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# Standing Committee on Citizenship and Immigration

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EVIDENCE

**Tuesday, February 28, 2012**

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**Chair**

**Mr. David Tilson**



## Standing Committee on Citizenship and Immigration

Tuesday, February 28, 2012

• (1535)

[English]

**The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)):** I call the meeting to order. This is the Standing Committee on Citizenship and Immigration, meeting number 23. It is Tuesday, February 28, 2012.

The orders of the day are pursuant to Standing Order 108(2), the study on “Standing on Guard for Thee: Ensuring that Canada's Immigration System is Secure”. This meeting is televised.

We have one witness for the first hour. He is Martin Collacott from the Centre for Immigration Policy Reform. He's a former ambassador for Canada and a spokesperson for the centre. He has appeared before this committee a number of times.

In 2008 he co-edited, with Alexander Moens, *Immigration Policy and the Terrorist Threat in Canada and the United States*. He also wrote *Canada's Inadequate Response to Terrorism: The Need for Policy Reform* in 2006.

Welcome again to the committee, sir. We appreciate your expertise and your advising the committee. If you have a few words, we ask that you be no more than 10 minutes.

You have the floor, sir.

**Mr. Martin Collacott (Spokesperson, Centre for Immigration Policy Reform):** Thank you, Chairman.

I have been asked to comment today on what further actions should be taken to enhance the security of Canada's immigration system. This covers a fairly wide range of topics, so I'm not going to try to cover all of them, but I'll be happy to respond to questions on any of the topics I don't cover in my presentation.

One of the areas that needs particular attention is the security screening of visa applicants, especially from countries that produce large numbers of terrorists. In May 2006 the CSIS deputy director for operations, Jack Hooper, testified before a Senate committee that over the previous five years, in the order of 20,000 immigrants had come to Canada from the Pakistan-Afghanistan region and Canadian security officials had been able to vet only about one-tenth of these.

To what extent the situation has improved since Hooper gave his testimony, I can't say. We do know, though, that in his report, released just four months ago, the Auditor General of Canada expressed serious concern over the effectiveness and extent of our security screening.

I won't attempt to go through all of his findings and recommendations. You presumably were able to discuss these with representatives of his office at the February 16 meeting. I'll mention just one of his concerns, though, as an example. He noted that only a very minuscule percentage of visa applications were turned down on security grounds—less than one in a thousand permanent resident applications that had been referred to security agencies for screening. This refusal rate understandably raises questions as to whether the current risk indicators to help identify potentially inadmissible applicants are appropriate or are being properly applied.

I'll flag a few other major problems at some of our larger visa offices overseas. One is the very high percentage of fraudulent documents submitted in support of applications and the amount of time involved in trying to verify whether they are genuine. Added to this is the fact that a great deal of visa officers' time at some posts is spent in responding to representations from immigration lawyers and consultants, non-governmental organizations, and members of Parliament on behalf of their clients and constituents. Indeed, turning down an application often involves a good deal more work than approving one just because of the challenges that may be raised in the case of refusals.

The result of all this is that the Canada-based staff at many of our visa posts simply don't have the time to screen applicants as thoroughly as they should. Our embassy in Moscow, for example, at one point advised headquarters that it did not have enough staff or resources to weed out all the Russian mobsters trying to move to Canada.

While this particular report was made some years ago, and it's possible that the situation at that particular visa office may have improved since then, given the various deficiencies cited in the most recent Auditor General's report, and indeed in reports made in 1992 and 2000, it would not be surprising if this kind of situation were still a major problem at some of our posts.

One of the particular things I recommend is that we return to having face-to-face interviews with visa applicants. We used to do that regularly; we rarely do now. These interviews are important for a number of reasons. One is that it enables the visa officer to ensure that the applicant has not only a realistic understanding of what he or she might expect with regard to employment opportunities in Canada but also has a reasonable appreciation of the challenges he or she is likely to face in terms of cultural adaptation.

Members of the committee are no doubt familiar with the recent trial in Kingston of members of the Shafia family for killing other family members. The head of the family, Mohammad Shafia, appears to have immigrated to Canada in the belief that somehow he and the members of his family could enjoy all the benefits of living in this country without being influenced in any way by Canadian values and norms. Had he been adequately counselled before he came here on what he could expect in terms of his family's exposure to Canadian society, he might well have decided not to come here, in which case all the members of his family would still be alive today and he and his wife would not be serving life terms in prison.

Quite apart from helping the applicant have a better understanding of what to expect when they come here, a face-to-face interview also provides visa officers with an opportunity to assess the suitability of the applicant for immigration to Canada. While such an interview is not a substitute for the regular security and safety checks, it does provide a very useful opportunity to make a first-hand judgment about whether an applicant is likely to have serious problems in adjusting to Canadian society and values. As well, perhaps, it is making available some insights as to whether the qualifications she or he says they have are genuine and whether they might constitute a risk to Canada in one way or another.

So the reinstatement of full-scale interviews for most applicants by a Canada-based officer is an important priority, both in relation to helping ensure they have a realistic view of coming here and to make sure they're a good candidate in our terms.

To make possible such interviews, as well as more thorough background checks of applicants, requires a substantial increase in resources. If we can't provide the funds to do this, then we should reduce immigration intake to levels where the resources available are sufficient to do the job properly, rather than jeopardize the safety and security of Canadians.

As a background to this recommendation, I would add that I and the organization I am speaking for today, the Centre for Immigration Policy Reform, strongly believe that while we support the admission of a reasonable number of immigrants in relation to our needs, the number of both permanent residents and temporary workers we're currently bringing in is much larger than what we need. Many of the current labour shortages, as well as anticipated shortages in the future, could be met domestically if we do a better job of making the best use of resources already in the country. So that is one of my recommendations.

I'd also like to touch on a number of issues related to the refugee determination system. Let me say first that Canada is one of the most generous countries in the world when it comes to both the acceptance rate of asylum seekers who make claims in Canada and the number of refugees we resettle from overseas. It should be noted that while Canadians strongly support taking in a reasonable number of genuine refugees, a great many Canadians also consider the system to be very much open to abuse and it needs to be tightened up considerably.

In relation to security matters, the refugee determination system has been a significant conduit for the entry of terrorists and terrorist sympathizers into Canada, as well as war criminals and other types of criminals.

I should point out in this regard that a large majority of refugee claimants, or asylum seekers, which is a term used in other countries, are neither terrorists nor criminals. Most are either genuine refugees fleeing persecution or people seeking better economic opportunities and using the refugee system to get into Canada. Nevertheless, a considerable number of terrorists or terrorist sympathizers as well as criminals have been able to gain entry to Canada by claiming refugee status, and they have usually been very difficult to remove if their claims were turned down.

In a paper of mine published by the Fraser Institute in 2006, which you mentioned, Mr. Chairman, I reviewed the cases of 25 terrorists and suspected terrorists who had entered Canada and found that almost two-thirds had come in as refugee claimants.

The use of the refugee system to get terrorists and their supporters into Canada is particularly well illustrated by the number of Sri Lankan refugee claimants who have succeeded in establishing themselves in Canada. Canada was so generous and unquestioning in its acceptance of Tamil claimants from Sri Lanka that for many years, on some occasions, we accepted more than all the other countries in the world combined. This in turn offered ample opportunity for Tamil terrorist organizations to build up their support base in Canada.

In the year 2000, according to a Toronto police Tamil task force report, there were as many as 8,000 members of Tamil terrorist factions in that city, almost all of whom presumably entered either as refugee claimants or as relatives sponsored by successful refugee claimants.

The current government has made and is making major efforts to prevent abuse of the asylum system by people who, by international standards, are not genuine refugees. If the government is successful in this regard, the measures they recently proposed will reduce the chances of such people using the system to get into Canada.

One further comment I'll make on the question of terrorists is that while the refugee system has been a major channel of entry in the past for terrorists—and still is to some extent—in recent years we've also had to begin looking at what is referred to as home-grown terrorism.

An example of this was the case of the so-called Toronto 18. This was a group of mainly young men who had either been born here or had come here at an early age and grown up in Canada, and who had planned to blow up the Parliament Buildings and behead the Prime Minister. Interestingly, they became more radicalized when they grew up in Canada than what their parents were when they immigrated here.

• (1540)

These are issues that we have to look closely at, particularly because this particular community, which was less than 100,000 in 1981, will be up to 2.7 million in 2031. It will move from being one-third the size of the Jewish community to being six and a half times as big. Homegrown terrorism is an issue. It's not directly related to border controls, but it's basically a security issue that has an immigration connection.

I will move on to a couple of other points. The government recently announced its plans for biometric screening. What it wants to do is excellent. It's designed to ensure that the person arriving at the port of entry is the same person to whom the visa was issued at one of our posts overseas. It will also make it easier to identify known criminals attempting to re-enter Canada, as well as failed refugee claimants and deportees attempting to re-enter under false identities or without permission.

These measures, in my view, are long overdue, and in this respect we're lagging well behind other western countries, such as the United States.

• (1545)

**The Chair:** Mr. Collacott, we're well over the 10 minutes. Perhaps you could wind up.

**Mr. Martin Collacott:** What I wanted to say on biometric measures is that what we're doing is good. We need to do a lot more. We need to not only get biometric checks on everyone coming in who isn't a Canadian, but also we have to have exit checks, which serves another group and is a valuable thing. This should be a major priority. It won't be cheap; it'll be costly, but I think we should move on it—

**The Chair:** Thank you, Mr. Collacott. Committee members do not have your speech, because we'll have to translate it, but they will have it after it's been translated. Thank you for your presentation.

We now have Mr. Chungsen Leung.

**Mr. Chungsen Leung (Willowdale, CPC):** Thank you, Mr. Chair.

Mr. Collacott, I appreciate the fact that you would like to have a face-to-face interview with the prospective immigrant.

My concern comes from two areas. One is that many of the immigration officers who go overseas are transferred from location to location on a posting of anywhere from three to five years. Generally, a person does not really have an in-depth understanding of the local culture and local environment until he's been there for more than a few years. How is that immigration officer going to be able to detect in the person who is seeking entry to Canada with regard to his admissibility...?

Secondly, in the evaluation of skills, there are certain soft skills. Let's say you're a lathe operator, a glass grinder, or a lens grinder. Without actually physically observing these skills in the immigration process, you can't really determine that. Our process right now rests on the fact that we're looking at credentials, but as you know, India, China, and many of those places do not have those credentials. I recently addressed this issue with immigration officers in Delhi, Chandigarh, and Beijing.

I would like to hear your comments on that, the face-to-face, speaking to one of the better tools to evaluate immigrants.

**Mr. Martin Collacott:** Thank you for the questions. They're both very good questions, Mr. Leung.

On the question of understanding the local culture, this is an area where you've got to provide as much good briefing as you can when an immigration officer arrives. At one point when I was in Sri Lanka,

we introduced an immigration program, and there were 17 temporary duty officers in one year who I had to brief. That is very important.

On the question of checking fraudulent documents, though, the skills an immigration officer develops at one post are often relevant at another. If he has doubts about the validity of the document, then he should be able to check into it. One of the problems is that they usually don't have time, because of all the other pressures.

On the evaluation of soft skills, yes, that has to be done in number of ways. But on the soft skills, it's often how you relate to people in a western society. These can often best be judged by a good face-to-face interview. That doesn't cover all the skills you mentioned, but the face-to-face-interview offers a lot of opportunities to make judgments that you're not going to make in any other way. It doesn't replace all the other ways of checking on someone's qualifications. There's no question about that.

**Mr. Chungsen Leung:** Then how do we portray Canada as a welcoming, generous country when we have certain cultural sensitivities that we need to address between our civil servants and the culture we're in? For example, if someone is interviewing someone in a foreign country, such as China, and the prospective immigrant is not fluent in English, the person interviewing has to have those sensitivities in order to understand whether what the person says is actually the way it was meant, as we understand it in our North American culture.

• (1550)

**Mr. Martin Collacott:** These are challenges. I would add, though, that a lot of the interviews will be with people applying to come here as skilled immigrants, independent immigrants. If they can't speak enough English to take part in the interview, they're going to have a problem in Canada. This is a basic requirement, English or French, if they're going to come. This is a basic requirement that the government is rightly giving more emphasis to. The cultural adjustments, even in a working situation, are important. But if a person is totally out of it with respect to language and culture, that person will have a problem.

You've touched on a sensitive area. It's something that has to be dealt with. But the face-to-face interview gives a Canada-based officer an opportunity that you couldn't get on paper to see if the person is going to be able to handle a Canadian face-to-face working situation.

**Mr. Chungsen Leung:** Could I gather from that comment that it is probably in our best interest to require a higher standard for our official language competencies before we admit the immigrant?

**Mr. Martin Collacott:** Were you asking a question? I'm sorry.

**Mr. Chungsen Leung:** The question was whether there is a requirement to increase the standard for verbal skills for one or the other of our official languages. This is one of the things we were addressing. If our officers are asking that question, then that will determine whether the person who can answer is able to adapt to Canadian culture. Do you agree with that?

**Mr. Martin Collacott:** Absolutely, yes.

As long ago as 1997, a government-commissioned report, not just numbers, determined that ability in English, or French if you're going to Quebec, was one of the key indicators of how well someone would do. You could hit the ground running if you were reasonably fluent. And if you weren't, then you were in trouble.

Interestingly enough, the recommendation was shot down by people who said this would be favouring people from non-English-speaking countries. It doesn't matter whether they're from an English-speaking or non-English-speaking country. If they can speak English fairly fluently, they're much more likely to do well on the Canadian labour market than if they can't.

**Mr. Chungsen Leung:** Thank you. That certainly would help us in addressing some of our resettlement costs.

I have no more questions.

**The Chair:** Mr. Davies.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Thank you, Mr. Chairman. And welcome back to the committee, Mr. Collacott.

Mr. Collacott, you were an ambassador, I believe, to Sri Lanka. Was that the case?

**Mr. Martin Collacott:** Yes, I was there in the 1980s.

**Mr. Don Davies:** How long were you the ambassador?

**Mr. Martin Collacott:** The title was high commissioner. I was the high commissioner to Sri Lanka from 1982 to 1986.

**Mr. Don Davies:** Thank you.

Part of your duties were to oversee the high commission's activities, and that was where visitor visas were granted. Is that correct?

**Mr. Martin Collacott:** Yes. We didn't have a visitor visa requirement when I arrived, actually.

**Mr. Don Davies:** Was that developed when you were there? Do you have any experience with processing visitor visas?

**Mr. Martin Collacott:** I certainly have experience with overseeing visitor visas. I, myself, never actually processed one. I had a large visa section to do that.

Do you have a question?

**Mr. Don Davies:** Yes, I'm getting to that.

I was struck by your answer, your testimony, that you felt officers didn't have the time to check documents because they have so many other things to do. That was one of the reasons supporting your suggestion for having face-to-face interviews. Is that correct?

**Mr. Martin Collacott:** That is correct, yes, particularly for permanent residents.

**Mr. Don Davies:** Okay.

Well, I'm curious. I want to focus a bit on the visitor visas, what we call TRVs, temporary resident visas. I'll call them visitor visas. In your experience, do you feel that the officers in the high commissions and embassies do not have sufficient time to check the documents before they make a decision on a visitor visa?

• (1555)

**Mr. Martin Collacott:** Well, on the visitor's visa, they're certainly going to have to check the documents. What I was referring to more was where someone's coming here permanently, as a permanent resident, checking that person's documents.

There is a problem in checking the documents of temporary workers because they might also submit fraudulent documents. I particularly stress, though, the desirability of having a full interview for people coming to live here and stay here, permanent residents.

**Mr. Don Davies:** Is that not the case now?

**Mr. Martin Collacott:** No. It used to be fairly standard, but now for resource reasons we just don't do much of it, and I think that should be reinstated. But keeping a Canada-based officer and his family overseas, Mr. Davies, is very expensive. It doesn't come cheaply, and if we're to do it, we've got to provide more resources if we maintain the current levels of immigration.

**Mr. Don Davies:** Would you suggest we maintain that sufficient level of resources of Canadian-trained people overseas?

**Mr. Martin Collacott:** Well, we either increase the level of Canada-based staff so we can do a more thorough job of looking at people or we should reduce the numbers to what resources are available.

Not be able to do the job adequately is a risk to Canadians, and it's sometimes unfair to the immigrants themselves. They don't know enough about what they're coming into.

**Mr. Don Davies:** Certainly, and I think you testified that you thought implementing exit controls would be quite expensive, but it's something you would suggest we do. Do I have your testimony correct?

**Mr. Martin Collacott:** That is true, not just so we know who's in the country who is supposed to have left, but in the case of permanent residents waiting to get their Canadian citizenship, we know a lot of them don't put in the requisite residence period in Canada and claim that they have, and it's very hard to check up. This would also deal with that problem very effectively.

**Mr. Don Davies:** Mr. Collacott, dealing with permanent resident applications, if I have your testimony right, if I am hearing you, you're telling us that they don't really have time to check documents thoroughly because they have so many other things to do and they're not conducting face-to-face interviews in all cases. Yet these are the people making decisions on who's going to be a permanent resident to our country. Is that not concerning to you?

**Mr. Martin Collacott:** All the documents are checked. The question is, though, if you get a document that you think is fraudulent, whether you have the time to follow that up and check with the institution that's supposed to have issued it. I don't think any document goes unchecked.

I think to do things as thoroughly as we should, we need to give those visa officers more time. They often spend their time making sure that if they say no, they can defend it. I think there should be more time. The Auditor General says more time should be spent on checking out applications that are approved.

**Mr. Don Davies:** I want to nail this down, because this is your testimony, sir.

Are you saying that visa officers making decisions on permanent resident applications do not have time to go and check out the veracity of the documents?

**Mr. Martin Collacott:** They will do as good a check as they can, but if you have a fraudulent document, it often takes time if you really want to try to get to the root of the problem. Sometimes visa officers will have to go over to the institution themselves. They certainly will do a visual check of all the documents as best they can, but they do not have time to do as thorough a check as we should be doing, especially with the very high levels of fraudulent documents that are submitted at a lot of our posts in developing countries. Some of our largest posts get a lot of fraudulent documents.

**Mr. Don Davies:** So do you have a concern that our visa officers abroad do not have sufficient time to check as thoroughly into fraudulent documents as you would like them to have?

**Mr. Martin Collacott:** Yes.

**Mr. Don Davies:** And you are also concerned that they are not doing the number of face-to-face interviews that would be required to have, I guess, an acceptable level of security, in your mind. Is that a fair summary of your testimony?

**Mr. Martin Collacott:** Yes, it is.

Thank you.

**Mr. Don Davies:** Okay.

Last, if I have your testimony correct, you said a considerable number of terrorists, terrorist sympathizers, and criminals enter Canada through the refugee system. I think every year we let in about 13,000 refugees. That is my memory; I stand to be corrected on that. How many terrorists, terrorist sympathizers, and criminals out of those 13,000 refugee visas do you say come in annually?

**Mr. Martin Collacott:** The number would be very small compared to the total flow. I can't give you an exact figure. I did give the example, though, that of 25 identified terrorists—

• (1600)

**Mr. Don Davies:** I know you gave an example, Mr. Collacott, but you said “a considerable number”. I want to know what that number is if you're branding it as “considerable”? What is that number, sir?

**Mr. Martin Collacott:** Well, 25 at the time was a considerable number. It's a minuscule part of the total flow, and I want to make that clear. Most refugee claimants are not criminals or terrorist supporters. I did give the example also that—

**The Chair:** I'm afraid that's it, sir. Mr. Collacott, we have to move on.

It's Mr. Hsu's turn. Welcome to the committee, sir.

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Thank you very much, Mr. Chair.

Thank you for being with us today, Mr. Collacott.

I want to follow in somewhat the same vein as Mr. Davies by asking you for some more details about the idea of reducing immigration so that in your view the level of immigration is commensurate with the resources available to check on immigrants. If the resources that are available to immigration officers were kept constant, what would your recommendation be in terms of reducing

immigration? Would you reduce immigration by 10% or 30%? What sorts of numbers are we talking about here? I'm trying to find out some details.

**Mr. Martin Collacott:** If we're basing it on the resources available, I'd have to study that a bit. But based on Canadian labour market needs, I would say probably—and this is a ballpark figure and it will vary with the state of the economy—we could get by quite well on half the number we're bringing in now. The reason I say that is that some of the best research shows that if we made better use of our own resources, we wouldn't need to bring in so many people.

As a member of the NDP, Olivia Chow said when the government announced new measures at the end of January—and some of them were very good—the federal government would serve Canadians better by training people out of work at home before looking abroad to fill labour needs. She was dead on. We shouldn't stop immigration, but we should base it on where we can't fill labour shortages ourselves. We should look at that first and then see where we need immigration. We're not doing that. Immigration has become an end in itself.

**Mr. Ted Hsu:** I'd like to focus on your point about insufficient resources being available to evaluate potential permanent residents. Can you name some specific countries where you think we should be significantly reducing immigration, whether it's 50% or more?

**Mr. Martin Collacott:** No, I wouldn't specify specific countries, because if a person is a good immigrant, it doesn't matter where they come from, as long as they have the capacity to integrate into our labour market and into our society. My wife is an immigrant from Vietnam, and I'm quite in favour of getting people from all over the world. But, no, I wouldn't recommend particular countries where we shouldn't—

**Mr. Ted Hsu:** I remember at the beginning of your remarks you mentioned certain parts of the world that tend to produce more terrorists, and I'm only paraphrasing, not quoting here. Are there certain areas of the world that you think we should be cutting immigration from so it's commensurate with available resources?

**Mr. Martin Collacott:** In connection with terrorist threats in particular?

**Mr. Ted Hsu:** Yes.

**Mr. Martin Collacott:** No, not necessarily, but to the extent people do come from these areas, I think we should be particularly careful in our screening. As I mentioned, because of the resource shortages, the deputy director of CSIS said we only screen 10% of the people. So I think if people are going to come from those countries, we have to screen very carefully and we have to look at the situation very carefully.

**Mr. Ted Hsu:** Do you think, sir, that if we look back a few years, immigration was too high, and we should have had a lower level so that we checked everybody more carefully? Do you think it should have been 20% lower if we go back the last few years? I'm trying to understand in detail how big an issue this is.

**Mr. Martin Collacott:** Sure. Fair enough. If you go back far enough, you can look at the huge intake of immigration in the early twentieth century. We needed large numbers of immigrants; we needed large numbers of unskilled immigrants to fill up the west in particular. Then there were periods when we didn't have much immigration. So you really have to look at the current period.

I'm not sure I grasped your full question. Do you mean should we have taken fewer on security grounds? Could you please amplify it a bit?

•(1605)

**Mr. Ted Hsu:** Yes. Should we have taken fewer on security grounds?

**Mr. Martin Collacott:** There were certain periods when a lot of terrorist supporters came in, which I mentioned, and I think we should have been considering that more carefully.

Terrorist problems are relatively recent, though; they have only come up in the last 25 years or so.

**The Chair:** Thank you.

Ms. James.

**Ms. Roxanne James (Scarborough Centre, CPC):** Thank you, Mr. Chair.

Welcome back, Mr. Collacott. I've been doing a bit of research and going through your credentials. There's about a mile long list of them, so you're certainly an expert in this area.

I'm going back to 2007 when you organized a conference on immigration and security. I was reading a little bit about that and some of the conclusions and recommendations you put forth after that conference.

I'm wondering whether you can tell the rest of the committee some of those recommendations, or the conclusions that came out of that specific conference. I believe the conclusions were in a document entitled "Making Canada's Immigration System and Borders More Secure".

Could you comment on that, with some of the conclusions and recommendations that came out of that, please?

**Mr. Martin Collacott:** I'll have to try to refresh myself a bit, but I can pretty well recall what my recommendations were. They were that we do have some security problems; we should be checking people more carefully. We should also be looking at communities where there's more of a risk than in other communities to see why there is a risk.

I mentioned briefly that some of the more radicalized members of the Muslim community—and there is no single Muslim community, it's a mix of different communities—are more radicalized than their parents who came here. I think we need to do some research on this to find out why.

People are rather reluctant to do research into what are sometimes considered to be sticky areas where it involves a particular ethnic or religious group. I think we've got to do a lot more of that and understand why we're having these problems.

We have among the largest per capita immigration inflows in the world. We have a very mixed inflow, which is good in many respects, but we are going to accumulate some major problems if we're not careful.

**Ms. Roxanne James:** Mr. Collacott, I'm looking at some of the specific conclusions that came out of that. You touched on it today.

With regard to terrorists who have entered into Canada, you mentioned that two-thirds of them have come from refugee claimants. I noticed when I went back and reviewed some of the information on that conference that you made reference to the refugee determination system and recommended that the appeal process be corrected to ensure removals are done more quickly.

I'm trying to get to the bottom of this. As we're talking about border security, obviously if we could stop people from coming into Canada in the first place, we wouldn't necessarily have these types of problems. Is that a fair statement?

**Mr. Martin Collacott:** Yes, that would be one of the solutions to this problem.

Are you talking about stopping people on security grounds or just stopping refugee claimants in general?

**Ms. Roxanne James:** It's not necessarily refugee claimants. At the conference you also touched on an issue regarding high intake levels in Canada.

It's interesting. Mr. Davies touched on that as well. Some of the questions that were asked tried to tie it into the fact that we do not necessarily have enough resources. But from what I understood from your answers, it's more that there are so many fraudulent applicants that if we had a better screening process in place, we would not necessarily have that problem.

Is that a fair statement as well, that if we had better security screening processes...?

**Mr. Martin Collacott:** Those are two separate issues. The fraudulent documents more often than not relate to people's academic qualifications or financial situation rather than security. The security issues are somewhat different in that they relate to whether they are going to be a threat to national security or some related area.

Those are two different problems. They are both problems, but different ones.

**Ms. Roxanne James:** Thank you.

In previous sessions we've been trying to figure out—and I think some of the questions came from across the room here today—which countries typically raise a security flag.

From your experience, do you know what countries fall into that category? There are certain countries in the world where the security flag would be raised and we would take more time to look into the backgrounds and review the documents.

•(1610)

**Mr. Martin Collacott:** Yes. Certainly I mentioned Afghanistan and Pakistan, but there are others where there are significant security problems or potential terrorist problems. That doesn't mean those are the only ones. You might get a terrorist supporter coming in through a completely different route.

I think there are countries we have to give particular attention to. As Jack Hooper reported, they were only able to screen 10% of those coming from Afghanistan and Pakistan.

I think you can probably list priority countries in terms of security screening, which the Americans have done. They've said we've got to be particularly careful about people coming from X, Y, and Z countries.

**Ms. Roxanne James:** Going further with that, we hear about countries in the world where we suspect there's more of a chance of terrorists coming into Canada, but I've actually heard anecdotally that we have received more hits on people raising a security flag through the United States, as opposed to other countries where we might more suspect that to be the case, such as Egypt. Can you comment on that? Is that actually something that's true or is it just a false rumour?

**Mr. Martin Collacott:** It may be true. I must say that I haven't come across that particular one.

We do have a lot of people coming in from the States, though, and one of the problems we face is that we get a lot of what are called offshore applications, where somebody, let's say from China, applies in Buffalo, and we may not have the expertise at those posts that our staff would have in China. We face a number of problems. I would prefer to try to reduce the number of offshore claims so that the expertise on China is available where the application is made.

We do get a large number of applications made from the United States by people who aren't American, and that somewhat complicates our task.

**The Chair:** Thank you, Ms. James.

Madam Groguhé.

[Translation]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Thank you, Mr. Chair.

Good afternoon and welcome, Mr. Collacott. With regard to applications, you suggest that interviews should be conducted within the embassies. Do you have any idea of the costs and time frames associated with such an interview process?

[English]

**Mr. Martin Collacott:** I would hope there wouldn't be a major delay, because the person who's making the application is going to come into the embassy anyway. But the costs would be considerable if you had enough Canada-based staff to do this. I don't know what the current figure is. I think it's about \$400,000 a year to keep a Canada-based staff overseas, rent a house for them, have their family there, with maybe some of them going to school in Canada. So it is not cheap at all.

I would hope the costs could be managed fairly well, but it would cost money. It would cost a lot of money, more than we're putting into it now.

I don't think it would delay the processing by a great deal, though.

[Translation]

**Mrs. Sadia Groguhé:** You don't believe that would delay the process, but would it have an impact on time frames?

[English]

**Mr. Martin Collacott:** A good interview might take an hour or two.

No, I don't think it would. We're already facing a problem of wait times because of the sheer volume of people applying. We're not doing things as quickly as we'd like to and should be doing. That's an issue in itself.

I don't think the interview is going to take that long, an hour or two, so I don't think it will have much impact on the wait time.

[Translation]

**Mrs. Sadia Groguhé:** How do you think an individual interview would make it possible to establish the veracity of the facts and information gathered?

[English]

**Mr. Martin Collacott:** Could you repeat that, please?

[Translation]

**Mrs. Sadia Groguhé:** How could the individual interview establish the veracity of the facts reported by individuals and of the information gathered?

[English]

**Mr. Martin Collacott:** It would allow the interviewer to at least ask some questions about some of the qualifications. If you thought you had fraudulent documents, that would not completely solve that problem. You'd still have to go out and check on those documents with the institute that issued them.

A good interviewer who has a reasonable knowledge of the cultural background and the context in which it's being done can find out quite a bit of information, make some very good judgments, and write them up and report them in an hour or two. We're simply not doing that. Everything is pretty well done on paper now.

•(1615)

[Translation]

**Mrs. Sadia Groguhé:** In your view, if we reduce the number of admissions following the interviews, how will we be able to deal with the demographic issues?

[English]

**Mr. Martin Collacott:** What kinds of demographic issues...?

[Translation]

**Mrs. Sadia Groguhé:** I'm talking about the demographic problem Canada is currently experiencing. How to renew the—

[English]

**Mr. Martin Collacott:** You mean the aging population? Right.

That's one—

[Translation]

**Mrs. Sadia Groghé:** Pardon me, Mr. Collacott—

[English]

**The Chair:** Please stop the clock for a minute.

We have to be careful that only one person is talking at the same time.

Madame, proceed.

[Translation]

**Mrs. Sadia Groghé:** All right.

A little earlier, you talked about the impact on the labour market, but there is also the demographic contribution that immigrants make. In your view, if we reduce the number of admissions, how will we be able to meet the demographic challenges?

[English]

**Mr. Martin Collacott:** If I understand you correctly, Madame, the demographic question you're asking is this. Canadians are getting older. They're living longer. We're going to have more older people. Who is going to provide the workforce to provide the taxes to support the social services for the older people? Is that correct? Yes.

That is one issue that is coming up less and less because it's been shown definitively that immigration is going to have almost no impact on the average age of Canadians, unless you bring in people in huge numbers. The C.D. Howe Institute has issued several reports showing that if you want to keep the ratio between people under 65 the same as for those over 65, you have to get the population up to maybe 60 million or more in the next 20 years. Immigrants get old like everyone else. So what we know is that unless you bring in astronomical numbers, the demographic situation isn't going to be solved. You have to do something about the fact that you'll have more older people. The issues are there. Immigration doesn't help.

**The Chair:** Thank you.

Mr. Menegakis, it's your turn.

**Mr. Costas Menegakis (Richmond Hill, CPC):** Thank you, Mr. Chair.

Mr. Collacott, welcome back. It's nice to see you again. Certainly, it's a benefit from the many years of your experience, sir.

I want to focus my questions on some of the practical challenges of the very friendly, if you will, immigration policy that we have. Canada, as you know, is one of the most welcoming countries in the world. I want to specifically ask your opinion. How culturally sensitive do you think the government is when it comes to information such as names? For example, as we translate a name of someone who is coming from a country that doesn't use English, the English alphabet, how secure do you think we are that we are doing it correctly?

**Mr. Martin Collacott:** I don't think I can generalize on that. Countries with very different cultural backgrounds sometimes put the surname first; even some western countries, like Hungary. My wife's surname when she was single was the first name, yet she is addressed by her last name as a first name.

I don't think that's a huge problem, frankly. It's nice to be sensitive, and I think we try to do it, but if you get the names the wrong way around, I think most immigrants aren't going to be that put out. Do the best you can.

**Mr. Costas Menegakis:** Mr. Collacott, I was referring more to a mistranslation of a name because we're translating a name into English from someone who doesn't use the English alphabet. Do you see a potential for a security risk there?

**Mr. Martin Collacott:** Well, that can be a problem. I lived in Syria, and Arabic names are sometimes transcribed with different vowels, in particular, because Arabic vowels fall somewhere in between English vowels and vice versa. So yes, in that sense, that could be an issue. If you simply don't identify someone because their names have been spelled differently in two different situations, that's an issue of another kind, not so much cultural sensitivity as a security risk. That can be a challenge when you're dealing with a language that uses a different alphabet, or Chinese, which uses symbols.

• (1620)

**Mr. Costas Menegakis:** In your experience, did you have any situations of people with many names, like four, five, six names, where you pick two, and perhaps you can pick the wrong two? When you're doing the security screening, that can potentially create a problem. Have you seen any of that in your career?

**Mr. Martin Collacott:** In some cases, people deliberately use several names, especially criminals, or security, or spies. That's another kind of problem. The first one you mentioned was really whether to decide which transliteration you use in English, where several might be in use. China now, by the way, has a fairly standard and widely used transcription in English called Pinyin, which simplifies things there. The Chinese names used to be a major problem because they could be written in English in all manner of ways.

**Mr. Costas Menegakis:** I have one more minute left, Mr. Collacott.

In your opinion, what are the specific deficiencies that still exist in the measures used to identify foreign nationals who may be inadmissible for health, safety, or security reasons?

**Mr. Martin Collacott:** Well, certainly the Auditor General identified quite a swath of them in terms of what we're not able to do thoroughly enough with regard to coordination among the four key agencies. I could list about ten of them, and I think they all sound pretty valid. Again, they are some of the ones I raised, for instance, not having enough time at visa posts to really check people out. I can go through the whole list if you want, but there are a lot of them.

I think the Auditor General's report was very good, but as I mentioned earlier, a lot of the things are the same things cited in a 2000 report and in a 1992 report. It's a bit more complicated now, because we have an additional agency, the CBSA. They have to do everything they can to coordinate their work and to make sure they're using the right kinds of identifiers for security purposes. There's a host of things in that report. It was a good report. I recommend it.

**The Chair:** Thank you.

Mr. Weston.

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** *Merci, monsieur le président.* Thank you.

It's great to have you back, Martin. I would say great goaltenders make saves look effortless. You make your responses on the area of immigration look effortless. You show a great mastery of the information, an understanding of the objectives of the act, and a great balance of compassion and practicality. So again, thanks for being back.

My question to you is this. We have in the cards this electronic travel authorization that will monitor entries and exits under the perimeter agreement. How do you think that's going to improve our government's ability to crack down on residency fraud and help us prevent people who want Canadian status from living here but not paying into our system?

**Mr. Martin Collacott:** When you talk about the system that exists now, are you referring to the NEXUS cards, Mr. Weston, or are you talking about the biometric screening that's planned for implementation in the next year?

**Mr. John Weston:** Thanks.

I guess the NEXUS is one small step, but clearly it's the biometric that we're going to, which our committee is looking at more and more closely, so I'd appreciate your comment on that.

**Mr. Martin Collacott:** The biometric the government is trying to use involves having people give biometric fingerprints and digital facial images overseas, so we can confirm when they arrive at the port of entry that they're the same person we gave the visa to. What I was recommending, though, is that we use some system for all non-Canadians coming into the country, so we know who's here, whether they're visitors or permanent residents.

For what you just mentioned, Mr. Weston, if we also have an exit system in which there is an electronic scan of people that goes into a central computer base, which the RCMP will be handling in the case of fingerprints, then we will know if a permanent resident has put in the time here that they are supposed to—if that's the issue you're raising. I think that would be a valuable use. That would be an issue not so much of security as of Canadian citizenship, but that system would certainly be a valuable addition to our collection of means for checking who's here.

We do have something, I think. There are tens of thousands of people here who are supposed to have left Canada and we can't find them. This system would at least let us know if they had managed to leave the country on their own without our knowledge. It would give us a much better picture of the number of illegals in Canada. That's not necessarily a security issue, but there are a whole range of benefits from having such a system.

Again, it's not cheap. It will take a while to set up, but I hope the government gives major priority to this.

•(1625)

**Mr. John Weston:** We'd like to think, when we're in government, that we're looking far ahead and that we have some sort of visionary approach, as opposed to a reactive approach, to what we do. Do you think this biometric system is the right way to go in the long term, or do you think there's anything else we should be doing? If you could,

consider both in terms of dealing with fraud and dealing with security threats, two of the major goals behind the system.

**Mr. Martin Collacott:** I think the biometric checks, both when people come in and leave, are very important. It certainly doesn't stand by itself. That doesn't automatically give you a security check. If someone comes in, it may come up on the computer that he is a security threat, that he is entering illegally, or that we've deported him. So there are certainly major security implications there. We still have to do thorough security checks, particularly on people coming here as permanent residents, but also on visitors and long-term temporary workers. We don't do enough work in that area.

It's a combination of things. I recommended improving the security screening, which the Auditor General went into detail on. We should have more interviews overseas, and the biometric screening is an excellent initiative. When you talk about looking ahead and being visionary, actually we're way behind some other countries, but there's time to catch up, and we should be doing it.

**Mr. John Weston:** Can you allude to the experience of another country in how biometrics have helped them implement these goals?

**Mr. Martin Collacott:** Yes. The U.S. has been working on this for some time. There are technical problems, and there are funding problems, so they haven't got their entry and exit systems fully in operation yet. As far as I know, they are very valuable tools. They are catching people who shouldn't be trying to come in. I don't think they have their exit system fully operational, so they are not yet finding out who has left.

Many countries, like the U.K., Australia, and Japan, are now putting a lot of resources into this, so I think this is going to be all to the good. I think if the systems are up and running, they are catching people who shouldn't be coming in.

**The Chair:** Thank you, Mr. Weston and Mr. Collacott.

I'm afraid our time has expired. On behalf of the committee, I'd like to thank you for once again providing us with your expertise.

**Mr. Martin Collacott:** Thank you.

**The Chair:** We will suspend for two minutes.

•(1625)

\_\_\_\_\_ (Pause) \_\_\_\_\_

•(1630)

**The Chair:** We'll reconvene.

Our next witness is Joseph Humire. He is the senior fellow and director at the Center for a Secure Free Society with the International Freedom Educational Foundation. He is speaking to us all the way from Washington, D.C.

Thank you for taking the time to speak with our committee. If you have a few introductory remarks, please make them. You have the floor.

**Mr. Joseph Humire (Senior Fellow and Director, Center for a Secure Free Society, International Freedom Educational Foundation):** Thank you, Mr. Chairman. Thank you, honourable members of the committee.

My name is Joseph Humire. I am the director of the Center for a Secure Free Society, which focuses on researching the nexus between security, defence, and economic freedom.

I very much appreciate the invitation to appear before you today and regret that I cannot be there in person, but thanks to the efficiency of your staff, I'm able to present my testimony via teleconference.

As I'm not a citizen of Canada but rather am a citizen of the United States, I would like to focus my testimony on an issue that's pertinent to both our countries, that of border security. More specifically, I'll offer my recommendations by addressing two challenges that I believe need to be addressed to improve the security of Canada's immigration system.

The first challenge, although a bit holistic, is to employ methods and measures to evaluate security policies, which in this case are immigration security policies. The reason is to ensure that Canada's immigration system is secure yet does not irreversibly compromise the rights and liberty of your citizens.

The second challenge is a bit more practical. Canada must establish an enhanced intelligence and law enforcement infrastructure that addresses real-time immigration threats while it does not give up the sovereignty of the state.

As you can see, both challenges require a delicate balancing act. Thus, I'd like to begin by quoting one of our founders of the United States, the honourable Benjamin Franklin, who wrote, in his notes for a speech to the Pennsylvania assembly, "Those who would give up essential liberty to [obtain] temporary safety deserve neither".

While a bit grim, Mr. Franklin captured, in essence, the premise of what needs to be understood when discussing the issue of immigration security, which is that there is a natural trade-off between security and liberty—between security and freedom—particularly as it relates to defending sovereign borders.

Thankfully, this trade-off is not made on absolute terms. The desired state is not absolute security, nor is it absolute freedom. Rather, there is a balancing act between the two that allows this trade-off to be made at the marginal level and to adjust, depending on the threat conditions present at the time. Finding this balance is the primary challenge to the Canadian government when trying to improve the security of your immigration system.

This balancing act needs to ensure that Canadian citizens are safe from all, or at least most, conventional and unconventional threats, while the guaranteed freedoms and liberty of your citizens, freedoms that are needed to ensure prosperity, are not violated. Finding this balance, or what I like to call the sweet spot, is the key to success for Canada's immigration policy.

To offer some recommendations on how to reach this sweet spot, I'll borrow from another Philadelphia scholar, Mr. Jan Ting, who was the former Assistant Commissioner to the United States Immigration and Naturalization Service. In a 2008 publication by Canada's own Fraser Institute, Mr. Ting stated that the government should take five considerations when evaluating security policies.

The first he calls historical precedent, which basically means examining what has been done in the past and seeing whether it was justifiable.

The second is revocability of the policy. It means essentially understanding when the policy has failed so that it can be withdrawn or amended to adjust to lessons learned.

The third is context, which recognizes that some policies and some initiatives may be justified in one context but not in another.

The fourth, nature of the threat, is frankly to basically understand, to the best of our ability, the actual nature of the threat.

The fifth and final is the likelihood of success. Be forthright about what works in terms of applying our moral and ethical sensibilities to the struggle to defend our nation.

In addition, Ting would add that these evaluation measures should be complemented by judicial scrutiny and congressional, or in this case parliamentary, oversight so as to ensure that all three branches of government are working in sync and within the checks and balances system.

To this I would add that security policies—in this context immigration security policies—need a comprehensive review to ensure that they are synchronized with the whole-of-government approach to immigration that aims to achieve this delicate balance between security and liberty. I would also add that immigration security policies should be scrutinized not just by governmental actors but by non-governmental actors, namely think tanks, watchdog groups, and other elements of civil society.

Mr. Chairman, it's in both of our interests that our borders be secure. However, in doing so, we must not damage what is at the core of our shared interests, which is trade and commerce. I believe that the Canadian government should be commended in this regard, as they have taken this shared interest of trade and commerce into account with just about all of the immigration security initiatives proposed in the last decade, starting with the Smart Border declaration of 2001 up to the Beyond the Border initiative of 2011 that continues to the present day.

Both of these, and all other immigration security initiatives, must undergo a comprehensive review that includes the five aforementioned considerations to ensure that they're up to date with present threat conditions. If we accomplish this, it would address the first challenge of adopting an immigration system that is secure, yet does not impede trade, commerce, or, more importantly, the individual liberty of Canadian citizens.

•(1635)

However, evaluation measures alone are not enough. In order to further modernize the security of Canada's immigration system, you must also examine how current immigration security policies, namely those related to border security, have kept up with the evolution of trade and commerce between our two countries.

Mr. Chairman, as you well know, Canada and the United States enjoy the largest two-way economic relationship in the world, with total merchandise trade in exports and imports exceeding \$500 billion annually. In fact, about \$1.3 billion in goods comes across the border every day. But what's interesting to note is that a little less than half of that trade coming across every day—give or take \$500 million—takes place between elements of the same company, meaning that companies residing on both sides of the border move parts and labour to one country or the other depending on the availability of expertise and capacity. These transnational companies show that the U.S. and Canada not only share interests, but we also share capacity, as we are increasingly integrating our structure of production. The increased level of integration transcends the old ways of thinking about trade and commerce. It means that we need to transcend the way we think about protecting this trade and commerce, as well as our citizens, when addressing the real-time threats faced by both our nations.

Both the Office of the Director of National Intelligence of the United States and your Canadian Security and Intelligence Service have stated that radical Islamic extremism and terrorism are the greatest threat to our respective national security. I myself have studied Islamic extremism and terrorist groups for over a decade, both in the military and within think tanks, and I can assure you that traditional border security initiatives and improved technology alone will not stop these groups.

These groups operate in networks, and in order to counteract the threats, the security apparatus of Canada must have its own international networks that can locate, identify, and neutralize the threat. As you well know, an immigration control network has three layers of defence: the first is overseas, where visas are issued abroad amongst your embassies and consulates; the second is in the interior of a country; and the third is at the border. Enhancing border security in the traditional sense would entail placing more controls at the air, sea, and land ports, as well as along long stretches in between.

However, I will assert the position that cumbersome border controls undermine our shared interest in achieving higher levels of prosperity while actually doing very little to curb real-time security threats, such as Islamic extremism and terrorism. Pre-entry screening, intelligence cooperation, and enhanced law enforcement are all likely to yield better results in keeping terrorists, criminals, and other undesirables out of a country than are heavy-handed immigration controls at the border.

To put this in perspective, James Ziglar, former Commissioner of the U.S. INS, testified several years ago that in one typical six-month period, about 4,000 criminal aliens were arrested at the Canadian border. Since this is 4,000 among more than a million—I think the exact quotation was about 0.0004%—it is a small fraction of cross-border activity. Since the criminal element is such a small fraction of what actually comes across the border, I don't believe this is where

limited resources should be focused when looking to enhance the security of your immigration system.

This leads to my recommendation for the issue of border security, which is to enhance the intelligence and law enforcement infrastructure of Canada for what some experts have called domain awareness and to implement additional prescreening processes. In this instance, less is more.

As articulated by Canada's Interim Auditor General, John Wiersema, the Canadian customs and immigration system does not have the necessary intelligence infrastructure to make sound decisions, particularly on people requesting immigration. This lack of intelligence is a result of both a failure of various intelligence services to provide necessary information to customs and immigration authorities in Canada as well as a failure of Canada to obtain valuable intelligence and analysis from its international partners, particularly the "five eyes" of Canada, the United States, Great Britain, Australia, and New Zealand, who have been cooperating for the last 60 years on intelligence-sharing and information.

Therefore, within the immigration control network, I believe more emphasis should be placed on the first two layers of defence, which is overseas within your embassies and within the interior of Canada, which is where the threat of Islamic extremism and terror originates and also is propagated.

For instance, from an aviation and maritime perspective, Canada needs to know about air travel passengers departing from Geneva before the plane leaves Geneva, not when it arrives in Montreal. Canada needs to know about ships approaching its coastal domain, not when they arrive at the dock but well before these ships even enter international waters. The truth is that at present, little prescreening is done and there is an overreliance on technology, something that is both dangerous and that risks an increase in complacent behaviour. A proper prescreening process requires more than just advanced technology, such as biometrics; it also requires capable networks of intelligence professionals who are collecting, processing, and analyzing information abroad that provide the data for biometrics to be effectively employed.

•(1640)

The best biometric technology in the world is rendered useless if there is no information on the exact individual. Fingerprinting becomes meaningless if there is nothing to cross-reference against. Intrusive physical technologies provide little, other than unnecessary travel delay and frustration. Snippets of data mean nothing until they are collated between domestic international partners so that the information can be turned into intelligence.

**The Chair:** We're going to have to wind up, sir.

**Mr. Joseph Humire:** Mr. Chairman, let me wrap up my summary by saying that my recommendations are as follows.

The first, as was stated, is to adopt evaluation measures that consist of the five factors mentioned earlier on all immigration security policies, past and present, which would move towards a more accurate balance between liberty and security.

The second is to enhance Canada's intelligence and law enforcement infrastructure to allow for increased presence and activity of human elements abroad, focusing on pre-screening procedures and collaboration with foreign intelligence apparatus.

The third is to identify employed non-governmental Canadian individuals in institutions to help in drafting immigration security policies.

The last is to establish a new joint committee in Parliament that includes Citizenship and Immigration, International Trade, and National Defence.

With that, Mr. Chairman, I will end my opening statement. I'm pleased to answer any questions you may have. Thank you for your time.

**The Chair:** Thank you very much, Mr. Humire.

We do have some questions.

Roxanne James has some questions.

**Ms. Roxanne James:** Thank you, Mr. Chair.

Mr. Humire, you've gone very quickly, and I was trying to write down everything you were saying.

In terms of making policy changes to better Canada's security systems here, where do you think Canada has stagnated? Where do you think we really need to make more improvements?

**Mr. Joseph Humire:** As I was saying, ma'am, there are three elements of immigration security, as I see it. There are elements of security that could be implemented on the border, which I think is where most of Canada's attention has been focused, or they can be implemented abroad, with pre-screening measures, as well as within the interior—illegals and others who have entered the country through illicit methods.

Frankly, the biggest threat to Canada, the way I see it, is Islamic extremism and terrorism, and most of those networks are very difficult to capture coming across the border. It's much easier to infiltrate or neutralize those networks abroad while they're working in different cells in different countries of allied nations, or even within the country, if you know that there are cells operating within.

One thing I would suggest as a practical policy measure is just to redirect resources to apply a little more emphasis abroad and also within the interior of Canada, and not so much focus on the border, which is what I've essentially been hearing for many of the initiatives that have been proposed for Canada's immigration security.

**Ms. Roxanne James:** Thank you.

You speak even faster than I do, and it is hard to find someone who speaks as fast as I do.

You've talked about four different key areas. Could you briefly summarize them in very short, point form so that I can get them down, so that I clearly understand the key points you're trying to get across as your recommendations?

**Mr. Joseph Humire:** Do you mean the four recommendations?

**Ms. Roxanne James:** Yes, just provide a brief notation on each one so that I can get them down.

•(1645)

**Mr. Joseph Humire:** Sure, ma'am.

The first is to establish evaluation measures for all immigration security policies—and I have them specified in the written testimony—that will allow people to understand that each security measure that's implemented does not go overboard and infringe on the liberties of Canadian citizens.

The second is what I just mentioned a little while ago: to adopt pre-screening measures and to actually assign more resources to the intelligence and law enforcement infrastructure abroad.

The third is not just to employ governmental resources, but also to involve non-governmental resources, such as Canadian think tanks, watchdog groups, and other elements of civil society—to include them in the discussion and add them to the drafting of the immigration security policies in Canada.

The final one is to establish a new joint committee, which I believe probably should include at the minimum the Standing Committee on Citizenship and Immigration, the Standing Committee on International Trade, as well as that on National Defence.

Those are the four recommendations.

**The Chair:** Ms. James, we have written comments, and after they have been translated, I will direct the clerk to send them to all members.

Thank you.

**Ms. Roxanne James:** We had another witness here who mentioned a few countries that typically raise the red flag with concerns for security issues. From your own experience, what countries would you list as those countries that raise the red flag for immigration?

**Mr. Joseph Humire:** Well, I'd say frankly all the countries that have bred Islamic extremist groups. Obviously many of those would be concentrated in the Middle East and North Africa, but I want to bring to the committee's attention also groups that originate from Latin America.

I've done quite a bit of research on the presence of Islamic extremism in Latin America, which has grown about tenfold in the last ten years. I would say that there is an element in Latin America that is anti-U.S., anti-west, and anti-Canada as well, known as the ALBA group, consisting of Venezuela, Bolivia, Nicaragua, and Ecuador.

Most of these Islamic extremism groups, including—probably most poignantly—Hezbollah, have penetrated these countries and have used fake Venezuelan passports to enter the United States. I would say to pay special attention to these countries in Latin America.

**Ms. Roxanne James:** Thank you very much.

As you know, Canada is one of the most welcoming countries in the world. We have one of the most fair and generous immigration systems.

Now, you mentioned a whole slew of countries, but can you talk about any specific cases where people have actually used false representation or fraudulent means to get to Canada? And do you think that is a serious problem here—in Canada, and obviously for crossing the border into the United States?

**Mr. Joseph Humire:** Unfortunately, I can't give you a specific case for Canada, but I will give you a specific case for the United States, which I believe kind of transcends throughout North America.

Venezuela has essentially an agreement with Iran that allows for certain flights to travel to and from Caracas and Tehran that have no oversight. There's no way to look at the manifest of who comes in and out of those flights. Essentially, we have seen through other intelligence sharing and information collection that some of these individuals who came from these flights then changed their identities, were given Venezuelan passports with Venezuelan identities, and then had been pushed on to Latin America.

In one case, a gentleman named Kareem Ibrahim attempted to put a sort of pipe bomb at JFK International Airport in 2006. He was arrested in Trinidad and Tobago on his way back to Iran via Venezuela, via that flight. Thankfully our law enforcement captured that individual.

So that was one incident where basically a falsified passport allowed someone entry into the United States, and thankfully our law enforcement caught it.

**Ms. Roxanne James:** Thank you, Mr. Humire. I think Canadians, as well as, I'm sure, Americans, are absolutely horrified to hear stories like this.

That kind of leads into my last question. We think of countries around the world that, as you have said, kind of breed terrorism. Obviously we are concerned about people coming into Canada. But I've heard anecdotally that we actually have more hits coming, in some cases, from the United States, from our closest trading partner.

Is that a true statement? Is that something we need to be concerned about? I just heard your story about someone coming into the United States, so in theory, that person could then try to get into Canada next. Is that something that you're concerned about, or that you would agree with?

• (1650)

**Mr. Joseph Humire:** Yes, of course, it's something I would be concerned with. If they're within the United States, they can obviously travel freely to Canada.

I would probably be more concerned with those individuals who are coming directly from other countries and not directly from the United States. Once they are in the United States, we generally have a better ability to monitor and source these individuals and case them. I think the hardest part is when they're actually working abroad, because that, as you well know, requires intelligence sharing and other types of elements that sometimes are beyond our control.

But in terms of sharing your concern, I would say...a little bit less than from other countries.

**The Chair:** Thank you.

Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Thank you, Mr. Chair.

Thank you, Mr. Humire. Some of the concerns I have include recourse mechanisms and due process for individuals who believe they are mistakenly targeted or prevented from travel. It's already happening in Canada, for sure.

For example, in my riding we receive many requests from constituents for support for temporary resident visa applications; they feel that their family member was unfairly denied or arbitrarily denied, and then would like some help from my office. In many cases, it's a family member who is looking to come to Canada to celebrate a family occasion or a family holiday.

One example is a gentleman who came to my constituency office for help with his sister's application. He had invited three of his siblings to come to a 25th anniversary party in his family. Two of the siblings were approved, but his sister, despite having property in her home country, a good job, a spouse, and children she'd be returning to, was denied. When she reapplied, she was denied again, this time because the visa officer questioned her purpose for the visit and the family ties she had in Canada, even though the two other siblings from the same country of origin were approved for the same visit for that same purpose—to celebrate the family's anniversary. And all three of them were invited by the same person in Canada.

We've heard testimony from the Office of the Auditor General, some of which you mentioned as well, that quality assurance practices—checks to make sure the system is working—need to be strengthened for the admissibility determination process. The AG's office argues that in a system that is there to help protect Canadians, "it is just as important to review the decisions to grant visas as it is to review the decisions to deny them".

Our Privacy Commissioner has also stated that failure rates of 1% are quite common for many biometric systems, which have had a significant impact with the system that can include thousands or even millions of people when you take into account the volume that we actually go through.

How would you address recourse mechanisms that address the issue of failure rates in biometrics programs for temporary resident visas? And what remedies should be made available to people who are erroneously matched through biometrics?

**Mr. Joseph Humire:** Without stepping too far outside my area of expertise, and having never been a consular officer or worked in law enforcement directly, let me just say that the case you presented is essentially a case of civil liberties, if I'm not mistaken. It's a case of somebody trying to come across for a lawful and just purpose, but being denied on grounds that are maybe a little fuzzy.

My first recommendation has to do with creating evaluation and measures that could prevent some of this, looking at certain policies, and even going past the policies and looking at certain initiatives that are being put together, such as biometrics or different types of biometric protocols being put in place at your visa pre-screening processes, and judging them on five different levels. Those five levels are to look at the history, see if there's any precedent for having that type of security policy or initiative—

**Ms. Rathika Sitsabaiesan:** Sorry to interrupt you, but are these the same five you were talking about earlier?

**Mr. Joseph Humire:** Yes, ma'am.

**Ms. Rathika Sitsabaiesan:** Okay. Thank you.

I'm going to change gears a little, Mr. Humire. Thank you very much.

You were talking about verification with respect to biometrics and data collection. Could you elaborate a little on the privacy risks of verification? When we had the Privacy Commissioner come to visit the committee, she was concerned. She raised quite a few concerns about verification, such as safe collection of information, storage, and transmission of personal information. Would you please elaborate on your argument? You made a strong argument for enrolment. So if you could, please elaborate on some of the privacy risks that Canada would face and that people would face based on verification.

•(1655)

**Mr. Joseph Humire:** The sound cut off a little, so I'm going to rephrase your question. It was to comment a little on the risks of privacy if enhancing intelligence information sharing abroad. Is that correct?

**Ms. Rathika Sitsabaiesan:** Yes, with respect to using biometric data for verification, rather than just identification of people. Your argument was that we should have a strong enrolment process, and

hence use the data for verification rather than just identification. So could you identify or elaborate on the privacy risks of verification itself?

**Mr. Joseph Humire:** Essentially with any type of biometric, or what I call intelligence collection, there's a privacy risk by default. The only way that I think you can measure that privacy risk is by enhancing the actual abilities—the technological as well as human capabilities—of the enforcement officers abroad. What I would essentially say is better training of your law enforcement intelligence officers who go abroad to provide this intelligence collection activity, particularly anything that has to do with source operations, or things that have to do with espionage.... Those individuals have to be the most highly trained before they go on assignment. That would be the first step, because if you don't have these measures in place, the privacy of the individuals who are being investigated, which is already by default at risk, will grow by tenfold.

**Ms. Rathika Sitsabaiesan:** Thank you, Mr. Humire.

**The Chair:** Go ahead, Mr. Hsu.

**Mr. Ted Hsu:** Thank you very much.

Mr. Humire, I want to follow up on the remark you made about Islamic extremism and terrorism being the greatest threat. I'm curious about what you would consider to be the second or third greatest threats.

**Mr. Joseph Humire:** Aside from Islamic extremism and terrorism, I'd probably put cyber warfare as an imminent threat, which is not actually mutually exclusive, and narco-trafficking or, in a broader category, transnational criminal organizations.

**Mr. Ted Hsu:** Do you think cyber warfare is related to immigration policy or visa policy?

**Mr. Joseph Humire:** That's a good question. I'm not entirely sure, because in a way it doesn't directly travel through physical elements across borders. But it definitely is a law enforcement issue, and I definitely think that immigration authorities need to be aware if any means of cyber warfare are being transferred across the border.

I'll give you a small example. In November 2011, our drug enforcement administration caught an element in Mexico that was working through the Iranian embassy—Mexicans working through the Iranian embassy—to transfer different types of parts to do cyber warfare. They were arrested because they were trying to obtain the codes for the servers of defence and intelligence agencies here in the U.S. That was a law enforcement issue that was a collaboration of the border patrol agents and the drug enforcement administration, which aren't the typical entities that focus on these types of threats, but they caught it because they were well aware of the situation. In that sense it might cross over a little, but I wouldn't entirely put it in the category of immigration.

**Mr. Ted Hsu:** I'd like to switch a little bit. I just want to ask you about your organization a little bit, since you're very kind to provide recommendations to Canada but you're sitting in the United States. I'm curious as to who you worked with to come up with the report or the statement you just read out and the recommendations in it. Who did you work with to put it together?

**Mr. Joseph Humire:** Frankly, I didn't have a whole lot of time. I was actually just given notice of the testimony a week ago, so there wasn't a whole lot of time to work with anybody specifically. In the network that we work with, we tend to work with all kinds of think tanks in Washington, groups that are particularly focused on economic policies and security policies. If you would like me to list a few, I could. I don't feel it would be right in a public forum, but I do have some of the documents, such as—

• (1700)

**Mr. Ted Hsu:** What are two or three of them?

**Mr. Joseph Humire:** One of the studies I looked at very carefully was the study done by the Fraser Institute. The Fraser Institute is probably most well-known for its economic work, particularly its economic freedom index. In this case, it actually did a very lengthy study on immigration security as it relates to terrorism and Islamic extremism. That study was published in 2008 in—

**Mr. Ted Hsu:** Were there any other groups that you consulted?

**The Chair:** You have to let him finish his comments.

Go ahead, sir. The question was, are there any other groups?

**Mr. Joseph Humire:** Yes. I worked also with a group called the Macdonald-Laurier Institute out of Ottawa, another think tank we collaborate with from time to time, and with a couple of friends who work in the business of business continuity.

**Mr. Ted Hsu:** So what is it that you bring to the remarks you made and the report you're going to submit that's distinct from the groups you consulted?

**Mr. Joseph Humire:** Essentially the centre that I direct has a vision, and I think the vision is perfectly aligned with the remarks made in my testimony, which is that security is necessary for prosperity, and that prosperity is therefore necessary for long-lasting security. That's essentially at the heart of the reason why I started my testimony with that quote from Benjamin Franklin. I think it's at the heart of the issue when it comes to sovereignty and civil liberties versus making sure that Canadian citizens are safe. I think that's where we find our nexus.

**Mr. Ted Hsu:** Thank you.

Where does your funding come from? Who funds your organization?

**Mr. Joseph Humire:** Primarily U.S. foundations and individuals.... You know, we're actually a department, a centre within a larger organization called the International Freedom Education Foundation, and that's funded primarily by foundations and philanthropic individuals.

**The Chair:** Thank you, Mr. Hsu.

Mr. Menegakis.

**Mr. Costas Menegakis:** Thank you, Mr. Humire. Thank you for joining us today and for your testimony.

As you know, the Auditor General here in Canada has made recommendations in support of our improving our biometric system. We simply collect biographical information today and fingerprints. Do you think this is sufficient data?

**Mr. Joseph Humire:** Yes and no. I think it's definitely sufficient for the purposes of screening, but biographical information and fingerprints are really just law enforcement mechanisms. On the intelligence side, which is what I have a little bit more experience with, you also need demographic information. You need personality as well psychological profiles to fully understand the individual.

Now obviously I think that's not the case for every individual who crosses the border, but that's why I think I'd put a little bit of emphasis on understanding how to create an intelligence super-structure abroad. If through your embassies you create, say, a more enhanced intelligence capacity, you can start to case individuals well before they apply for immigration or any type of visa or any type of entry into the country, so they're on a kind of target list, so to speak.

For law enforcement mechanisms specifically for the purposes of just screening, I believe that yes, that would be good enough, but not for intelligence.

**Mr. Costas Menegakis:** How is biometric data used in the United States?

**Mr. Joseph Humire:** It's used to corroborate with different agencies to see if an individual is on a certain list or what this individual pertains to. It's basically a measurement tool to look at corroborating information.

**Mr. Costas Menegakis:** In your opinion, what other information do you think would be beneficial to obtain to ensure efficient travel and the protection of the general public?

**Mr. Joseph Humire:** If an individual is to be identified as a potential threat, I think you'd need two things. You'd need demographic information as well as psychological information to build a full profile on this individual.

**Mr. Costas Menegakis:** During your time in the United States Marine Corps, you were part of a very special purpose task force involved in counterterrorism and counter-insurgency operations. What are some of the ways foreign nationals have tried to illegally gain entry into Canada or the United States?

**Mr. Joseph Humire:** I mentioned a case earlier, which is essentially that agreements are popping up all over the world, particularly in this hemisphere, country to country. When I was in the military, some of the work we did in Colombia increasingly ran into forged passports. I'm not talking about very amateurishly forged passports; these were very professional, done particularly by Cuban intelligence agents, who were running a fraudulent passport ring allowing drug traffickers and now terrorists, Islamic extremists, to come into the country and change their identity. That was probably one of the biggest cases we investigated.

• (1705)

**Mr. Costas Menegakis:** What is your overall opinion of Canada's border security? I'm interested to hear your perspective. You're in the United States. You're obviously experienced in the field.

**Mr. Joseph Humire:** I think it's improving. Your president has done quite a bit of work to enhance border security, including doing innovative things like these next-generation teams that allow cross-border agents to work on both nations, but my emphasis isn't so much on the border.

You have to adjust the security measure to the threat, and if the threat is identified by your own intelligence organizations to be terrorism and Islamic extremism, border controls aren't necessarily the best way to neutralize them—at least that's what we've seen. We put a lot of emphasis on our southern border with Mexico, yet they still find their way into the country, and it isn't always through the border.

**Mr. Costas Menegakis:** What about Canada's visa screening system? Do you think Canada is effectively managing who comes in and out of our country?

**Mr. Joseph Humire:** Sir, that probably would be outside my area of expertise. I never really worked with the visa screening procedures. I don't have any experience with it.

**Mr. Costas Menegakis:** Would you care to share with us some ways that you think would deter foreign criminals from taking advantage of our generous immigration system?

**Mr. Joseph Humire:** You mean practical measures?

**Mr. Costas Menegakis:** Yes.

**Mr. Joseph Humire:** When it comes to actual technical or practical measures of the pre-screening or the visa screening, I feel that's a little outside my area of expertise. I haven't worked in consular affairs. I worked on the law enforcement side, so I would hesitate to put forth any really practical measures.

**Mr. Costas Menegakis:** Let's go back to biometrics. Do you know of any cases when biometric data has saved lives or stopped crime from occurring?

**Mr. Joseph Humire:** Yes, quite a few. In the instances of our southern border, our U.S. Border Patrol has used biometrics quite successfully to deter narco-trafficking. We put a camp along the northern Mexican border. We're constantly travelling to and from the border states—Texas, Arizona, even California—and once we

started using more of our biometric capabilities, the correlation between implementing biometric capabilities and arrests of narco-traffickers went up. In one instance, as individuals came across one entry point, the biometric data would allow you to quickly corroborate that individual with his previous attempts at other entry points in other states. That cross-referenced the information and allowed law enforcement to quickly apprehend those individuals. In the past that would have been a difficult thing to do, considering different law enforcement procedures in different states. It was a difficult process, but it has become much more streamlined and efficient.

**The Chair:** Thank you.

Oh, I'm sorry, Mr. Kellway. I apologize.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Thank you, Mr. Chair, and through you, thank you, Mr. Humire, for being with us today.

I also represent our party on the national defence committee. Much of this discussion reminds me of the one we have at the defence committee. We're currently doing a study on the readiness of our Canadian Forces. What we end up talking about a lot are the capabilities of our forces in the context of threats and vulnerabilities. What we never seem to get from a security perspective is a real assessment of those threats to and vulnerabilities of our country, which is what we're talking about today. We leap ahead to an assessment of our capabilities and proposals about our capabilities without understanding those threats and vulnerabilities.

You've put to us today some proposals on what this country should be doing to increase security. Can you provide us with an assessment of existing threats and, more importantly than the threats, the existing vulnerabilities of this country to those threats?

• (1710)

**Mr. Joseph Humire:** Let me preface this by saying one thing. One thing I've seen that seems to work—correct me if I'm wrong, but I might have heard that this might be part of the Beyond the Border initiative—is doing joint threat and vulnerability assessments. That, I think, has worked in the past among inter-agency task forces, being allowed to go into different theatres of operation—I'm speaking of the military—and doing joint threat and vulnerability assessments. That tended to be very practical and very effective in trying to understand the actual nature of the threat.

On what an existing threat or vulnerability to Canada's immigration system is, I essentially think it's what some professions have termed as domain awareness. It's having the intelligence infrastructure abroad to essentially go out and do sourcing operations, to go out and find individuals and institutions and entities that can present a potential threat to Canada's national security. Finding these individuals, locating and identifying them, and then sharing the information with other intelligence organizations within the host countries is critical, to me, before we start to talk about enhancing elements on the border or within the perimeter of Canada.

A lot of these groups, whether Islamic terrorist groups or transnational criminal groups, work in very tight networks. In these networks they have a lot of access, whether through the border, air, land, sea, or through companies. I think having that intelligence capability abroad to go out and source these individuals, case them, and provide information to internal law enforcement is probably your biggest vulnerability as of the present day.

**Mr. Matthew Kellway:** You suggest that we need to do a threat analysis or a vulnerability analysis. Is that to say it doesn't exist right now, to your knowledge?

**Mr. Joseph Humire:** I'm not sure, but I do think I remember when I was reviewing the Beyond the Border initiative...I do believe I saw it in there, so it might be part of something that's going to be implemented in the future. I'm not entirely sure it does not happen now, at least not to my knowledge.

**Mr. Matthew Kellway:** So without that analysis, we've jumped ahead to a conclusion that what's required is these greater intelligence services. Have you done an analysis of Canada's intelligence capabilities at this point?

**Mr. Joseph Humire:** No, sir.

**Mr. Matthew Kellway:** Okay.

I don't think I have any more questions.

**The Chair:** Thank you.

Mr. Trottier, go ahead.

**Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC):** Thank you, Mr. Chair, and thank you, guests.

You mentioned we're dealing with embassies and consulates and high commissions; then there's the border, and then there's the local law enforcement. But the front lines in the overall security question are those embassies and consulates and high commissions overseas. Could you maybe share what the U.S. network of embassies and consulates have been able to do, to screen a bit better?

Another witness at our committee meeting today talked about the challenge of fraudulent documents and about trying to uncover in some of these foreign countries people who really are the people they say they are. What measures have been put in place in some of the U.S. foreign networks to improve screening, to prevent undesirable people from arriving on U.S. shores?

**Mr. Joseph Humire:** Thank you for that question. I think that's essentially the key issue. You caught it. The embassies abroad are the front lines of the immigration battle or challenge, so to speak.

Some of the things we worked with may be a little outdated, since I have been out of the service for a while. But some of the stuff we did abroad, particularly when we were dealing with these narco-trafficking groups, was to work with the local law enforcement. That requires a level of cooperation that also is provided by the host country. Things like status of forces agreements and standard protocols host nation to host nation open a tremendous amount of doors for individuals in the intelligence profession to create mutual shared capabilities with the local law enforcement.

When I say "local law enforcement", I'm not just talking about the national law enforcement; I'm talking about the municipal level—the very local level of where some of these networks operate. In the case of some of the work we did in Mexico, it was not working in the capital, which is the Distrito Federal in Mexico City; it was working with some of the local law enforcement along the northern border.

Had we not had this type of status of forces agreement with Mexico, that would not have been possible. The Mexican government allowed us to go to the north to work with these local law enforcement officers, which tremendously enhanced our capability to source individuals who could be potential personalities of interest.

• (1715)

**Mr. Bernard Trottier:** Okay. I have maybe one last question before we have to wrap up. It's on information sharing between Canada and the U.S. Obviously we're two sovereign countries who are best of friends in many ways. There are always concerns, though, about sharing of information between countries. What do you think is the appropriate level of information sharing?

We have some mutual security concerns, and we want to make sure we're also enhancing and streamlining economic activity between our two countries. We don't want to impede the flow of people that goes along with the flow of goods and capital.

Could you share some of your thoughts on ways that the U.S. and Canada can better share information with respect to people moving between our borders?

**Mr. Joseph Humire:** I think some of this stuff is already in play, according to what I was reading in the Beyond the Border initiative. I think these next-generation teams are quite a monumental leap forward, as far as sharing information. You're sharing more than information; you're sharing resources as well as support—logistical and otherwise.

I will say this, though. The risk of...and this is a lot of what I've heard in the debate with immigration and security that relates to losing sovereignty if you share too much information. I look at it the other way around. If you don't share information, I think you lose more sovereignty. Essentially what you're doing if you're not sharing information is you're kind of defaulting your intelligence position to the host country.

In that case the United States is now doing your intelligence functions and providing information on individuals and personalities of interest. The United States will give you the information how they see fit, as opposed to the Canadians collecting their own information and finding their facts because of their own intelligence professionals.

I think that having—

**The Chair:** Mr. Humire, we have to conclude our discussion. The committee has to go to vote in our House of Commons.

I want to thank you for giving us your thoughts. We appreciate your expertise.

On behalf of the committee, thank you.

**Mr. Joseph Humire:** Thank you, Mr. Chairman. Thank you to the committee.

**The Chair:** Thank you, sir.

This meeting is adjourned.

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