expand the family class? Ninety-five percent of Haitian Canadians had that opportunity, but it was because a provincial government decided to do that. Was there any intention federally to do that?

Ms. Claudette Deschênes: I think we believed that the program met the needs of reuniting family members.

Mr. Borys Wrzesnewskyj: It says here in your opening statement that for two months you didn't have an office in Port-au-Prince, yet further on in the same statement you said that under these special measures, Haitian applications received prior to March 31 would have to be processed by June. If you were basically closed for two months, during the worst crisis period in Port-au-Prince, people could not apply in Port-au-Prince and virtually could not get out to Dominica to do their applications. So how many applications did you receive before March 31 in Port-au-Prince?

• (1645)

Ms. Claudette Deschênes: I'll clarify that the applications were coming into the office, first in Mississauga for the sponsorship, and then to the Ottawa office. In terms of numbers....

Mr. Rénaud Gilbert: I don't have the number, but the embassy was not closed. We were operational. We did serve the public there, essentially, every day and every night at the beginning.

Mr. Borys Wrzesnewskyj: So how many—

The Chair: I'm afraid that's it.

Mr. Rénaud Gilbert: But we were not totally functional.

Mr. Borys Wrzesnewskyj: So just the number—how many were processed there or received?

Ms. Claudette Deschênes: How many were processed there—do you mean received or processed?

Mr. Borys Wrzesnewskyj: How many were received?

Ms. Claudette Deschênes: As for those processed, we were processing in Canada in support. But for those received generally, it's

January, February, and March you want to know about? We'll send that in. We're going to have to look at the numbers.

The Chair: It just goes to show you that the members did read your opening statement.

Ms. Claudette Deschênes: It just goes to show we would have liked to vote on the extra 15 minutes.

Voices: Oh, oh!

The Chair: Well, I want to thank you, not just for today but for the many times you have appeared before this committee since the summer. We appreciate your comments. Thank you for coming.

I'm first of all going to wish you all a Merry Christmas and a Happy New Year, and we'll see you in January.

This meeting is adjourned.

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