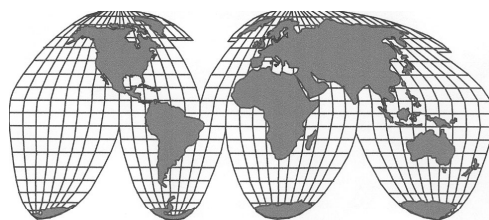




**HOUSE OF COMMONS
CANADA**

COMPETING FOR IMMIGRANTS



REPORT OF THE STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION

**Joe Fontana, M.P.
Chairman**

June 2002

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The Committee could not have completed its study “Competing for Immigrants” without the cooperation and support of numerous people. The Chairman and members of the Committee extend their thanks to all the witnesses who shared with them their insight and their knowledge on this subject.

Our task could not be completed without the valuable research and assistance of the analysts of the Parliamentary Research Branch, Benjamin Dolin and Margaret Young. The Committee also wishes to acknowledge the Clerk, Jacques Lahaie, and Lucie Poulin for the administration and support throughout the course of this study.

The members of the Committee also wish to express their appreciation to the staff of the Committees Directorate, the Translation Bureau of Public Works and Government Services Canada, the Department of Citizenship and Immigration staff in Canada and abroad and the support services of the House of Commons who have provided logistic and administrative support to elaborate this report.

Finally, the Chairman wishes to thank the members of the Committee for the numerous hours they dedicated to study this question and to prepare this report.

THE STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION

has the honour to present its

FOURTH REPORT

In accordance with its permanent mandate under Standing Order 108(2), your Committee has conducted a study *Competing for Immigrants* and reports its findings and recommendations.

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COMPETING FOR IMMIGRANTS

BACKGROUND

For at least the last six years in Canada, immigration policies, practices, and laws have been under public, governmental, and parliamentary scrutiny. A three-person advisory group reported its detailed findings and recommendations to the Minister of Citizenship and Immigration in 1997, after a one-year study and wide consultation with the public. The government followed with a discussion paper one year later. Meanwhile, the Department's resources were heavily affected by retrenchment in the mid-1990s as the federal government worked to get its fiscal house in order.

The Department and the Immigration and Refugee Board had to deal with the continuing arrival of a significant number of individuals by irregular means, whether by the boatload as in 1999, or by other less visible methods. Litigation and court decisions had a continual impact on immigration law and procedures. At the same time, increasing volumes of immigrant and non-immigrant applications put great pressures on staff, leading to a situation described as serious by the Auditor General in 2000.

The first Bill introduced to re-write our immigration law came in April 2000, with the introduction of Bill C-31. Although it died on the *Order Paper*, Bill C-11 followed in February 2001. After intensive parliamentary study, including by this Committee, the *Immigration and Refugee Protection Act* (IRPA) received Royal Assent at the beginning of November 2001. It is the first complete revision of the law since 1976.

Prepublication of the proposed regulations to accompany the new Act followed in December 2001 and March 2002. This Committee took a close look at those proposals and made numerous recommendations for improvement. Currently, departmental staff are receiving training on the new Act and regulations; policies are being developed and instructions written; forms are under development, as is the new Maple Leaf Card. All the activity is geared to the date the new Act and regulations are slated to come into force — June 28, 2002. It has been a long haul, one that has engaged the public, interested parties and Parliamentarians, as well as the government.

The Committee realizes that implementation of the Act at the end of June will not be easy. We know that summer is the busiest time for visitor visa and student applications. It is also the time when employees take their holidays, and rotational staff abroad take up new positions. In Canada, summer students perform many of the officers' duties.

Once the inevitable bumps of implementation are over, however, the new Act should usher in a more stable era for Citizenship and Immigration Canada (CIC). The Committee feels that this is therefore an ideal time to step back and take a broad view of our immigration program in order to maximize the benefits of all the hard work up to now.

At this critical juncture, the Committee is keenly aware of a number of key facts. As shown by the 2001 census data, Canada's population growth rate is slowing and our population is aging. Our fertility rate (the average number of children a woman will have during her lifetime) has fallen to an average of 1.5, a figure that is lower than in recent years and well below the replacement level of 2.1. Citizenship and Immigration Canada estimates that as early as 2026, with current trends, any Canadian population growth will likely come from immigrants.

The leading edge of the post-World War II baby boom, a group of some 10 million, will start to retire in five years, and continue to retire in stages for the following 20-25 years, leading to potential shortages in the Canadian labour market. Indeed, some have already taken early retirement. It is likely that by 2011, *all* growth in our labour force will come from immigration.

In some sectors, skill shortages are evident even now. Most people are aware that in recent years there have been shortages of high tech workers and professionals, particularly in the health care field. The Canadian Nurses Association, for example, has predicted that there may be a shortage of over 100,000 nurses by 2011. The Association of Colleges and Universities estimates that universities will need to hire at least 30,000 new faculty members over the next decade. In the course of our previous study on the proposed regulations, witnesses delivered a similar message about the need for skilled workers.

Shortages already exist in a number of other areas as well, such as skilled construction trades. The problem is such that there is now a special program for certain trades people willing to come to Ontario for one or two years to work. Trades people in demand in that program include bricklayers, framers, form workers and cement finishers. Also identified as occupations with a favourable outlook in Canada by Human Resources Canada are: aircraft mechanics; engineers; heavy equipment operators; management, advertising and marketing consultants; medical technologists and technicians; plumbers and pipefitters; police officers and firefighters; and, tool and die makers, machinists and machine tool operators.

The Committee believes that all of these factors — our aging population, our low fertility rate, and the existing and looming shortages of skilled workers — make immigration to Canada an important policy tool to ensure our future. Is that tool being used as well as it could be?

We know that other countries are facing similar demographic challenges and skill shortages and are more and more turning to immigration as an answer. Australia, for example, has just raised its target immigration levels, with most of the increase in the Skill Stream and is also beginning a special program to attract nurses. For the period 2001 to 2003, the United States has significantly increased the number of skilled temporary workers it will accept. Once in the country, workers may apply to adjust their status to that of permanent resident. Even some European countries, which do not consider themselves countries of immigration, have begun to develop programs to attract the skilled workers they need.

Can we compete with other countries to obtain, and retain, desirable immigrants? We are aware that at the present time Canada ranks extremely high as an immigration destination. What must we do to ensure that this continues? Can we sustain our program at the levels necessary to meet our needs? Those were the larger questions the Committee pondered as we began this study.

The Committee wanted to assess how efficiently and effectively our missions abroad process immigrant applications. Our work included briefings in Ottawa, followed by trips of three different groups of members in the last two weeks of April to a total of eight missions. These were located in the Far East, South Asia, and Europe. At each post, members had staff briefings on local conditions and sat in on immigrant interviews. An extensive questionnaire was developed for each post. Members had a chance to view the missions' physical premises for themselves, and to question staff on all aspects of their work.

Although the title of this report — *Competing for Immigrants* — might suggest a narrow focus, this is not the case. In fact, the Committee believes that virtually all aspects of our overseas work have an impact on our ability to make Canada not only an attractive choice for intending immigrants but the destination of choice. For that reason, we range widely in the comments and recommendations that follow.

GENERAL OBSERVATIONS

Despite the fact that the posts the Committee visited differed widely — in location, clientele, challenges and pressures — all members agreed on a number of general points. First and foremost, the Committee found that the personnel at the posts we visited — Canada-based and locally engaged — were dedicated and knowledgeable professionals. Most have a depth of experience in the field that gives them perspectives and ideas that were very helpful to members.

We were particularly impressed by the expertise and ability of the immigration control officers (ICOs). These Canadians train airline staff to assess Canadian documents, monitor problematic flights themselves, and analyze trends in illegal migration in order to thwart individuals from coming to Canada who have no right to be here. Canada is a world leader in this field, and our ICOs are rightly perceived as models for other countries.

The Committee was also impressed by the fact that many posts face difficult situations and significant pressures and yet deal with these in an exemplary manner. These pressures result, in part, from large volumes of applications, fraud and quality assurance challenges, a significant (and growing) number of visitor and student applications, a climate in which security concerns are high, and the expectations of clients. The Committee was impressed by the degree of expertise that has developed at each post, expertise that enables staff to manage its program despite these difficulties.

Finally, we were impressed by the degree of informal co-operation among our overseas officials and their Australian and American counterparts in matters of security.

OPERATIONAL PROGRAM ISSUES

A. PROCESSING PRIORITY OF SKILLED WORKERS

As we noted above, one of the effects of Canada's aging population will be a shortage of skilled workers. Although significant and sustained immigration of skilled workers cannot be the only policy response to shortages in the labour market, it is certainly an important one, and the focus of this report.

Despite the importance of skilled workers to Canada's future, the Committee found that all posts assign a low priority to them. We hasten to add that this was not by personal preference. Officers enjoy the challenge of assessing skilled worker applications and accepting immigrants who they feel confident will make a significant contribution to Canada. The low priority comes from the pressures of other classes, primarily the family class, and the non-discretionary processing of visitors and students.

The Committee is aware that the question of priorities is not a simple one and that hard choices often have to be made. For example, we support, in general terms, the speedy processing of spouses and dependent children. However, at one post it was pointed out that to reduce further the processing times for those individuals would mean even longer waits for skilled workers, whose processing times are already unacceptably long.

We are also aware that non-immigrant processing has to take priority over immigrants. As mentioned, the processing of visitors and students is non-discretionary. All who come must be served, and in timeframes that make sense in the context. That means that in some posts, *no* immigrant interviews are even held in the spring and summer months.

Despite the complexities surrounding the question of priorities, the Committee has concluded that much more emphasis has to be given to skilled workers. First priority is currently given to family class applications from spouses and dependent children. Missions are instructed to process 80% of these applications within six months. The Committee believes that skilled workers should receive second priority. Moreover, within the skilled worker group, it is important that individuals with arranged employment be given preference. Employers cannot and will not wait for an undue period of time once a key employee for their organization has been identified.

Finally, as is done for the family class, realistic processing goals should be set, and publicized for skilled workers, although the timeframes would no doubt vary by post.

Later in this report, we will discuss increasing resources generally, but here we will suggest some other ways that could assist in establishing the new priority for skilled workers. Some members of the Committee noted the effectiveness of dedicated processing units at the posts they visited. Processing only one type of application has a number of advantages. It allows staff to develop expertise in that type of application, enabling them to come to good decisions more quickly. It often fosters an *esprit de corps* among members of the team that leads to sharing experiences and knowledge, which also fosters good decision-making.

The Committee has concluded that units dedicated exclusively to processing skilled worker applications should be established on a pilot project basis. This would send a signal to staff and the public alike of the importance placed on skilled workers. Rather than being the first applicants to be sacrificed when pressures increase, skilled workers would retain their assigned resources.

Also relevant to the question of priorities is the student movement. If the number of student applications continues to increase so as to seriously affect skilled worker processing (or even bring it to a halt, as a senior officer suggested may happen at one post), we may need to weigh the benefits to Canada and be very analytical regarding the type of student movement we want. The difficulties posed by visa schools will be discussed below. Perhaps we might want to consider limiting study permits to those enrolling at specified institutions, and to those whose English or French is at a sufficiently high level to benefit from the instruction.

RECOMMENDATION 1

Skilled worker immigration applications should be given second priority in processing. Within that group, the highest priority should be given to those with arranged employment.

RECOMMENDATION 2

In order to achieve a balance that is in Canada's best interests, the components of non-discretionary processing should be analyzed.

RECOMMENDATION 3

Realistic service standards should be established and publicized for processing skilled worker applications.

RECOMMENDATION 4

Units dedicated exclusively to processing skilled worker applications should be established on a pilot project basis.

B. INVENTORY MANAGEMENT

Our current immigration program has been described as a fully loaded airplane for which we keep selling tickets. The passengers who cannot board, of course, are those in the posts where the processing time for independent immigrants has now stretched into years. Is this fair to them? If we take an immigration application form, what do we owe the applicant?

Inventory management tools have been applied in the past. Certain aspects of the selection system — the “demographic factor,” the occupations list and the pass mark — could formerly all be changed so as to affect the number of people who could qualify to come to Canada. Recently, however, the number of applications grew beyond the system’s capacity. There are now 700,000 people (of all classes) in the inventory, a situation that is untenable both for the people in the queue and for the officers at our busiest posts, who feel undue pressure from such heavy volumes of work.

None of the traditional tools, except the pass mark, will be available under the new selection system. Could more direct and more efficient ways of managing the inventory be developed to take their place? The Committee believes that, with some creativity, they could; moreover, it believes they should.

What principles should govern our management of the inventory? The Committee believes that any system should, first and foremost, be fair. A fair system is transparent. People who submit applications should know when they will have an answer.

Fairness and transparency thus require that the information about the system, and processing times, be readily accessible. The Web site for each post should state when applications will normally be dealt with at the various stages, and the expected overall processing times. Not telling people who are pinning their hopes for the future on immigrating to Canada that their application will take four to eight years to process, which is the case at our busiest posts, is patently unfair.

Any management system should also promote excellence. The issue of marketing Canada’s immigration program is canvassed later in this report, but the processing system itself should have a mechanism to identify the “best of the best” applicants in the inventory and process them even faster than the general service standard.

The new system should also be efficient. After quickly identifying the best applicants, it should be able to assess within acceptable time frames which applicants merit acceptance. This means choosing the simplest system that meets the other goals. An efficient system will also be cost effective.

Although the system should be as fair as possible to prospective applicants, Canada’s needs should come first when necessary. For example, if there is an urgent need for a certain kind of skilled worker, and qualified applicants apply, they should be given priority over other applicants. The system should be flexible enough to respond to our needs by accepting those applicants and processing them quickly.

Finally, any system must not in any way sacrifice Canada's security. Interviews that need to be held must be held. Suspicious documents must continue to be vetted, and relationships that raise questions must continue to be proved.

The goals of a new management system are clear: to produce a system that is able to manage the inventory in a manner that is fair and transparent, that promotes excellence, that is efficient, simple and cost effective, that safeguards program integrity and security, and that retains the flexibility to respond to Canada's overall interests.

In devising any new inventory management arrangements, however, the Committee feels strongly that one option should *not* be considered: Any new rules must not preclude the access of qualified skilled workers to the system. People must be able to continue to submit immigration applications; it should be a fundamental principle that the system remain open.

RECOMMENDATION 5

A system of inventory management should be fair and transparent; should promote excellence; should be efficient, simple and cost effective; should safeguard program integrity and security; and, should be sufficiently flexible to respond to Canada's overall interests.

RECOMMENDATION 6

Accurate skilled worker processing times for each post should be publicized on their Web sites.

RECOMMENDATION 7

Restricting the ability of qualified people to submit a skilled worker application should *not* be used as a method to manage the immigration inventory.

C. MEDICAL ISSUES

The Committee did not focus on medical processing in the posts we visited, but some issues were brought to our attention that are worth noting. At most posts, the increasing prevalence of tuberculosis was a matter of concern. With the emergence of multidrug-resistant tuberculosis, and TB rates rising in Canada (although still low), careful screening abroad is more important than ever. Doctors pointed out that the sheer volume of X-rays they had to read was straining the system. Since public health in Canada must not be put at risk, it is imperative that sufficient resources be available so that Canadian medical personnel abroad may maintain high standards.

Existing resources are also essential to serve a broader goal. Canada-based medical officers should not be so pressured by the volume of their daily work that they are unable to follow the broader picture. It is essential that they have sufficient time to continually monitor public health trends around the world that could have a significant impact on public health in Canada.

RECOMMENDATION 8

Medical officers overseas must be provided with resources that are adequate to permit them both to screen prospective immigrants for tuberculosis and other diseases that impact public health in Canada and to continually monitor worldwide public health trends.

Another concern relates to the impact of the new Act on spouses and common-law partners because they will no longer be subject to the excessive demand criterion. One of the Canada-based doctors pointed out to Committee members that a sponsored immigrant's medical examination could reveal a problem as serious as HIV/AIDS. Once the new Act comes into force, that condition will not be a ground for inadmissibility for those groups. Consequently, the sponsor will not be informed.

The doctor strongly urged that there be a mechanism to inform the sponsoring individual of the existence of serious medical conditions. The Committee agrees that it would be unfair to a Canadian citizen or permanent resident to keep such vital information from them, information that could seriously endanger their own health.

Normally, such information would not be disclosable under the *Privacy Act*. However, there is an exception in that Act that might allow disclosure in the public interest; alternatively, consideration should be given to including a right to disclose in the regulations.

RECOMMENDATION 9

Citizenship and Immigration Canada should be permitted to tell sponsors about significant medical findings in relation to the person they are sponsoring, particularly when that information is likely to affect the sponsor's own health.

D. M. P. INQUIRIES

Members of Parliament are permitted, pursuant to section 8(2)(g) of the *Privacy Act*, to receive personal information without written consent when necessary to assist the individual to whom the information pertains. As many MPs will attest, their constituents regularly call on them for assistance with immigration matters, such as family sponsorships and the issuance of visitor visas.

The Committee heard that, as a result of the role that MPs play, the missions receive a significant volume of these inquiries. In New Delhi, for instance, over 5,600 were received in 2001. The missions indicated that they undertake to respond to inquiries from MPs in writing and as soon as possible. Doing so is clearly a significant demand on already thin resources.

The Committee notes that the Minister recently announced on-line service improvements through the e-Client Application Status (e-CAS) Service. This service will permit clients to view the status and progress of their immigration applications using the Internet. According to the Department, approximately 42% of the four million calls received annually by the CIC Call Centres are for application status information. It is likely that much of the volume of inquiries that MPs forward are also for status information and, hopefully, the e-CAS initiative will prove successful in reducing the volume of requests from Parliamentarians. However, it is important that any such system provide substantive information regarding an individual's application. An indication that a file is simply "in process" is of no value. Resources should be assigned to ensure that e-CAS and other systems respond appropriately to the information needs of applicants.

RECOMMENDATION 10

More resources should be provided so that all customer service programs, including the Department's call centres and the e-CAS system, can be improved to provide more information to clients.

RECOMMENDATION 11

Members of Parliament should inform constituents seeking file status information of the e-CAS Service. Other inquiries should be managed prudently by MPs, taking into account the high volume of applications at some missions.

RECOMMENDATION 12

Members of Parliament wishing to play an advocacy role in immigration matters should be encouraged to educate themselves about the Act and regulations.

RECOMMENDATION 13

As a part of the Department's commitment to customer service, the flow of information to applicants should continue to be improved.

E. CENTRALIZED PROCESSING

The Committee members who visited New Delhi had the opportunity to examine firsthand the workings of the Centralized Imaging Pilot Project. The pilot was intended to test whether family class files could be processed more quickly and efficiently when front-end and back-end administrative tasks were centralized.

Family sponsorship applications are all submitted by the Canadian sponsor to the processing centre in Mississauga. Under the pilot project, those involving India were forwarded to Ottawa where they were scanned digitally. The digital images were then sent to New Delhi for assessment and, if all requirements were met, the visa was issued by the office in Ottawa. This significantly reduced the volume of paper that must be delivered and stored overseas.

The staff at the New Delhi mission were generally supportive of the program. Some in the Case Analyst Unit indicated that opening and manipulating the image files takes longer than working with paper documents, but suggested that this was in part due to the fact that the process is still fairly new. Some felt that having the actual document is preferable in some instances when, for example, paper texture or thickness may reveal that it is or is not genuine. However, the Committee was informed that original documents would be forwarded to the mission by the Ottawa office when needed.

The program is clearly a great success in saving space. This is a significant concern at all missions, but particularly in New Delhi and Beijing where it was emphasized that there is simply no room to expand.

Given the Committee's findings in the next section regarding program integrity and the necessity of having personnel who are knowledgeable about local laws, customs, documents and culture, it is clear that decision-making must remain overseas. Efficiencies may be realized by centralizing administrative aspects of the process, but the decision to waive an interview or issue a visa must be made by officers in our missions.

The Committee also notes the Department's recently published evaluation of its other Centralization Pilot, which involved processing some family class and independent applications in their entirety within Canada. Under this "full centralization" model, the initial assessments were made in Canada at a central office and, where an interview was not required, the cases were finalized in Canada. No improvements in processing time or productivity resulted and, as the evidence heard by the Committee in the field supports, program integrity was adversely affected.

RECOMMENDATION 14

The Centralized Imaging Pilot should be expanded with due caution, and further options to centralize administrative processes should be examined. However, all major decisions must be made by overseas officers to maintain program integrity.

F. RESOURCES

Earlier in this report we have recommended that additional resources be provided for medical screening and client service, and below we address the question of additional resources for immigration control officers. As a result of their first-hand experiences abroad, members of the Committee have also concluded that the overall resources allocated to our posts for immigration processing are insufficient.

Throughout this report, the Committee recommends a number of changes that should ease the pressure on existing resources. Later on, we will discuss eliminating “offshore” processing. While that would increase the number of applications at some posts, at numerous others it would ease the pressures and allow for faster processing of more applications with the same number of people. We have also suggested principles to guide the development of a new system to manage the inventory. More effective and efficient management of the inventory should require fewer resources than the current system. Finally, technology and central processing of administrative tasks, also discussed above, should ease the pressure on both physical premises and personnel in our overseas missions.

The Committee is confident that those changes will have a positive impact, but will they be enough to bring the system back on track? The Committee has concluded that they will not.

What would be the goal of a recommendation that additional resources be allocated to the processing of immigration applications at our missions abroad? In general terms, it would be: “Do more with more.” Additional resources would permit skilled workers to be given second priority without sacrificing other immigrant and non-immigrant groups. Moreover, skilled workers could be processed faster. Faster processing would allow Canada to increase its target immigration levels, thereby responding more effectively to its demographic situation and its need for skilled workers.

More resources would also allow us to expand our physical infrastructure in countries such as China and India; in Beijing and New Delhi the facilities are already stretched to the maximum. In this regard, the Department should consider expanding the use of the consulates in those countries or establishing new satellite offices.

Finally, additional resources would allow the Department to selectively target and recruit highly skilled immigrants. Recently, missions were asked to develop promotional strategies; although they did so, there have been no resources available to implement any of the plans.

RECOMMENDATION 15

Additional resources should be allocated to process skilled worker immigrant applications at our missions abroad.

RECOMMENDATION 16

Additional resources should be used to enable:

- **Skilled workers to be given second priority and to be processed faster;**
- **Immigration levels to be increased;**
- **Physical infrastructure to be expanded where facilities are currently stretched to the maximum; and**
- **Selective targeting and recruitment of highly skilled immigrants.**

RECOMMENDATION 17

Where a lack of space in Canada's primary location in a country precludes effectively utilizing additional personnel, the government should consider expanding the use for immigration purposes of the consulates in the country or establishing new satellite offices.

G. NON-IMMIGRANT PROCESSING

The processing of student and visitor visas places huge demands on our overseas missions. In some regions, the volume of these non-discretionary applications during certain periods of the year severely restricts the processing of any other applications. The Committee was particularly shocked by the volumes in China. In Beijing, the Committee was told that they are "drowning" in student applications. In fact, if the number of visitor and student applications continues to increase at the current pace, without additional resources, they will be unable to process any other applications whatsoever in a few years. In Hong Kong, student applications from the People's Republic are up 741% in the first quarter of 2002.

We also note that the Approved Destination Status (ADS) agreement that is being promoted by the Canadian Tourism Commission could have a dramatic impact. The Department estimates that an ADS with China could result in a doubling of visitor visa applications from that country.

Our Far East missions, while facing the greatest challenges, are not alone. In Paris, India and other missions, students become a top priority during the summer months and this can pull staff away from immigration files.

What can be done to address this situation? Whether changes should be made to the student visa program was discussed earlier in the context of processing priorities and will be referred to again in the upcoming section on “visa schools.” One additional option in respect of non-immigrant resources that the Committee found interesting would be to tie funding to volumes by directing non-immigrant application fees back to the post where they are received. The Committee was informed that this is done at American missions and is helpful in alleviating the strain caused by rapidly increasing applications. The more applications a post receives, the more funds they would have to do the processing. In any event, CIC should ensure that the departmental budgeting process is flexible and takes into account the likelihood of sudden and drastic fluctuations in processing demands.

The processing of temporary workers with job validations from Human Resources Development Canada (HRDC) does not account for a significant portion of non-immigrant processing volumes. However, excessive delays as a result of other processing demands cannot be countenanced. The Committee believes that the temporary worker program is essential in meeting the immediate needs of Canadian employers. Those who have demonstrated, through the HRDC process, that a particular person fulfils their personnel needs, and no one is available in Canada for the position, must be able to expect the expeditious processing of work permit applications. We predict that better management of the inventory of applications will positively impact work permit processing times.

RECOMMENDATION 18

Departmental budgeting should be flexible enough to address the increasing volumes of non-immigrant applications to ensure that the processing of skilled worker applications is not interrupted.

RECOMMENDATION 19

Consideration should be given to allocating application fees for non-immigrant visas to the processing mission as a means of alleviating the budgetary impact of increasing volumes.

PROGRAM INTEGRITY ISSUES

A. INTRODUCTION

The Committee has long been aware of the significant challenges that our overseas officers face in assuring the integrity of Canada’s Immigration Program. Security concerns and the issue of fraud have often been at the forefront of the Committee’s deliberations, and these topics have been explored in our recent reports on border security and the proposed regulations under the *Immigration and Refugee Protection Act*. It was nonetheless an extremely valuable exercise to visit with our frontline personnel to

hear their concerns and to witness first-hand the lengths to which some people will go to enter Canada. Committee members, particularly those travelling in developing countries, were struck by the so-called “push factors” — poverty, corruption, civil strife — that lead many to seek a better life in Canada under false pretences. And, of course, the well-known advantages of living in Canada act as “pull factors.” Our open and free society, our developed economy and our multicultural make-up all contribute to drawing those wishing to improve their situation. Given these dynamics, much of the fraud appears to have an economic motivation. It is only human nature that people will search out security and stability, and many, unfortunately, will try to subvert the proper immigration process. In addition to this type of fraud, however, we must also be vigilant for those few who have criminal or terrorist intent.

If Canada is to compete successfully for the immigrants we need to sustain and grow our economy, our selection system must be as secure as possible from abuse.

B. ICOs AND SECURITY ISSUES

The immigration control officer (ICO) is key to maintaining immigration program integrity and the Committee was impressed with the ICOs who met and briefed us. All were extremely knowledgeable and professional, and should be commended for their excellent work in extremely challenging circumstances. The sophistication of document forgers, the ability to obtain genuine documents through bribery and the shortcomings of intelligence resources all combine to make the job of the ICO a difficult one.

The ICOs also have important airport duties and are often on call. They may be contacted at any hour by airline staff with questions about identity papers and the Committee members were furnished with numerous samples of forged documents that, to a non-expert, would be indistinguishable from the genuine article. Some airports have been identified as particularly problematic and are considered major transit points for illegal entry into Canada. The fact that ICOs are not able to be consistently present at these airports — some of which are not in the same city as our immigration missions — is a cause for concern and should be addressed.

In our report on border security of December 2001, we recommended that significantly more ICOs be hired and that related resources be provided. Although the Committee stated that this should be a top priority, ICO staffing has not been enhanced as of yet. While the Department’s official response to our recommendation was positive, we note that recent information provided indicates that only four more ICO positions are planned for this year. This is a far cry from the previous Minister’s suggestion that ICO numbers would be doubled. It is indeed disappointing.

ICO staffing should be seen as an investment. Every improperly documented person intercepted before they reach Canada saves taxpayers thousands of dollars. The Committee has been informed that, based on the number of known improperly documented arrivals, the interdiction rate was approximately 65% last year. In the first four months of 2002, the figure has risen to 70%.

Not only do we need ICOs where none are currently stationed, but the Committee is also concerned that most posts have only one ICO and thus when that person moves on, a new ICO may have to start from scratch. More than one ICO should be the norm for posts with significant control problems, and greater administrative support should also be provided.

Some Foreign Service staff also raised quality of life issues in the course of our study and the personal demands on ICOs were readily apparent to the Committee. If we are to attract and retain ICOs, the importance of their duties must be properly recognized. The position of ICO's must be treated as a senior position within the Department.

The Committee's report on border security also recommended that greater intelligence resources be made available to ICOs by the RCMP, CSIS and the Canadian Security Establishment. In the course of the Committee's travels, frustration was evident among some ICOs with respect to their ability to access security information. Not only do they face barriers when attempting to obtain information from foreign security services because they are not designated as police or security officials, they do not always have access to Canadian databases. More should be done to ensure that ICOs have direct access to security information.

It was apparent to the Committee that there is significant informal co-operation between Canadian ICOs and their counterparts from other countries, particularly the United States and Australia. When the issue of more formal arrangements was raised, some immigration officials indicated that formalizing information exchanges could be problematic. What might now be accomplished through a quick phone call among enforcement officers from different countries could be turned into a lengthy administrative process involving more senior Department officials. Coordination and the sharing of information are essential, however, and must be fostered. Overseas management should continue to encourage these informal exchanges.

RECOMMENDATION 20

Significantly more immigration control officers should be hired to work overseas and the necessary administrative and technological support should be provided to them.

RECOMMENDATION 21

Immigration control officers should be assigned to work full-time at airports that have been identified as major transit points for illegal entry into Canada.

RECOMMENDATION 22

More resources should be provided to immigration control officers to train airline staff in fraud detection.

RECOMMENDATION 23

The Department should develop a communications strategy to inform the general public of the presence of Canadian immigration control officers at airports and of their ability to detect fraud. Such programs should target countries where fraud occurs regularly.

RECOMMENDATION 24

The importance of immigration control officers should be recognized and the position should be treated as a senior position within the Department.

RECOMMENDATION 25

Greater intelligence resources should be made available to immigration control officers by the RCMP, CSIS and the Canadian Security Establishment.

RECOMMENDATION 26

Department management should continue to encourage the development of informal information exchanges between Canadian immigration control officers and their foreign counterparts.

C. OFFSHORE APPLICATIONS

Some missions abroad have all the applications they can handle, and often many more, from the areas they officially cover. This is particularly true of our missions in Beijing and New Delhi. Other posts, however, receive applications from areas of the world for which they have no formal responsibility, so-called “offshore” applications. At the current time, this “mission shopping” is permitted. At several posts, however, the Committee heard persuasive arguments why individuals should be required to submit their immigration application to the post responsible for the country in which they are living. They took the position, and the Committee agrees, that the question of location should be treated flexibly, in order to accommodate temporary workers and students, but

that others should be required to apply to their “home” post. Moreover, they should have been living at that location for at least one year.

There are numerous reasons why this should be the rule. Offshore cases migrate to posts with faster processing times than the home country, and if a given post reduces its processing times through efficiencies or for any other reason, offshore files will often materialize quickly. This occurs because the offshore movement is primarily driven by immigration consultants and lawyers, who monitor processing times closely. It should also be noted that from time to time the Department itself moves files from one post to another in order to alleviate bottlenecks.

Whatever the reason, the effect is to make it more difficult for the posts that receive these files to manage their resources in the most effective way possible. Not only is their workload unpredictable, officers find themselves processing files and assessing documents that originate in countries for which they may have little or no expertise. Thus, program integrity is affected. Security screening, difficult at the best of times, can be compromised.

Few of the interviews for these applicants can be waived, and consultations must often take place with the mission responsible for the country where the documents originate. As a result, offshore cases slow the processing of applications from those in countries for which the post is responsible.

The Committee has therefore concluded that eliminating offshore cases would result in a system that would be more transparent, easier to manage efficiently, more secure, and less conducive to fraud.

RECOMMENDATION 27

In order to prevent mission shopping, applicants for immigration should be required to submit their applications to the post that serves the country in which they have been living for a least one year.

RECOMMENDATION 28

Citizenship and Immigration Canada should not move files from post to post in an attempt to relieve processing bottlenecks.

D. FRAUD

The Committee is troubled by the amount of fraud that takes place and the potential for fraud that exists at many of our overseas posts. The integrity of the immigration program was raised in the Auditor General’s 2000 report and continues to be one of the system’s greatest challenges.

Fraudulent documents, which include forgeries as well as bona fide documents that are either “purchased” from the issuing authority or are used by someone other than their rightful holder, can be difficult to detect. In the developing world, many legitimate government documents contain typos or other errors, and names may be misspelled. This makes it all the more difficult to ascertain whether a particular document is genuine.

Police records are also of concern. The lack of centralized record keeping in some countries makes it relatively easy for applicants to obtain a “clean” police certificate. In one of the countries visited, the Committee was told that apart from the possibility of bribery, a police clearance may be obtained from a district where the applicant has never lived. Even in some developed countries, police certificates may provide limited information. At one European post, they were described by an ICO as “useless.”

Educational records may also present problems. Not only is it necessary to verify that particular institutions exist, but also that they actually provide academic or vocational instruction. Even with recognized institutions, in some countries it is possible to simply purchase a diploma. At one mission the Committee visited, we were told of a legitimate university — one that is recognized by Canadian professional associations — where a diploma could be obtained either for a fee or simply through personal contacts in the institution.

The necessity of demonstrating employment qualifications in the immigration process also leads to deception. In our report on the proposed regulations, we expressed our concern about providing adaptability points in the skilled worker point grid for an informal job offer. We heard testimony that even though the regulations had yet to be finalized, shell companies were already being created with the intention of providing fraudulent job offers. Similarly, the Committee heard from our overseas staff that fake employment histories have long been a problem and that this has been exacerbated by the increasing ease with which professional-quality letterhead can be produced. Although the new independent selection system is moving away from a strict employment-based model, the verification of an applicant’s work history will still be necessary.

Medical screening is also open to abuse. In some countries, the local designated medical practitioners may be susceptible to bribery and our already overburdened medical officers simply do not have the resources to properly monitor dozens of local physicians. The Committee is concerned that fraud of this nature could threaten the health and safety of Canadians, as the potential exists that individuals with a serious medical condition — active tuberculosis, for example — may be able to enter the country without being identified as requiring treatment prior to admission.

Vigilance is obviously essential and the Committee wishes to emphasize that program integrity must never be compromised for the purpose of enhancing operational efficiency. Interview waivers rates, for example, should not be adjusted to improve overall processing times. Fraud detection must continue to be of paramount importance and the necessary resources should be available to ensure that careful scrutiny of applicants’ documentation continues.

RECOMMENDATION 29

Greater resources should be provided at the file screening stage to allow for more careful scrutiny of identity documents, police certificates, and employment and educational records.

RECOMMENDATION 30

Medical officers at Canada's overseas missions should be provided with greater resources to allow for more effective monitoring of local designated medical practitioners.

Use of Locally Engaged Personnel

There are two types of locally engaged personnel. Those referred to as “locally engaged staff” are support workers such as clerks, interpreters and security guards. They provide administrative and other forms of assistance for immigration officers, but are not responsible for decision-making. “Locally engaged officers” — consisting of Immigration Program Officers, Non-Immigrant Officers and Designated Immigration Officers — may have decision-making authority depending on their classification.

Immigration Program Officers screen applications and assist with the assessment of non-Canadian documents, but do not make decisions regarding the issuance of visas. Non-Immigrant Officers may have the authority to issue student, employment and visitor visas, and Designated Immigration Officers may issue both immigrant and non-immigrant visas. Those officers who are authorized to issue visas have had a security check and training, and must have been employed as a locally engaged officer for a minimum period of time.

Recent media reports have criticized the use of local staff at our immigration missions overseas and the Committee is aware of isolated incidents of fraud committed by some of these personnel in the past. However, the Committee wishes to emphasize the important role that these individuals play in the visa processing system. The staff we saw were highly skilled and professional, and their knowledge of local languages and customs was clearly essential in assessing applications. It is fair to say that Canadian-born Foreign Service officers with the same in-depth knowledge of local culture are rarely available.

The Committee was informed that at some missions all final decisions are reserved for Canada-based staff. For example, in Beijing where the Chinese government provides a list of the Chinese citizens who are eligible to be hired as locally engaged officers, there are none who are authorized to issue visas. At other missions, this is not the case. However, many of the locally engaged officers with decision-making authority are actually Canadian citizens — sometimes the spouses of Canadian Foreign Service officers or, simply, Canadians who are already residing overseas. As such, they do not

present the same concerns as personnel with no Canadian ties. As for other local officers, the Department indicates that any with the authority to issue a visa face thorough security screening.

In addition to this screening, the Committee believes that a comprehensive system of oversight of all decision making should be instituted in order to ensure program integrity. Ongoing review and auditing by management is important for assessing potential problems and ensuring high-quality, consistent decisions.

RECOMMENDATION 31

The use of locally engaged officers at our overseas missions is essential and should be continued.

RECOMMENDATION 32

Canada-based officers should be responsible for making final decisions regarding the issuance of visas where a personnel analysis indicates potential risk.

RECOMMENDATION 33

A rigorous program of review and audit should be maintained to ensure the integrity of decision-making by all overseas personnel.

“Visa Schools”

Committee members visiting China were told of another emerging form of fraud: the so-called “visa schools.” To qualify for a student visa, one need only provide a letter of acceptance from a Canadian school and evidence of funds sufficient to support oneself while studying. The Committee heard concerns about some of the institutions that purport to provide academic or vocational training. Some of these “schools,” it was suggested, are created simply to facilitate the issuance of a visa; some are run by organized crime and may even use their “students” for indentured labour. The Committee was told that some of these schools are simply a single room and that reports have been received of institutions where no actual teaching occurs. It was suggested that the proposed new point grid for skilled workers would exacerbate the problem as adaptability points would be awarded for previous studies in Canada.

This problem appears to arise from the expansive class of educational institutions in the current *Immigration Act*, which includes not only universities and colleges but also any “other institution.” The proposed regulations, set to come into effect in June, maintain

this wide definition. Proposed regulation 213 is so expansive that practically any studies would qualify.

Even in schools where some instruction does take place, visa officers expressed concerns about the 24-hour per week instruction benchmark as set out in the Immigration Operations Manual. According to the Manual, “hours of instruction” may include “laboratory time, library time, and outside work and assignments.” Some officers suggested that this definition should be revisited, as it is open to abuse. The Committee notes that under the proposed regulations, the required weekly hours of instruction will be reduced to 20.

The Committee discussed the possibility of limiting the issuance of study permits to students destined to accredited universities or colleges, or institutions licensed by a province. However, it is apparent that not all provinces regulate these institutions. In fact, one of the provinces that has been at the forefront in this area — British Columbia — is eliminating its Private Post-Secondary Education Commission. As such, requiring accreditation or provincial licensing may exclude many perfectly legitimate institutions.

RECOMMENDATION 34

The Minister should discuss the issue of “visa schools” and shortcomings in provincial licensing and accreditation requirements when meeting with the provinces and territories at the upcoming conference of immigration ministers. All levels of government should work towards eliminating these enterprises and raising standards.

RECOMMENDATION 35

The definition of “instruction” in the regulations should be modified to better reflect the requirements of full-time post-secondary education.

Penalties for Fraud

Some of the officers the Committee heard from were frustrated with the lack of consequences for those involved in immigration fraud. It appears as though the repercussions are minimal for Canadians who are accomplices in perpetrating a deception upon CIC. The Committee also heard that, particularly in the developing countries, local governments do not take fraud and forgery seriously and there exist few deterrents to such behaviour. Even when local prosecutions do occur, the ICOs’ heavy workload may make it difficult for them to provide assistance.

We note that the new *Immigration and Refugee Protection Act* provides that people who commit fraud or misrepresentation of a material fact on an application will be

inadmissible and will remain so for two years. However, the Committee believes that more must be done to tackle this problem.

The fact that there is a lack of law enforcement in some airport transit areas was also discussed. ICOs informed the Committee that exchanging documents in the airport transit area is a common ruse used to facilitate illegal entry to Canada. While some countries are beginning to address this practice, the Canadian government should do more to assist host countries in developing effective enforcement procedures.

RECOMMENDATION 36

Canadians involved in the fraudulent use of documents or other forms of immigration fraud should face prosecution and significant penalties. This should be a higher priority for the Department of Justice.

RECOMMENDATION 37

Resources should be provided to ensure that where local law enforcement procedures exist, Canadian immigration control officers are able to assist in the prosecution of those involved in immigration fraud.

RECOMMENDATION 38

Where local law enforcement procedures do not exist or are inadequate to deter immigration fraud, the Canadian government should encourage and assist the host nation to develop effective criminal enforcement and penalties. This is particularly important for transit areas in airports.

PROVINCIAL/TERRITORIAL NOMINEE PROGRAMS

For decades, many Canadians have been concerned about the fact that the majority of immigrants tend to settle in just three provinces and, more particularly, just three cities. Currently, close to 60% of all immigrants settle in Ontario, almost one-half of them in Toronto. British Columbia receives some 15%, almost all of whom settle in Vancouver. Virtually the same percentage goes to Quebec, almost all to Montreal.

This is not to blame the immigrants themselves. They will settle where the jobs are, where they already have family or friends, and where there are integration support services in place. Thus, successful immigration to an area leads to more arrivals, which in turn leads to even more arrivals, and so it goes.

For demographic and economic reasons, other provinces want to receive more immigrants. Over the years, policy-makers have tried to devise various ways to encourage immigrants to settle in areas of low immigration, but to little effect. "Encouragement" must be the key word, since all permanent residents are guaranteed the right by the *Canadian Charter of Rights and Freedoms* to move to and take up residence in any province.

Finally, progress is being made. In recent years, the federal government and certain provinces have co-operated to develop a small immigration program called the provincial nominee program. Canada now has agreements with six provinces and one territory: Alberta, Manitoba, Newfoundland, New Brunswick, Prince Edward Island, Saskatchewan and Yukon. Quebec, of course, already selects all of its independent immigrants and sponsored refugees.

Provinces and territories enter into provincial nominee agreements to attract workers with skills in demand or individuals who will contribute to economic development in other ways, and who will be able to successfully establish.

The numbers who have arrived under the various agreements are relatively small, but the potential is significant. Once the programs are better known, even more employers in the province will be able to fulfil their unmet needs for skilled workers. For these reasons, the Committee asked questions at each mission about how our officials perceive the program, and about its successes and weaknesses. Our research reveals that the officers are very positive about the program, although at some posts the experience was limited.

Officers noted that nominee programs require sufficient commitment and resources from the provinces that are selecting the candidates. Program design and criteria have to be well developed and flexible enough to meet a province's particular goals. Monitoring of the results to assess whether the goals of the nominee agreement are being met is also important.

Provinces have to think carefully about how they will recruit good candidates, and some have experienced problems with consultants in this regard. Some officers recommended that provincial officials should have a source of local knowledge other than the consultants, and that all provincial nominees should visit the province in question and should be interviewed by provincial officials to ensure good selection decisions. Some officers felt that the provinces might not be fully aware of the possibility of fraudulent documents and the necessity of being vigilant.

High marks were given to the programs in Manitoba and British Columbia. Manitoba's own evaluation indicates that its immigrants have good employment rates and have, to a great degree, stayed in the province. In part, at least, this results from the province's approach to integration.

Some provinces have had unsatisfactory experiences with immigration consultants promoting their programs in such a way as to mislead prospective immigrants. At the

upcoming federal-provincial-territorial conference of immigration ministers, participants should share their experiences in this regard and discuss effective ways of dealing with the issue.

The Committee is very encouraged by the potential of these programs. As noted, officers abroad were enthusiastic about them, and valued the fact that provinces were having direct input into the kinds of immigrants they received.

We see no reason not to try the same approach with municipalities. With the support of their province and the private sector, areas desiring immigrants might be able to directly recruit people to suit their particular needs. After all, universities actively promote their programs to foreign students.

RECOMMENDATION 39

Provinces and territories should be encouraged to enter the provincial nominee program, or, if they already have an agreement under the program, to continue to develop and refine it.

RECOMMENDATION 40

Provinces participating in the provincial nominee program should ensure that local employers are fully informed about the program's potential to assist them in attracting the skilled workers they need.

RECOMMENDATION 41

The question of the role that immigration representatives play in referring immigrants to provincial authorities should be discussed at the upcoming federal-provincial-territorial conference of immigration ministers.

RECOMMENDATION 42

The possibility of municipalities, in partnership with the provinces and the private sector, directly recruiting immigrants to suit their particular needs should be explored.

CONSULTANTS

In December 1995, the Committee conducted a detailed study on immigration consultants and our report, *Immigration Consultants: It's Time To Act*, identified serious problems and made numerous recommendations. In our last report, *Building A Nation*, of

March 2002, we recommended that CIC treat the licensing of immigration consultants as a priority and proceed with establishing a college of immigration practitioners. We applaud the April announcement by the Minister that he will establish a Departmental committee to create an action plan by this fall, leading to regulation. Our examination of overseas posts has reinforced our opinion that the regulation of consultants is necessary and that the Department should proceed expeditiously.

Canadian visa officers overseas confirmed what many witnesses in Canada had expressed before the Committee. For the most part, immigration consultants are responsible professionals; in Seoul, for example, their assistance in the process was described as invaluable. However, an unscrupulous few cause significant problems. Not only is fraud a concern, but the Committee also heard that some consultants misrepresent the Canadian immigration program in their advertising and others do not inform their clients of interview dates or the need to provide further documentation.

Under the *Privacy Act*, CIC cannot release personal information to third parties unless they are citizens or permanent residents of Canada. Almost all overseas consultancies therefore have a Canadian listed as their responsible agent. As such, there is nothing to prevent a Canada-based college from regulating and disciplining overseas consultants, as they almost all have a Canadian link.

The Committee heard from Australian officials about their Migration Agents Registration Authority (MARA), which registers and disciplines immigration consultants. MARA publishes a code of conduct to which registered agents must adhere. Australian immigration missions will not deal with any consultants who are not registered with the Authority.

RECOMMENDATION 43

Citizenship and Immigration Canada should proceed expeditiously, in conjunction with the groups representing immigration consultants, to establish a Canadian college of immigration practitioners.

RECOMMENDATION 44

Citizenship and Immigration Canada should only deal with a representative who is a citizen or permanent resident of Canada; and, a member in good standing of the Canadian college of immigration practitioners or a member in good standing of a provincial or territorial Bar in Canada.

The Committee notes that many of our overseas employees felt that some immigration consultants do a very good job promoting Canada. While some expressed concerns that consultants sometimes misrepresent the visa process, there are clearly many who provide a service that complements our efforts to compete for the best and the

brightest. Establishing an agency to regulate consultants, which will of course involve regulating their promotional activities, should not only protect potential immigrants; it will almost certainly provide a basis for the private sector to market Canada in an acceptable manner.

PROMOTIONAL ACTIVITIES

For Canada to successfully attract the best and the brightest, we must market ourselves. Canada offers many advantages to prospective immigrants. We are in an excellent position in relation to the other nations that are also attempting to ensure their future prosperity through immigration. The Committee believes these advantages need only be broadcast to ensure a flow of highly qualified applicants for permanent residence.

The main shortcoming in our immigration program from the perspective of potential skilled worker applicants is the length of time it takes to process an application. The United States has a system that is employer-driven. Those with a job offer are processed for temporary status relatively quickly. Once in the U.S., it is possible to apply for a regularization of status. Australia has a point system similar to ours, but provides much faster processing. In India, for example, the Committee was told that Australian processing times range from six months to two years, compared to the three years and longer that is common for the Canadian mission in New Delhi.

Implementation of many of the preceding recommendations of this report should assist in addressing the applications backlog at our busiest posts. Once that is under control, the way will be clear to market Canada as the destination of choice. The Committee visited posts, particularly in Europe, where promotional efforts could be very successful. Indeed, promotion in Europe can begin now.

Promotion by the provinces should also be encouraged. Mission staff feel that the provinces are in an excellent position to attract potential immigrants and this may be one of the ways to increase immigration to areas outside of Toronto, Montreal and Vancouver.

Student exchange programs may be another way to attract people to areas of low immigration. The Committee noted Australia's extensive use of these programs and believes that exposure to Canada through a semester at one of our universities or colleges would undoubtedly be an excellent promotional tool.

As discussed earlier in this report, immigration consultants have the resources and ability to promote Canada. However, this should only be encouraged when a regulatory structure is in place. When such a structure is created, their promotional activities should be supported and partnerships with the missions, similar to the coordinated activities that currently take place with the Canadian Education Centre, should be explored.

RECOMMENDATION 45

Citizenship and Immigration Canada should undertake more promotional activities and proactive recruiting of skilled workers.

RECOMMENDATION 46

The provinces should be encouraged to undertake more promotional activities.

RECOMMENDATION 47

The government should encourage student exchange programs for Canadian colleges and universities.

RECOMMENDATION 48

Once immigration consultants are regulated and their marketing practices made subject to a professional code of conduct, they should be encouraged in their promotional activities.

RECOGNITION OF FOREIGN CREDENTIALS

The Committee's most recent report of March 2002 identified the recognition of foreign credentials as a significant concern, and this topic was discussed with overseas staff during the course of the present study. The issue, of course, is that skilled workers who are accepted for permanent residence often discover that licensing requirements preclude them from working in their profession or trade in Canada. For many, their educational and employment background is not considered valid for the purpose of accreditation in Canada.

The Committee was pleased to hear that the overseas missions routinely inform prospective immigrants of this potential barrier to participation in the Canadian workforce. In fact, those accepted for permanent residence may be required to sign a form confirming that they understand that receipt of an immigrant visa does not guarantee that they will be able to practise in Canada. There is a form, the IMM 1456, specifically for physicians, and a general declaration form, the IMM 1455, that reads:

I fully understand that the issuance of an immigrant visa to me in no way assures my eventual acceptance into the practice of my profession or occupation in Canada. I realize that such acceptance is at the sole discretion of the licensing authority in the province in which I wish to work or practise. I further understand that acceptance by the licensing authority in any province or provinces of Canada is not an assurance of acceptance in other provinces.

When speaking with Australian immigration officers, the Committee was told of that country's centralized credential assessment program. Although the recognition of overseas qualifications involves federal, state and territorial governments, as well as independent professional bodies, initiatives at the Commonwealth level have led to the creation of coordinating bodies. The Committee was informed that the Australian Immigration Department has a section that is focused exclusively on assessment and liaison with the professional and trade regulatory agencies. The National Office of Overseas Skills Recognition (NOOSR) is responsible for coordination and also does the assessments for teaching occupations. Assessments for the trades are done by a central authority, as are those for "generalist" occupations, while NOOSR helps facilitate assessments in the professions and other occupations with the appropriate bodies. Given their advanced system, the Australians are able to require that applicants' skills be assessed by the authority for their nominated occupation before they apply for permanent residence.

The Committee agrees that such a process would go a long way to addressing the problems with foreign accreditation in Canada, but realizes that coordination of provincial and territorial regulatory bodies is a major challenge. Nonetheless, it is something we must strive for. In the interim, other options should be explored, such as the possibility of providing incentives to prospective immigrants who obtain a professional or trade assessment from a Canadian regulatory body in their intended province of residence. They might, for example, be given priority processing akin to that for provincial nominees if the assessment revealed a likelihood of accreditation. Alternatively, it could be publicized that such an assessment in advance of applying for permanent residence would make the waiver of an interview more likely.

RECOMMENDATION 49

Information regarding the bodies in Canada that perform educational and technical professional assessments should be centrally compiled and available on the Citizenship and Immigration Canada Web site and the Web sites of the individual missions.

RECOMMENDATION 50

The various bodies regulating trade and professional accreditation in Canada should be encouraged to work together to address issues of foreign education and skills assessment.

RECOMMENDATION 51

The recognition of foreign credentials should be given priority when the federal, provincial and territorial ministers of immigration meet

later this year. Partnerships between the federal, provincial and territorial governments, and the licensing bodies, should be pursued.

RECOMMENDATION 52

Incentives should be provided to encourage individuals to obtain a provincial professional or trade assessment prior to applying for permanent residence.

BUSINESS PLAN

All of the Committee's preceding recommendations are directed at attracting skilled workers and improving our missions' ability to process applications efficiently so that Canada's immigration needs are met. Making skilled workers the second priority, creating processing units dedicated exclusively to this class and implementing mechanisms to identify the "best of the best" will take significant program realignment. More overall resources, along with operational changes and program integrity improvements such as ending offshore processing and expanding the centralization of purely administrative functions, will form a good foundation from which we can proceed to attain our goals.

The future business plan of each mission should reflect the foregoing recommendations and should clearly set out the manner in which they will be adopted .

RECOMMENDATION 53

The future business plan of each mission should reflect the Committee's recommendations and should specify, taking into account the particular pressures on the post in question, how they will be implemented.

LIST OF RECOMMENDATIONS

RECOMMENDATION 1

Skilled worker immigration applications should be given second priority in processing. Within that group, the highest priority should be given to those with arranged employment.

RECOMMENDATION 2

In order to achieve a balance that is in Canada's best interests, the components of non-discretionary processing should be analyzed.

RECOMMENDATION 3

Realistic service standards should be established and publicized for processing skilled worker applications.

RECOMMENDATION 4

Units dedicated exclusively to processing skilled worker applications should be established on a pilot project basis.

RECOMMENDATION 5

A system of inventory management should be fair and transparent; should promote excellence; should be efficient, simple and cost effective; should safeguard program integrity and security; and, should be sufficiently flexible to respond to Canada's overall interests.

RECOMMENDATION 6

Accurate skilled worker processing times for each post should be publicized on their Web sites.

RECOMMENDATION 7

Restricting the ability of qualified people to submit a skilled worker application should *not* be used as a method to manage the immigration inventory.

RECOMMENDATION 8

Medical officers overseas must be provided with resources that are adequate to permit them both to screen prospective immigrants for tuberculosis and other diseases that impact public health in Canada and to continually monitor worldwide public health trends.

RECOMMENDATION 9

Citizenship and Immigration Canada should be permitted to tell sponsors about significant medical findings in relation to the person they are sponsoring, particularly when that information is likely to affect the sponsor's own health.

RECOMMENDATION 10

More resources should be provided so that all customer service programs, including the Department's call centres and the e-CAS system, can be improved to provide more information to clients.

RECOMMENDATION 11

Members of Parliament should inform constituents seeking file status information of the e-CAS Service. Other inquiries should be managed prudently by MPs, taking into account the high volume of applications at some missions.

RECOMMENDATION 12

Members of Parliament wishing to play an advocacy role in immigration matters should be encouraged to educate themselves about the Act and regulations.

RECOMMENDATION 13

As a part of the Department's commitment to customer service, the flow of information to applicants should continue to be improved.

RECOMMENDATION 14

The Centralized Imaging Pilot should be expanded with due caution, and further options to centralize administrative processes should be examined. However, all major decisions must be made by overseas officers to maintain program integrity.

RECOMMENDATION 15

Additional resources should be allocated to process skilled worker immigrant applications at our missions abroad.

RECOMMENDATION 16

Additional resources should be used to enable:

- Skilled workers to be given second priority and to be processed faster;**
- Immigration levels to be increased;**
- Physical infrastructure to be expanded where facilities are currently stretched to the maximum; and**
- Selective targeting and recruitment of highly skilled immigrants.**

RECOMMENDATION 17

Where a lack of space in Canada's primary location in a country precludes effectively utilizing additional personnel, the government should consider expanding the use for immigration purposes of the consulates in the country or establishing new satellite offices.

RECOMMENDATION 18

Departmental budgeting should be flexible enough to address the increasing volumes of non-immigrant applications to ensure that the processing of skilled worker applications is not interrupted.

RECOMMENDATION 19

Consideration should be given to allocating application fees for non-immigrant visas to the processing mission as a means of alleviating the budgetary impact of increasing volumes.

RECOMMENDATION 20

Significantly more immigration control officers should be hired to work overseas and the necessary administrative and technological support should be provided to them.

RECOMMENDATION 21

Immigration control officers should be assigned to work full-time at airports that have been identified as major transit points for illegal entry into Canada.

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RECOMMENDATION 32

Canada-based officers should be responsible for making final decisions regarding the issuance of visas where a personnel analysis indicates potential risk.

RECOMMENDATION 33

A rigorous program of review and audit should be maintained to ensure the integrity of decision-making by all overseas personnel.

RECOMMENDATION 34

The Minister should discuss the issue of “visa schools” and shortcomings in provincial licensing and accreditation requirements when meeting with the provinces and territories at the upcoming conference of immigration ministers. All levels of government should work towards eliminating these enterprises and raising standards.

RECOMMENDATION 35

The definition of “instruction” in the regulations should be modified to better reflect the requirements of full-time post-secondary education.

RECOMMENDATION 36

Canadians involved in the fraudulent use of documents or other forms of immigration fraud should face prosecution and significant penalties. This should be a higher priority for the Department of Justice.

RECOMMENDATION 37

Resources should be provided to ensure that where local law enforcement procedures exist, Canadian immigration control officers are able to assist in the prosecution of those involved in immigration fraud.

RECOMMENDATION 38

Where local law enforcement procedures do not exist or are inadequate to deter immigration fraud, the Canadian government should encourage and assist the host nation to develop effective

criminal enforcement and penalties. This is particularly important for transit areas in airports.

RECOMMENDATION 39

Provinces and territories should be encouraged to enter the provincial nominee program, or, if they already have an agreement under the program, to continue to develop and refine it.

RECOMMENDATION 40

Provinces participating in the provincial nominee program should ensure that local employers are fully informed about the program's potential to assist them in attracting the skilled workers they need.

RECOMMENDATION 41

The question of the role that immigration representatives play in referring immigrants to provincial authorities should be discussed at the upcoming federal-provincial-territorial conference of immigration ministers.

RECOMMENDATION 42

The possibility of municipalities, in partnership with the provinces and the private sector, directly recruiting immigrants to suit their particular needs should be explored.

RECOMMENDATION 43

Citizenship and Immigration Canada should proceed expeditiously, in conjunction with the groups representing immigration consultants, to establish a Canadian college of immigration practitioners.

RECOMMENDATION 44

Citizenship and Immigration Canada should only deal with a representative who is a citizen or permanent resident of Canada; and, a member in good standing of the Canadian college of immigration practitioners or a member in good standing of a provincial or territorial Bar in Canada.

RECOMMENDATION 45

Citizenship and Immigration Canada should undertake more promotional activities and proactive recruiting of skilled workers.

RECOMMENDATION 46

The provinces should be encouraged to undertake more promotional activities.

RECOMMENDATION 47

The government should encourage student exchange programs for Canadian colleges and universities.

RECOMMENDATION 48

Once immigration consultants are regulated and their marketing practices made subject to a professional code of conduct, they should be encouraged in their promotional activities.

RECOMMENDATION 49

Information regarding the bodies in Canada that perform educational and technical professional assessments should be centrally compiled and available on the Citizenship and Immigration Canada Web site and the Web sites of the individual missions.

RECOMMENDATION 50

The various bodies regulating trade and professional accreditation in Canada should be encouraged to work together to address issues of foreign education and skills assessment.

RECOMMENDATION 51

The recognition of foreign credentials should be given priority when the federal, provincial and territorial ministers of immigration meet later this year. Partnerships between the federal, provincial and territorial governments, and the licensing bodies, should be pursued.

RECOMMENDATION 52

Incentives should be provided to encourage individuals to obtain a provincial professional or trade assessment prior to applying for permanent residence.

RECOMMENDATION 53

The future business plan of each mission should reflect the Committee's recommendations and should specify, taking into account the particular pressures on the post in question, how they will be implemented.

KEY OPERATIONAL RECOMMENDATIONS

The recommendations in this report cover various aspects of our overseas immigration processing. Program integrity issues and the marketing of Canada are of course important, but the main focus of our study relates to operational improvements. These improvements will enable us to better meet our demographic needs and ensure economic development. The following recommendations relate specifically to program operations.

RECOMMENDATION 1

Skilled worker immigration applications should be given second priority in processing. Within that group, the highest priority should be given to those with arranged employment.

RECOMMENDATION 2

In order to achieve a balance that is in Canada's best interests, the components of non-discretionary processing should be analyzed.

RECOMMENDATION 3

Realistic service standards should be established and publicized for processing skilled worker applications.

RECOMMENDATION 4

Units dedicated exclusively to processing skilled worker applications should be established on a pilot project basis.

RECOMMENDATION 5

A system of inventory management should be fair and transparent; should promote excellence; should be efficient, simple and cost effective; should safeguard program integrity and security; and, should be sufficiently flexible to respond to Canada's overall interests.

RECOMMENDATION 6

Accurate skilled worker processing times for each post should be publicized on their Web sites.

RECOMMENDATION 10

More resources should be provided so that all customer service programs, including the Department's call centres and the e-CAS system, can be improved to provide more information to clients.

RECOMMENDATION 13

As a part of the Department's commitment to customer service, the flow of information to applicants should continue to be improved.

RECOMMENDATION 14

The Centralized Imaging Pilot should be expanded with due caution, and further options to centralize administrative processes should be examined. However, all major decisions must be made by overseas officers to maintain program integrity.

RECOMMENDATION 15

Additional resources should be allocated to process skilled worker immigrant applications at our missions abroad.

RECOMMENDATION 16

Additional resources should be used to enable:

- Skilled workers to be given second priority and to be processed faster;**
- Immigration levels to be increased;**
- Physical infrastructure to be expanded where facilities are currently stretched to the maximum; and**
- Selective targeting and recruitment of highly skilled immigrants.**

RECOMMENDATION 17

Where a lack of space in Canada's primary location in a country precludes effectively utilizing additional personnel, the government should consider expanding the use for immigration purposes of the consulates in the country or establishing new satellite offices.

RECOMMENDATION 18

Departmental budgeting should be flexible enough to address the increasing volumes of non-immigrant applications to ensure that the processing of skilled worker applications is not interrupted.

RECOMMENDATION 19

Consideration should be given to allocating application fees for non-immigrant visas to the processing mission as a means of alleviating the budgetary impact of increasing volumes.

RECOMMENDATION 27

In order to prevent mission shopping, applicants for immigration should be required to submit their applications to the post that serves the country in which they have been living for a least one year.

RECOMMENDATION 28

Citizenship and Immigration Canada should not move files from post to post in an attempt to relieve processing bottlenecks.

RECOMMENDATION 39

Provinces and territories should be encouraged to enter the provincial nominee program, or, if they already have an agreement under the program, to continue to develop and refine it.

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Provinces participating in the provincial nominee program should ensure that local employers are fully informed about the program's potential to assist them in attracting the skilled workers they need.

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Incentives should be provided to encourage individuals to obtain a provincial professional or trade assessment prior to applying for permanent residence.

RECOMMENDATION 53

The future business plan of each mission should reflect the Committee's recommendations and should specify, taking into account the particular pressures on the post in question, how they will be implemented.

APPENDIX A LIST OF WITNESSES

CANADA

Department of Citizenship and Immigration

Daniel Jean, Director General, International Region

Rénauld Gilbert, Director, Asia and Pacific, International Region

Anton Jurkovich, Director, Europe, International Region

Lea Vachon, Head, Visits and Protocol Unit, Management Services, International Region

ASIA

Hong Kong, Shanghai and Beijing (China), Seoul (South Korea)

Hong Kong

Consulate General of Canada

Anthony Burger, Consul General

Tom Ryan, Consul, Immigration Program Manager

John Choi, Consul (Immigration)

Dan Dragovich, Consul (Immigration)

Frazer Mark, Consul (Immigration)

Victor Lum, Vice-consul (Immigration)

Shanghai

Consulate General of Canada

Stewart Beck, Consul General

John So, Vice-consul (Immigration)

Beijing

Canadian Embassy

His Excellency Joseph Caron, Ambassador
Dennis Scown, Minister-Counsellor, Immigration Program Manager
Robert Mackenzie, Minister, Trade Section Manager
David Manicom, Counsellor, Deputy Immigration Program Manager
Dr. Brian Dobie, Attaché, Head of the Medical Unit
Rick Shakespeare, Counsellor (Immigration)
Isabelle Ouellet, Second Secretary (Immigration)
Larry Penn, Second Secretary (Immigration)
Sébastien Francoeur, Third Secretary (Immigration)
Ilse DeRuytter (Immigration)
Ma Lan (Immigration)

Other embassies visited in Beijing

David Hopper, Consul, U.S.A Embassy
Neil Caddie, Counsellor, New Zealand Immigration
Ian Wilson, First Secretary, British Embassy
Roger Neilson, Counsellor, Australian Embassy

Seoul

Canadian Embassy

Penny Fraser, Counsellor, Immigration Program Manager
Daniel Vaughan, First Secretary, Deputy Immigration Program Manager
Randy Jankowski, First Secretary (Immigration)
Lauri Friesen, Second Secretary (Immigration)
Moonho Lee (Immigration)
Seongkueong Kim (Immigration)
Swhwa Kim (Immigration)

EUROPE

London (England), Berlin (Germany), Vienna (Austria), France (Paris)

London

Canadian High Commission

His Excellency Jeremy Kinsman, High Commissioner

Robert Rochon, Deputy High Commissioner

Jean Roberge, Minister-Counsellor, Immigration Program Manager

Helen Amundsen, Counsellor, Deputy Immigration Program Manager

Denise Defoy, Counsellor (Immigration)

Kent Francis, First Secretary (Immigration)

Christine Foley (Immigration)

* * *

Catherine Bush, Head of Product Management for the City and Guilds Trades Certification Board

Lorna Froud, Head of Careers at Oxford Brooks University

Angela Eagle, M.P. Parliamentary Under-Secretary of State for Europe

Members of the U.K. Home Affairs Committee met in London

Gwyn Prosser, M.P.

Humphrey Malins, M.P.

Tom Watson, M.P.

Janet Dean, M.P.

Bridget Prentice, M.P.

Andrew Kennon, Clerk of the Committee

Other embassies visited in London

Edward Skerrett, Attaché, U.S. Embassy

Helen Wilson, Counsellor, Immigration, Australian High Commission

Berlin

Canadian Embassy

Her Excellency Marie Bernard-Meunier, Ambassador

John Rose, Counsellor, Immigration Program Manager

Tom Richter, First Secretary (Immigration)

Michael Stetzuhn (Immigration)

Kade Eede (Immigration)

Margarita Rodriguez (Immigration)

Brian Casey, Counsellor, Immigration Program Manager, Moscow

Other embassies and organizations visited in Berlin

Gerald Schomann, Zentralstelle fuer Arbeitsvermittlung (International Placement Agency, Bonn)

Dagman Feldgen, Ministry of Labour and Social Affairs

Robert Henkel, BDI

Jim Levy, U.S. Embassy

Petra Canard, Australian Embassy

Mario Psiroukis, Australian Embassy

German Parliamentary Group met in Berlin

Rüdiger Veit, Social Democratic Party of Germany (SPD)

Wolfgang Zeitlmann, Cristian Democratic Union of Germany/Christian Social Union (CDU/CSU)

Petra Pau, Party of Democratic Socialism (PDS)

Marieluise Beck, Bündnis,90/Die Grünen, Alliance 90/The Greens (B90/Greens)

Cem Oezdemir, Bündnis 90/Die Grünen, Alliance 90/The Greens (B90/Greens)

Christian Mueller, MP, Social Democratic Party of Germany (SPD), German-Canadian Parliamentary Group

Volkman Schultz, MP. German-Canadian Parliamentary Group

Elizabeth Mueller, German Foreign Ministry

Cornelia Schmalz-Jacobsen, Evangelische Akademie Tutzing

Vienna

Canadian Embassy

Peter Lilius, Counsellor, Immigration Program Manager

Robert McLeman, First Secretary (Immigration)

Dr. Jeremy Brown, Attaché, Head of the Medical Unit

Other embassies and organizations visited in Vienna

James Pettit, Consul General, U.S. Embassy

Len Forth, A/Officer in Charge, U.S. Immigration and Naturalization Service, U.S. Embassy

Linda Urquart, Counsellor, Immigration, Australian Embassy

Karole Paul, Head of Mission, United Nations High Commissioner for Refugees (UNHCR)

Irena Vojackova-Sollorano, Head of Mission, International Organization for Migration (IOM)

Jonas Widgren, Director General, International Centre for Migration Policy Development (ICMPD)

From the Nationalrat (National Council/Parliament) in Vienna

Dr. Heinz Fischer, President

From Organization for Security and Co-operation in Europe (OSCE)

Helga Konrad, Chair of OSCE Stability Pact Task Force on Human Trafficking

Paris

Canadian Embassy

His Excellency Raymond Chrétien, Ambassador

Brian Davis, Counsellor, Immigration Program Manager

Jean-Louis Laberge, Counsellor (Immigration)

Louise Van Winkle (Immigration)

Dr. Sylvain Bertrand, Attaché, Head of the Medical Unit

S. Guay, Counsellor

Other embassies visited in Paris

K. Cala, director of Australian Visa Service in Paris

Nancy Sambaiew, Consul General at the American Embassy

Quebec Delegation in Paris

Micheline Baril, Director, Quebec Immigration Service

Manon Boucher, Chief, Promotion, Quebec Immigration Service

INDIA

New Delhi (India)

New Delhi

Canadian High Commission

His Excellency Peter Sutherland, High Commissioner

Rod Fields, Counsellor, Immigration Program Manager

Neil Brockenshire, Counsellor, Deputy Immigration Program Manager

Ninon Valade, Counsellor (Immigration)

Bill Marshall, First Secretary (Immigration)

Keith Taylor, First Secretary (Immigration)

Nirmal Gill, Counsellor (Immigration)

Tony Milic, First Secretary (Immigration)

K.K. Jarth (Immigration)

Dr. Patrick Thériault, Attaché, Head of the Medical Unit

Dr. Sylvie Martin, Attaché, Medical Officer

Other embassies and organizations visited in India

Judith O'Neill, Counsellor (Immigration) and Regional Director, Australian High Commission

Isabel Pritchett, First Secretary (Immigration), Australian High Commission

Hans Blume, Second Secretary (Immigration), Australian High Commission

Raymond R. Baca, Consul — First Secretary, U.S. Embassy

Alan Barry, First Secretary (Immigration), New Delhi Branch of the New Zealand High Commission

Dr. T. Walia, Deputy Representative of the World Health Organization for India

Augustine P. Mahiga, Chief of Mission, United Nation High Commissioner for Refugees (UNHCR)

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, your Committee requests the Government to table a comprehensive response to this Report.

A copy of the relevant Minutes of Proceedings of the Standing Committee on Citizenship and Immigration (*Issues Nos 60 to 69 which includes this report*) is tabled.

Respectfully submitted,

Joe Fontana, M.P.
Chairman

Canadian Alliance Supplemental Opinion

Issued by:

Diane Ablonczy, M.P.

Paul Forseth, M.P.

Lynne Yelich, M.P.

1. The Canadian Alliance generally supports the recommendations in *Competing for Immigrants*. However, there is one important issue raised in Committee members' discussion with field immigration officers that has not been clearly addressed in the report: namely, that even with additional resources, the system is not be able to cope with the rapidly increasing volume of applications.
2. In addition to the existing backlog, the number of applications is rising steeply year-by-year. This situation is untenable both for the applicant in the queue and for the officers at our busiest posts. Dedicated and honourable staff feel undue pressure from such heavy volumes and program integrity can be negatively impacted. It is imperative from a management perspective that we change the way we do business. Few of the traditional tools will be available under the new selection system. A more direct and more efficient way of managing the intake of applications to eliminate the backlogs must be developed.
3. Senior managers in the department want political permission to develop intake management measures in order to address serious systemic delays. Currently, the application information often becomes stale dated by the time it comes to be processed.
4. Canada must be internationally competitive. A variety of approaches must be explored to fill our need for skilled workers. Canada must strive to process and approve applicants faster than our international competitors by means of an employer-driven fast-track process of quick acceptance and specialized processing. The Canadian Alliance has concerns that Canada's immigration system cannot provide us with the skilled workers we need, despite the new law expected on June 28, 2002. Furthermore, Canada must manage according to its priorities, and not be at the mercy of foreign pressures.
5. Various options should be explored. Although rejected by the majority on the Committee, we think it could be feasible to consider taking applications through one central location and for a specified time period each year. Those who qualified to be considered for immigration in that period would enter the process, with a high priority given to skilled workers. The rest of the applications would be returned, thus keeping the inventory current. Another option would be to accept the number of applications that would likely produce the target number of visas, and then allot other applications a processing number that would represent their place in the application queue. Fees would, of course, be adjusted accordingly.

6. Although we are not in a position to assess the best option or combination of options, we have concluded that such measures are necessary. The majority report suggests principles for the system generally, and we suggest that these are the principles that should particularly guide intake management: it must be transparent, must promote excellence, must safeguard national security and must be inherently efficient, simple, and cost effective. Continuing to swamp our offices abroad with a rising tide of applications that we cannot hope to process in a timely and quality manner, simply makes no sense. This is a critical issue which must be specifically and effectively addressed as quickly as possible.

Recommendation: Citizenship and Immigration Canada should introduce intake management measures as part of its administrative strategy to better concentrate upon skilled workers and to deliver the program in a timely manner.

Competing for Immigrants

SUPPLEMENTARY OPINION OF THE BLOC QUÉBÉCOIS TO THE REPORT OF THE STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION

From April 13 -25, 2002, three groups of parliamentarians, members of the Standing Committee for Citizenship and Immigration, carried out missions to obtain a more accurate understanding of the work entrusted to bureaucrats from Immigration-Canada posted abroad, such as their broad responsibilities and capacity to assume them notwithstanding the clearly insufficient resources that they are given to minimize waiting times and ensure that delays are reasonable. The committee report rightly summarizes our opinions and its fifty-three recommendations appear to offer interesting alternatives for solutions that are in accordance with values of openness, equality, and respect for individuals.

The Bloc Québécois considers it appropriate to attach to the report a summary of the meeting held with officials at Immigration-Québec in Paris.

The Paris office currently oversees immigration services for occidental Europe and Israel. Thirty people maintain these services for more than fifty countries. Tunisian and Algerian files are now dealt with in Montreal while those that come from Morocco and Africa processed in Rabat.

Québec's objective for 2003 is 45 000 immigrants. In Paris alone, in 2002-2003, we expect to approve 6 000 workers, while in 2001-2002, 3 700 selection certificates were issued. The average processing time per file is three months. The cost of a selection certificate (work permit) is \$300 and is valid for three years. An interview is required only if the candidate does not obtain a passing score at the initial examination of the application. In reality, one out of every two applicants is interviewed. The validity of certifications and qualifications (study, work) presented by candidates from Western Europe generally requires very little verification.

It is interesting that the Québec Immigration section has been recently confronted by the use of a new selection grid and that it was able to avoid the invidious task of applying the new grid retroactively. In the spirit of justice and in the interests equality, the two grids were used simultaneously. The process was the following: from the effective application date of the new grid, all candidates who had submitted their application using the old grid were first evaluated with the new grid. If they did not qualify, there were automatically re-evaluated with the old grid.

The issue of the promoting immigration to Québec was also brought up at this meeting. It seems that previous strategies put in place are successful. Those aged

20-35 are the target audience, and since they constitute the majority of internet users, this tool is particularly useful to advertise **Québec, land of promise**. Further, information meetings are organized in Paris and in other large cities. They speak both to universities and to technical workers and professionals. Attendance at these meetings varies between 60 and 200 people and the majority (70%) are men.

The Bloc Québécois hopes that the québécois example will encourage reflection that will be beneficial to applicants for permanent residence that deserve to be treated with respect and fairness.

Madeleine Dalphond-Guiral
Member of Parliament for Laval-Centre
Bloc Québécois critic for Citizenship and Immigration

June 7, 2002

NEW DEMOCRATIC PARTY MINORITY REPORT JUDY WASYLYCIA-LEIS, MP

The need to address the matter of Canada's ability to compete for immigrants is becoming increasingly critical. Canada needs immigrants. Our most recent census data shows that we will not be able to maintain our population or our skilled workforce without attracting increasing numbers of immigrants. This has served to underline the need for a revamped immigration policy. It is a message that comes just as we are entering a period of increased competition for immigrants worldwide.

A policy based on vision

For most immigrants, selecting a destination — a new home where they hope to flourish and establish their families — is based on very personal and subjective criteria. It is a question of comparing their vision for their future with our vision and what other countries have to offer.

Canada's vision is presented through our immigration legislation, regulations, guidelines and programs. But that vision, as it stands, fails to make a convincing case for Canada as a welcoming society for immigrants. The federal government presents no clearly articulated population-based strategy; no clear vision of an open immigration policy, of a country drawing strength from its diversity and acting decisively against intolerance.

The new Immigration and Refugee Protection Act is far from visionary, charts a cautious approach and is as much about keeping people out as welcoming them. The new rules discriminate against those who may lack formal educational qualifications but who nonetheless would contribute productively to our society. Versatility has become the catchword in Canada's new knowledge-based economy, yet our immigration requirements are not adequately geared to that new reality. As well, arbitrary retroactive deadlines that were designed to cut people off of waiting lists are still part of the picture. Combined with an increasingly restrictive approach to refugees, this signals that Canada is moving away from the humanitarian traditions that have been at the very root of our past success in attracting immigrants.

A multi-pronged strategy

Canada's approach must change. In order for Canada to succeed in the toughening competition to attract immigrants, there must be an integrated approach using a multi-pronged strategy that clearly points to Canada as a destination of choice. This means looking beyond short-term economic self-interest and beyond the administrative problems of the day. Policies that will succeed in attracting immigrants and in convincing

them to stay, once here, have to address the need to feel welcome, to be valued and to belong. These must include:

1. Recognition of foreign credentials

Canada must improve the recognition of foreign credentials and experience. Many immigrants find that the assets that qualified them to come here prove to be of little or no value in getting a job in their field once they have arrived. This has become a chronic and debilitating problem for immigrants — a problem that studies say is getting worse. It undermines newcomers' confidence, impedes their integration and may ultimately lead them to abandon Canada for a more hospitable alternative. There are hundreds of regulatory bodies nationwide, each with their own standards and procedures. Federal leadership is needed to eliminate these well-documented barriers, to develop mechanisms to ensure that immigrants gain access to employment in their field of expertise, and to place work-ready immigrants in jobs as quickly as possible.

2. Family Reunification

The valuable role that the presence of family members can play in setting down new roots has also been undervalued. Wanting to have family members close at hand to share in our lives is common to immigrants and non-immigrants alike. It contributes to our sense of community. As well, family members can provide familiar and trusted support, especially during a period of adjustment. Expanding the family class definition to include more extended family members — at least, grandparents, sisters and brothers — would ease some of the strain of immigration. Speeding up the family reunification process, that can sometimes drag on for years, would also reduce the stress of prolonged separation. Short-term family access is also important. Improving visitor visa processing would ensure that temporary contact is possible. The role of family ties and links to cultural communities in attracting and keeping immigrants cannot be underestimated.

3. Ending the head tax

For many people, especially those from less materially affluent countries, the Right of Landing Fee poses an insurmountable barrier to immigration. Commonly referred to as the “head tax”, this \$950 fee together with the administrative fee of \$500 per adult and \$100 per child places immigration here well beyond the means of many who have much to offer Canada. It saddles others with an immediate debt burden that adds significantly to the strain of settlement. These fees need to be phased out as quickly as possible.

4. Effective settlement services

Comprehensive and adequately-funded settlement services are integral to any policy that is going to attract and retain immigrants. Such services should include, for example, skills upgrading, employment assistance, official languages training, affordable housing strategies and should be complemented by extensive public awareness programs to acquaint more Canadians with the benefits of immigration. The lead for the needed overhaul of our settlement efforts should come from the federal government with services developed in cooperation with the provinces and territories and with meaningful consultation and collaboration with municipalities. Municipalities are a vital component often ignored but frequently left to pick up settlement responsibilities that have been downloaded as a result of federal cuts to social programs. Readily available settlement services are essential to help immigrants make a successful transition to life in Canada, as quickly as possible, and to begin participating fully in Canada's economy at the earliest opportunity.

5. Renewed multiculturalism

Building strength from diversity and preserving Canada's multicultural identity are ideas that must be at the core of our immigration policy. We need more than a passive acceptance of our cultural differences. What is called for is a proactive strategy to promote positive race and ethnic relations in order to strengthen respect for diversity in tandem with a clear and immediate response to any racially or religiously motivated hatred. This sends the all-important message that Canada is home, not just to those already here but to everyone seeking a stable and secure environment in which to relocate.

We can succeed in meeting the urgent new challenges before us, if we build our vision for immigration on the traditions of this nation of immigrants that is Canada, and if we deliver the promise of that vision with the generosity of spirit, commitment and resources that are its due.

Progressive Conservative Party Supplemental Opinion Inky Mark, MP

Canada is a land of immigrants. Our past, present and future has and will continue to depend on immigration. The PC Party of Canada supports the recommendations of this report. As said many times, hopefully this report will not become another dust collector.

A lot of thought and work has gone into this report by all members of the Standing Committee on Citizenship and Immigration. No responsible Minister would ignore the recommendations of this report.

The PC Party of Canada's view is that immigration enriches Canadian society, both through increased cultural diversity and new economic opportunities. Canada's economic future requires a streamlined skilled workers processing system. It is not acceptable that the best brains of the world applying to enter Canada may take up to 5 years to be landed. The developed countries of the world are competing for those skilled workers. Improvements will not happen without hiring more personnel throughout the system. CIC is still experiencing the Liberal budget cuts of 1995.

We support the idea that both provincial and municipal governments should be involved in attracting immigrants to Canada. We support an immigration system that is both open and accessible to those who qualify. We oppose the notion that Canada should stop taking immigrant applications because currently there is a backlog. This is a recommendation by the Canadian Alliance Party. This idea would send a very negative message to the world community that Canada was closing its doors to immigration. Canada cannot afford to be perceived as shutting the door on immigration. There are other means to manage inventory.

Public confidence in the immigration system is essential. The abuse of refugee claims to gain a fast track to the benefits of landed immigrant status in Canada has undermined the integrity of the system. It is also unfair to those who follow the legal process and may wait up to 5 years to be processed. In a post 9/11 environment, Canada must send a strong message that we will not tolerate violations of our immigration and refugee system and that abusers will be prosecuted to the full extent of the law.

The PC Party of Canada will continue to oppose the concept of retroactivity as found in the new Bill C-11 regulations which is supported by both the Liberal Party and the Canadian Alliance Party. Retroactivity is unreasonable, unfair and reprehensible.

MINUTES OF PROCEEDINGS

Thursday, June 6, 2002
(Meeting No. 69)

The Standing Committee on Citizenship and Immigration met *in camera* at 9:20 a.m. this day, in Room 269, West Block, the Chair, Joe Fontana, presiding.

Members of the Committee present: Diane Ablonczy, Mark Assad, Yvon Charbonneau, Madeleine Dalphond-Guiral, Joe Fontana, Steve Mahoney, Inky Mark, Anita Neville, Jerry Pickard, David Price.

In attendance: From the Library of Parliament: Benjamin Dolin; Margaret Young, analysts.

Pursuant to its mandate under Standing Order 108(2) and its order of February 4, 2002, the Committee resumed its study on “Competing for Immigrants”.

The Committee resumed its discussions on a draft report on “Competing for Immigrants”.

It was agreed, — That in response to the decision by the Minister of Citizenship and Immigration to delay creation of the refugee appeal division provided for in the new Act, the Committee recommends to the Minister that he consider retaining two Board members to judge the admissibility of asylum claims and that the Representative from the Bloc Quebecois be authorized on behalf of the Committee to relay the above decision of the Committee to the Minister of Citizenship and Immigration and to the Canadian Council for Refugees.

It was agreed, — That the draft report, as amended, be concurred in and that the Chairman be instructed to present it to the House.

It was agreed, — That the Chair, in conjunction with the clerk and researchers, make such editorial changes as may be necessary without changing the substance of the report.

It was agreed, — That pursuant to Standing Order 109, the Committee request the government to table a comprehensive response to the report.

It was agreed, — That the Committee authorize the printing of supplemental opinions as an appendix to this report, immediately following the signature of the Chair and that they be submitted to the Clerk by 5:00 p.m. on Friday, June 7 2002.

At 9:50 a.m., the Committee adjourned to the call of the Chair.

Jacques Lahaie
Clerk of the Committee