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—
Chair

The Honourable Andrew Telegdi

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Thursday, February 24, 2005

• (1110)

[English]

The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)): I call this meeting of the Standing Committee on Citizenship and Immigration to order.

We're going to be dealing with a number of issues today. We'll be starting with SOS Viet Phi. We'll be dealing with Bill S-2 on the lost Canadians. Then we'll have the minister in as a witness from 12:30 to 1:30.

I'd like to welcome Daniel Jean and Robert Orr to start off.

Mr. Daniel Jean (Assistant Deputy Minister, Policy and Program Development, Department of Citizenship and Immigration): Thank you, Mr. Chairman, for the opportunity to speak on this issue. I will try to be brief.

As you know, Canada was very generous in responding to the humanitarian crisis in Vietnam. In 1989, Canada was one of the 74 countries that signed a UNHCR-sponsored comprehensive plan of action. All 74 countries agreed to work together to uphold the objectives of the CPA and help sustain the domestic asylum regimes in the region. Canada alone resettled over 145,000 of the 500,000 who left Vietnam. The remainder were resettled among 73 other countries.

Today I am pleased to expand on the Honourable Joe Volpe's announcement earlier this week, when he reaffirmed Canada's further generosity to people who were caught up in the mass exodus from Vietnam but for various reasons became separated from other close family members who did make their way to Canada.

As members of this committee know, a Vietnamese community in the Philippines numbering about 2,000 persons has asked Canada and other countries to resettle them with their families because the Vietnamese have been denied access to citizenship, despite their long and continuous residence in the Philippines. The group has requested consideration under refugee programs. The request to Canada was to consider the applications for about 500 persons in all.

I want to make it clear that these people are not and never have been refugees. It is not the absence of a legal status or being stateless that makes one a refugee. However, notwithstanding that the group in the Philippines are not refugees, the international community and Canada recognize that some of the members in this community face difficult circumstances.

In April 2004, the U.S. government issued a joint statement with the Philippines government to resolve the situation of this particular

group. The United States of America has publicly stated it will interview and resettle most of the residual population of 2,000 persons in the Philippines. The Philippines in turn have committed to work with the U.S.A. and the UNHCR to regularize the status for any person not resettled to the U.S.A.—what we usually refer to as local integration.

In this context, like Australia and Norway, Canada is ready to develop a public policy for compelling cases with close relatives in Canada. This move will help the Philippines move more quickly to regularize the status for persons who are not resettled to the U.S.A. or other countries.

Perhaps I can step back for a moment to put this situation into historical context and to help understand why we are developing a policy for those with close relatives.

[Translation]

I'd like to talk briefly about the Comprehensive Action Plan, or CAP, introduced in 1989. The CAP provided for a refugee determination for each individual. This process was monitored and supported by the UNHCR and appeal rights were administered by the UNHCR. The UNHCR had the backing of the international community to refuse those persons who were not refugees and thus not in need of protection.

Where a person was screened out and the UNHCR supported this decision, the country in the region could return the person to Vietnam and Vietnam had to accept the person back.

The 2,000 persons left in the Philippines today are persons who were refused under the CAP, but the Philippines nevertheless allowed them to remain on its territory. Even though they have no legal status, there is no risk of deportation, and individuals have been locally integrated through marriage to local nationals, employment and long-term residence. Some have even travelled to Vietnam for visits.

As Members of Parliament, you receive requests from many individuals for direct intervention in the immigration process. Many groups continually seek special consideration for relatives and compatriots residing in various countries.

Canada's Immigration and Refugee Protection Act provides several immigrant categories under which persons who meet Canadian immigration objectives may apply for admission to Canada.

Maintaining transparent program criteria is integral to maintaining the overall integrity of the immigration program. We are pleased to announce that we are in the process of developing clear program criteria to define who will be eligible under this new public policy announced by our minister.

In essence, Vietnamese persons in this group who would otherwise be resettled to the States under the larger USA program may apply under the Canadian family class program if they have parents, children or siblings who are prepared to sponsor them in Canada.

We are pleased to continue playing an active role in the international commitment to the Vietnamese. Working with the Philippines, the USA, Australia and Norway, we will provide solutions for those with close family ties in Canada. Canada will also encourage the government of the Philippines to formalize the status of the persons who remain behind in the Philippines.

Thank you.

• (1115)

[English]

The Chair: Thank you.

Is anybody else going to speak?

Mr. Daniel Jean: No.

The Chair: We'll now go to questions.

Mrs. Ablonczy.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Thank you, Mr. Chairman.

Thank you, gentlemen, for your information to the committee.

The committee is pleased, I believe it's fair to say, with this reversal by the government of their long-standing objection to resettling these Vietnamese who were without status in the Philippines. However, the devil is always in the details, isn't it? So I'd like to ask you some questions about that.

First of all, you mention in your remarks that 200 families would be eligible under the new rules you're suggesting will be put into place. That would be 200 families with relatives or people in Canada willing to sponsor them and 500 people in all. Is that your understanding as well?

Mr. Daniel Jean: In my remarks I mentioned that we had been approached by the group SOS Viet Phi for 200 families, which would account for 500 people. I would not be able to tell you today precisely what number will qualify for what we've announced. The public policy we've announced is restricted to those who have close family members.

Mrs. Diane Ablonczy: Why is this program piggybacked on the U.S. program? Why don't we just have our own program and deal directly with these individuals in the Philippines? Why do they have to come through the U.S. program first? I don't understand that.

Mr. Daniel Jean: We're not piggybacking on the U.S. program. What we're saying is our response complements other responses. Australia and Norway have done something very similar to what we've just announced, which is to take people who have close family

members in their countries. As far as the U.S. is concerned, they provided a commitment to look at the overall population. What we're saying here is that from a Canadian perspective, they're not refugees, but they're people who have been in a difficult, compelling situation. Some of them have close family members.

Mrs. Diane Ablonczy: I understand that, but your material says, "...Vietnamese persons in this group who would otherwise be resettled to the States under the larger USA program may apply under the Canadian family class program..." I'm just wondering why you've linked it to those who otherwise would be resettled to the States under the larger U.S. program.

Mr. Daniel Jean: I'd like to establish that as clearly as I can. Given that the announcement just came in and we're still working out the details and instructions, we will certainly be happy to share that with the committee. We propose to allow people in Canada who have close family relatives in that group to sponsor them. It will be sponsorship under public policy. These people will be processed, and if they qualify under public policy, that will be clearly defined for close family members—brothers, sisters—

Mrs. Diane Ablonczy: But you're not answering my question.

Why are the qualifications linked to those who would otherwise be resettled in the U.S.?

Mr. Daniel Jean: We're not linking the qualifications to the ones who would otherwise go to the U.S. We're saying that at the same time we're doing that, Australia and Norway have taken some on the same grounds as we are, and the U.S. has also made a commitment to review the rest of the population. This means that at the end, following the response from Australia, Norway, Canada, and what the U.S. has already committed, there should be only a small group of people, and it will make it much easier for the Philippine government to work on local integration.

Mrs. Diane Ablonczy: With respect, Mr. Jean, that's not what you're saying in your material before us.

Mr. Daniel Jean: I understand this may not be as clear as it should be. As I said, as far as how the program is going to work, this has just been announced. We're working on the instructions, and we're certainly quite prepared to share what's going to come out of this with the committee.

Mrs. Diane Ablonczy: We'll certainly be looking for that.

I just have a final question. I think it's one that everyone in the room would like to have answered.

How soon will the first approvals for settlement happen? Is this going to take a matter of months, weeks, or years? What do you anticipate?

• (1120)

Mr. Daniel Jean: I think it's fair to say it's going to take several months. I don't think we're talking about several years. In the next couple of weeks we want to clearly lay out the criteria, the instructions. We want to be able to share that with you. We want to be able to talk to the groups we have been having discussions with. Then we'll start processing them. So we're talking about months, not years.

Mrs. Diane Ablonczy: Thank you, Mr. Chairman.

The Chair: Thank you very much.

Madame Faillie.

[*Translation*]

Ms. Meili Faillie (Vaudreuil-Soulanges, BQ): We're delighted to hear that announcement.

At this time, I'd just like to acknowledge the presence of Mr. Rick Herringer and to welcome him to our committee. I believe we're discussing decisions that were made by the department and Mr. Herringer was once posted in the Philippines.

My colleague Mr. Clavet has some questions for the witness.

Mr. Roger Clavet (Louis-Hébert, BQ): Thank you, Meili.

I'd also like to thank the members of this committee. Your support for this cause as well as the new minister's commitment mean that we are moving in the right direction. However, we need to do even more. On the international front, Canada boasts of being a nation that welcomes immigrants, but people remain stranded in that part of the world. While we applaud this initiative, SOS Viet Phi has asked Citizenship and Immigration Canada to help some 200 families resettle in Canada. We were pleased when Mr. Volpe made this announcement. We thought that everything was settled as far as these 200 families were concerned. However, for the people left behind, the problem remains very real.

The Minister talks about finding a fair, quick solution to this problem. Is there a timetable in place, in terms of helping those who have been fortunate, despite everything they've endured? In recent weeks, we've heard testimony from persons who have suffered, who have no legal status as human beings. What timeframe are we looking at? What steps do Mr. Volpe and Citizenship and Immigration Canada intend to take to speed up the process? Then we'll see if the genuine will exists to help more people.

Mr. Daniel Jean: In fact, in the coming weeks, we would like to develop clear, transparent criteria and directions for processing applications. These will be sent to our mission staff in the Philippines.

As I mentioned earlier to Ms. Ablonczy, these are applications that we should be able to process within the next few months. Of course, some cases will be a little more complicated and could involve criminal matters, for example. Consequently, these files may take longer to process. However, we should certainly be able to process the vast majority of these applications within the next year.

Mr. Roger Clavet: When you mentioned the Comprehensive Action Plan in your presentation, you indicated that 2,000 people remained behind in the Philippines because their application had been refused under the CAP. You also mentioned that some of these

persons had even travelled from the Philippines to Vietnam for visits. According to party sources, those who might have been able to come to Canada through marriage do not number among these 2,000 persons. Consequently, according to our sources, this information may not be accurate. I'd like some clarification of these figures.

Mr. Daniel Jean: In the past, we reviewed a portion of these case files. We noted that some persons included in this group had indeed travelled to Vietnam for visits. However, that fact is not relevant for the purposes of the government policy that we are announcing. The UNHCR is the international body that oversees refugee-related matters. The international community does not consider these persons to be refugees. Their application for refugee status was reviewed under the CAP and based on the criteria in place, their application was rejected. Members of this group are stateless and the government of the Philippines has not done as much as many countries would have wished to integrate members of this community into the local population. However, the Philippine government has indicated that it would be prepared to do more if other countries took concrete action to open their doors to certain members of this group. Norway and Australia have adopted the same approach as Canada, that is to say they accept persons with close relatives in the country. That was the gist of the Canadian government's announcement last week.

• (1125)

Mr. Roger Clavet: You also stated in your opening presentation that Canada would be pressing the government of the Philippines to regularize the status of persons who had not resettled. Will Canada be content with half-measures that satisfy some people in the short term, but fail to address all needs, or will it put some real pressure on this government?

I want to correct an earlier statement that Members had compelled the government. That's not what I meant to say. I meant to say that the Vietnamese community has pressured Citizenship and Immigration Canada to reverse its stand. Will Canada bring any pressure to bear on the government of the Philippines?

Mr. Daniel Jean: When we talk about lasting solutions to the refugee situation, as a rule, the international community starts by looking at whether the risks of persecution can be minimized in any way and if people can return to their country of origin. That's always the ideal course of action.

The second approach is to look at whether the tools exist to integrate members of the group into the local population. This is the situation that we now have in the Philippines.

The third option — one that the international community normally views as a last resort, even if this applies to many people — is resettlement in a third country. Under the circumstances, it's clear that Canada, the United States and other countries will continue to encourage the Philippines to do more to create conditions conducive to integrating members of this group into the local population.

Mr. Roger Clavet: [*Editor's note: Inaudible*]

Ms. Meili Faillie: I'm delighted to welcome Mr. Herringer to this committee. In one of his letters, he notes that the mission in the Philippines has confirmed the integration of the Vietnamese community, both socially and economically, into the local population.

Can you report further on the current status of these 2,000 persons? I would imagine the mission is aware of their present conditions.

Mr. Daniel Jean: These persons have the right to move about. Even though they may not have been granted Philippine citizenship, even though they may still be stateless, most of them are capable of working. However, it's clear that the government of the Philippines has probably not done enough to create the conditions that would allow this group to integrate into the local population. The government has indicated, during discussions with countries interested in this issue, that it was prepared to do more, if other countries were also prepared to do their share. The United States have already made their intentions known. Australia and Norway are basically planning to adopt the same approach as Canada, that is to take in Vietnamese who have close relatives in Canada.

Ms. Meili Faille: Are they allowed to work? Do they have access to health care? Are their living conditions comparable to those of other Philippine citizens?

Mr. Daniel Jean: As far as living conditions are concerned, I'll repeat what I said earlier. The government of the Philippines has not created conditions like the ones you've called for that would be conducive to integration into the local population. We would like to encourage the Philippines to move in this direction.

Ms. Meili Faille: I see.

Mr. Roger Clavet: Thank you very much.

[English]

The Chair: Thank you very much.

We're going to suspend operations for a couple of minutes while our technical people make some adjustments.

• (1128) _____ (Pause) _____

• (1131)

The Chair: Okay, the technical difficulties are fixed, so we're back in business.

Mr. Siksay.

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

Monsieur, I want to say off the top that I welcome the decision from the minister and the department, and the speed with which they seem to have made it, given the recent representations. I also want to pay tribute to the Vietnamese Canadian community, who I think have done an incredible job of organizing around this issue and making an incredibly strong case of acting in the humanitarian spirit that they know so well from their initial contact with Canada some years ago. It's quite a remarkable and inspiring story and one that ultimately is a Canadian story about our humanitarian and compassionate concern for people around the world. It tells me that the folks who came to Canada as a result of the war in Vietnam have indeed become Canadian citizens in the highest of our traditions. It's very exciting, and I want to pay tribute to that.

There are a number of small concerns that I have, but I want to come back to the issue of integration and the department's understanding of what integration means. I'm not sure how you can say that a person who is stateless and has no legal status in a

country can ever be integrated into the community or into that country. I'm concerned about that, and I wonder if you can address that. How can someone who is stateless ever be considered to have been integrated into a country, and how can the department perceive that?

Mr. Daniel Jean: There is no question, Mr. Siksay, that when I spoke about durable solutions and I said ideally you're able to bring peace and restore conditions for people to return home, that's number one. That's when you succeed in terms of durable solutions, and that requires a lot of effort from the international community and the players in a given conflict.

Number two is local integration. The international community, when they talk about local integration, hope that a country will go as far as they can to allow the people to succeed in that given community. I've been trying to say that we would like the Philippine government to go further. We hope that since we're taking the people with close relatives, and other countries are doing their share as well, the Philippine government is going to go a little further.

That's the best way I can answer your question. If the question is related to whether they are refugees, they're not refugees because of the fact that they're stateless.

Mr. Bill Siksay: I appreciate the department's position on that, but I am still concerned that there seems to be some ability for the department to say that being stateless—not having legal status, not having the legal right to work, not having the legal right to attend school, and those kinds of things—allows for some kind of integration into a community, which I think is not possible and needs to be a significant consideration. I think it arises for the committee when we look at questions of deportation of someone to a position where they are stateless or questions around the Citizenship Act.

I am concerned. I don't think the department is thinking clearly if that's your position on the question of statelessness and what integration actually means when we're talking about people's ability to participate in a country or community.

I'm a little concerned that in your statement you took pains to remind us about people seeking special consideration of relatives and compatriots residing in various countries. I hope you're not suggesting that what's proposed here is some kind of end run around the usual immigration process. I'm a little concerned that you chose to remind us of the kinds of requests we get as members of Parliament. It seems to me this is a particular situation that merits special consideration. I'm glad that's what happened, but I certainly don't share or support a view that this is somehow an end run around normal immigration procedures for people who are trying get family members into the country.

• (1135)

Mr. Daniel Jean: If I can clarify that, Mr. Siksay, what we were trying to say there is that everyday we get a number of requests where we need to balance the compelling interests and the fact that our ability to help has some limits. In this particular case, when we looked at that, we felt there was a compelling element, particularly for those with close family ties, and that's why the minister and the department have decided to respond.

Mr. Bill Siksay: On the issue of close family ties, is it a special class that we're talking about, or is it just the regular family class definition?

Mr. Daniel Jean: It's the authority the minister has to be able to issue a public policy that says we're going to look at these cases on humanitarian grounds and to apply certain criteria. We're using a lot of the same criteria, for instance, for sponsorship. The duration of sponsorship will be equivalent to what it is for family class, but we've expanded the group a little because brothers and sisters are in there, over-age dependants are in there. That's what we mean by making an exception to the normal rules because of the compelling nature of the situation.

Mr. Bill Siksay: I'd like to come back to the number question again, because I'm still confused. One story in the media says that the department estimates 200 of the 2,000 Vietnamese boat people could be eligible. That talks about individuals, but we've been talking about 200 families as well. I wonder if you could be a little clearer on that number.

Mr. Daniel Jean: My understanding is—and my colleagues here, who are more familiar with the details, will correct me if I'm wrong—that we have been approached by the community for 200 families. Until you start doing the cases based on the criteria we're going to put out, it will always be an estimate. Because they've given us the list and the family relationship, our estimate is that there are at least 56 families that do have close family members, as we've described. It will work out to 184 persons, if I'm not mistaken. That is an estimate. I'm underlining the word “estimate”. You cannot know what that number is going to be until you start processing these applications.

Mr. Bill Siksay: So those 56 families are people who have—

Mr. Daniel Jean: Close family members, as described there.

Mr. Bill Siksay: So it's less than the 200 individuals and less than the 200 families—significantly less.

Mr. Daniel Jean: That's right.

The Chair: Thank you very much. Time has expired on that one.

Mr. Temelkowski.

Mr. Lui Temelkovski (Oak Ridges—Markham, Lib.): Thank you very much, Mr. Chair.

The last time we had Viet Phi people in front of us, I polled the audience to see whether there were enough people who would be able to sponsor them from Canada. An overwhelming number of people in the audience said they would.

In your opinion, would this be a good news story for the people who are displaced in the Philippines?

Mr. Daniel Jean: Yes, I think it is a good news story. You look, first of all, at the Canadian response to the situation in Vietnam and the number we've resettled. We were the number one resettlement country per capita, given our population at the time. We had a tremendous response at the time.

There is now a situation where people are not in a refugee situation but rather in a compelling situation, and we're saying we're going to take a good number of these people who have close family

members. They will be reunited with their family members. I think it's a very good response.

To echo what Mr. Siksay said earlier, I think the success of the integration and resettlement of the Vietnamese community in Canada is something we should all be proud of.

•(1140)

Mr. Lui Temelkovski: In your view, Mr. Orr, will this group have any unusual resettlement difficulties, as opposed to other people when they come in? You've worked on such files.

Mr. Robert Orr (Director General, Refugees Branch, Department of Citizenship and Immigration): Certainly not that we're aware of at this point. I think the settlement prospects for this group are very strong, especially with the sponsorship that would be coming forth for them individually. With that support, I think we can be very optimistic about how their integration into Canadian society will unfold.

Mr. Lui Temelkovski: If we are the last country to take the last group out and there is a group of, let's say, 20 families that don't have a connection with Canadians, are we going to err on the side of compassion and bring them in or are we going to leave them behind, while everybody else takes whoever qualifies under their rules?

Mr. Daniel Jean: There are indications that the Philippine government is prepared to go further in terms of allowing local integration of people who may be left behind. Certainly, we as a country and like-minded countries will continue to ask the Philippine government to go further.

Mr. Lui Temelkovski: Thank you.

The Chair: Thank you very much.

We're going to be wrapping up. I just want to say that if we can bring this sad chapter of history to a happy conclusion, because Vietnam was a real tragedy.... Mr. Siksay and everybody is dead on—this is a good news story. The Vietnamese Canadians or Canadians with Vietnamese backgrounds have really come forth. Certainly, they made the right choice back then. We're 140,000. Hopefully we can get this wrapped up.

I have one thing for you, Monsieur Jean.

In 2004 we were supposed to take between 3,400 and 4,000 privately sponsored refugees. We took only 3,114, which means we were 286 below our minimum target. Also, we're 686 below our maximum target. The committee will be looking forward to hearing back from you to see how this thing is resolved.

I would like to thank you all on behalf of the committee for being here today.

Thank you.

Mrs. Diane Ablonczy: I would like to move, Mr. Chairman, that the officials report back to the committee in early May as to the progress on this file, with particulars of the program that is being put into place so that we can monitor this on a timely basis.

Mr. Daniel Jean: We'll be happy to do so, Mr. Chairman.

The Chair: Okay, great. Thank you very much.

We'll take a one-minute break while we let you move out, and then we're going to move on to the lost Canadians, Bill S-2.

• (1143) _____ (Pause) _____

• (1148)

The Chair: I call the meeting to order so we can go into consideration of Bill S-2, dealing with lost Canadians.

Pursuant to the order of reference of Wednesday, February 16, 2005, Bill S-2, an Act to amend the Citizenship Act, we're going for clause-by-clause consideration.

Mr. Jean.

Mr. Daniel Jean: We will be responding to questions from the members, with pleasure.

The Chair: Madam Fry.

Hon. Hedy Fry (Parliamentary Secretary to the Minister of Citizenship and Immigration): I have an amendment to make, Mr. Chair. I want to inform you I will be moving a revised version of an amendment we submitted for your review earlier this week. Upon consultation with the clerk of the committee, we feel these revisions are in greater accordance with section 11 of the Citizenship Act. We regret any inconvenience they may cause for the proceedings this morning.

We would like Bill S-2 to be amended by adding, after line 15 on page 1, the following:

Prohibition

(1.2) A person referred to in subsection (1.1) shall not be granted citizenship under subsection (1) or take the oath of citizenship

(a) while the person is charged with, on trial for, or subject to or a party to an appeal or a review relating to, an offence outside Canada that, if committed in Canada, would constitute an indictable offence, unless the Minister is satisfied that the charge made against the person is without foundation and was made for the purpose of persecuting or discrediting the person;

(b) if the person is serving a sentence outside Canada for an offence referred to in paragraph (a) or paragraph 22(1)(b);

(c) if the person has been convicted of an offence referred to in paragraph (a) during the period beginning three years before the date of their application and ending on the date that the person would otherwise be granted citizenship or take the oath of citizenship, whether or not they have been pardoned or otherwise granted amnesty by a foreign authority.

Mr. Chair, I don't know if you wish me to speak to that amendment, or how you want to proceed.

• (1150)

The Chair: Go ahead, by all means.

Hon. Hedy Fry: I just wanted to recap, with no offence meant to the committee.

Lost Canadians are individuals—these are the people referred to in this bill—whose parents voluntarily renounced Canadian citizenship, on their behalf, between 1947 and 1977. As a result, they are currently—and have been, for some time—citizens of another country. During that time period, other people who left Canada but did not renounce their citizenship and did not become citizens of another country automatically returned to Canada, and have been allowed to do so.

The other point I want to make is we don't actually know who all these “lost Canadian” individuals are, or how many of them there are. Of their own admission, the advocates for lost Canadians do not know either. How could they? We don't have statistics of the number of children whose parents renounced their citizenship during that time. For all we know, this group could be 40, 100—or 20,000, once this bill is passed; everybody will suddenly realize who they are and come out of the woodwork. We have no knowledge of who they are.

Our government has recognized the fact that these individuals are in this situation through no fault of their own. We all agree on that. A public policy was put in place in 2003 to make it easier for this particular group to move back to Canada by ensuring they would be granted, immediately, permanent residence; and once they had been here for a year, and checks for criminality and other things had been made, they could resume their citizenship, because this is about resuming their citizenship.

The reason we have reservations about the bill is not in the substance, per se, of the bill; we all agree with that. It is in this little piece, where we have a concern about criminality checks. That is why we are bringing this amendment—because that is our concern.

If there are any further things officials of the department would like to add with regard to this amendment, I would ask them to do so.

Mr. Daniel Jean: I think it is very important for members to understand that Bill S-2 is about a grant of resumption of citizenship. Under the current resumption process that exists in the current legislation, if people have had foreign offences, they would be looked at in the context of getting residency, and later, after one year, they could get citizenship. So there is currently criminality screening for this grant of citizenship.

As to removing the residency requirement, Bill S-2 removes that. Yet you could have a situation in which a person has committed a crime—same crime in Canada, same crime abroad—and under Bill S-2 the person will be able to resume citizenship if the crime is committed abroad, but if the crime is committed in Canada, serving sentence in Canada, the person will not be able to, because we currently have prohibitions for people who have had recent criminal offences in the current citizenship legislation. The reason why we don't have it overseas is because normally you have to go through permanent residence first. That filter is being removed.

It is important for members to understand what Bill S-2 means concretely. It means concretely that you are removing the criminality screening. It means concretely that if we're talking about acquitting, you're actually saying somebody who is convicted of aggravated assault in the U.S. and is one of these lost minor children, even if he's still sitting in jail, could apply for citizenship and resume citizenship. Yet the person in the same condition for the same crime in Canada will be barred, because we do have a bar for grant of resumption of citizenship for people who are serving time in Canada. There are issues with this bill that need to be understood.

• (1155)

The Chair: Thank you.

Mr. Reynolds.

Mr. John Reynolds (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Chairman, I'll be very brief. I think really what we're talking about here is a discrimination from post-1977 to pre-1977. Why are we trying to have two different classes of citizenship? The parliamentary secretary talks about how many or who. I agree, but we bring in close to 300,000 immigrants every year. What is better than 10,000, 20,000 Canadians who want to come back to Canada? It doesn't bother me at all. They're Canadians.

I noticed in the notes that we have the government is concerned that these people might want to go into health care. I think most of them are probably pretty well off. If they came back to Canada, it wouldn't be a problem.

On the criminality aspect, you say we eliminate screening. I don't think we do. In fact, fingerprints can tell you what somebody's crimes are. We already have an agreement with the United States. If somebody is down there and is a Canadian who gets sentenced to jail, the individual has the right to apply to come serve their time in Canada. We already have that agreement with the United States, so I don't see how that makes any difference.

If you look at terrorism, we already have the right to lock up terrorists, although that may be changed by the courts over the next little while. We already have people right here in Canada now who are locked up for terrorism and have no recourse to the courts. I'm not as concerned as the government is on this issue. I think people who are born here have a right to be here, and the law should be the same for everybody whether it's post-1977 or prior to 1977.

The Chair: Thank you.

Mrs. Ablonczy.

Mrs. Diane Ablonczy: I have three objections to this amendment. I'd like to share those with my colleagues.

Number one is that this amendment would completely destroy the principle of Bill S-2. The principle is that when you are born in Canada you're a Canadian, unless you choose to give up your citizenship. That's the principle now. It ought to have been the principle at the operative time, and we want to restore that principle. That means we don't get to pick and choose—either you're a Canadian because you were born here or you're not. You can't not be a Canadian if you're born here, unless the government doesn't like you for some reason or because they decide not to....

That brings me to my second point. Under the amendment, the federal cabinet could deny citizenship. We've been fighting this as a committee for over a year—this behind-closed-doors, without-due-process, anti-democratic provision of the current Citizenship Act that says you can be stripped of citizenship or denied citizenship without any legal recourse. We've been fighting that. Why would we import this provision into this new bill? It doesn't make a bit of sense.

The third objection I have is that this is incredibly hypocritical. This is a government and a department that without any urging on the part of the U.S. wrote into the safe third country agreement huge exemptions for people who want to come to Canada to claim refugee status on the basis that they have a relative here. These people can come in without any criminal checks or medical checks at all. They just come and are in the country claiming refugee status. But get this. This is the real kicker. If the person has committed a capital crime,

that in itself is a basis to admit the person into Canada to claim refugee status. This is a person who is not a Canadian citizen. Yet in Bill S-2, the same government is arguing that if you're a Canadian because you were born here and if you've committed a capital crime, we don't want you.

You can't have it both ways. I think this is completely inconsistent on the part of the government and the department, and I see no reason to have different standards in Bill S-2 than we have in the safe third country agreement.

• (1200)

The Chair: Madame Faillie.

[*Translation*]

Ms. Meili Faillie: Ms. Ablonczy and Mr. Reynolds have spoken eloquently on this matter. We support their position. Consequently, we do not find the Liberals' proposed amendments to be at all relevant. Bill S-2 seeks to right a wrong. It would be unfair not to fully right this wrong. By bringing forward these amendments, the Liberals are clearly demonstrating that they have no desire to correct the problem and that they accept the double standard at play. And yet, we consider these persons to be Canadians in every sense. After hearing from witnesses familiar with the Safe Third Country Agreement, how can the government justify allowing this situation to continue because of security concerns?

These persons have been unfairly stripped of their citizenship. You will recall that at the time, Canada did not allow people to hold dual citizenship. Therefore, it's a question of giving justice to persons whom we consider to be Canadians. I believe the system in place...In any case, these persons would not easily be able to leave if charges were brought against them in the country in which they currently reside.

Therefore, we will be voting against these amendments.

[*English*]

The Chair: Thank you.

Mr. Siksay.

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

Minister, I believe this amendment flies against the principle of Bill S-2. Bill S-2 is about recognizing that there are some people who are Canadian citizens who haven't been recognized as such under the Citizenship Act and it seeks to fix that problem, the error that was made. We're talking about Canadians here. We're not talking about potential immigrants. We're not talking about people who should be jumping through hoops. As far as I'm concerned, the people we're talking about and that this bill addresses are Canadians, and we need to fix the mistake that was made some time ago.

If Canadians commit crimes abroad, we have mechanisms for dealing with that. These folks will be subject to those mechanisms if they've done criminal activity overseas. I'm not moved by the argument that somehow we have to have a special provision.

Minister, I went back and reviewed the testimony that we had on the lost Canadians. I remember that a turning point for me in that discussion was the distinction that was made between characterizing this as a citizenship issue or as an immigration issue. Clearly it's a citizenship issue. I think this amendment introduces immigration criteria into it, and therefore I think it's inappropriate and I won't be supporting it either.

The Chair: Thank you.

Mr. Bagnell.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Natural Resources): I was just wondering if I could get the officials' comments on any comments they've heard so far—whether they're accurate.

Mr. Daniel Jean: I'm going to go back to something I said. On the way Bill S-2 is structured, this is not reinstatement; it's a grant of resumption. So there are criteria. Somebody who commits an offence in Canada who is one of the lost minor children will be prohibited by Bill S-2. Without the amendment, the person who does the same crime overseas will not be prohibited. So there is an equity issue there.

I did not quite understand the relationship that I perceive to be to revocation in the comment by Madame Ablonczy, because that has nothing to do with revocation. There are current criteria for people who have applied for citizenship, where if they have recent criminal offences they are barred from applying for a number of years.

On the link with safe third, I would just like to point out that the exceptions that have been worked out were things from both the government and a lot of responses to a report of the standing committee on safe third on the exceptions that make sense: family class; cases where our system would be quite different, the example of capital punishment. When somebody is allowed to come here and claim protection under safe third, that doesn't give them status. That just means their case for protection will be heard. If they have serious criminality, they may be excluded from the process, and they may not receive status in the end.

●(1205)

Hon. Hedy Fry: Having moved the amendment, I would like to say there is an issue here, given the comments by my colleagues. Mr. Jean referred to the safe third country, and I think there is a complete misunderstanding of what that means. It means that people get to come; it doesn't mean they get to stay. They can be sent back once you've done all of the checks and gone through the process. They're just coming for a process. In Bill S-2, people are coming and staying.

Mrs. Diane Ablonczy: How can you accept that?

Hon. Hedy Fry: They still have to go through refugee processes. They still have to go through criminal checks.

Diane, you should really check up on how the process works.

The Chair: Through the chair—

Hon. Hedy Fry: Bill S-2 is structured now under the right to citizenship. Is it supposed to be under the right to citizenship, or is it supposed to be under the granting of citizenship? So the big question is how this bill is structured, because these are different things entirely.

Secondly, I think there is an important piece to think about. Persons facing charges outside of Canada who belong to this group would be able to automatically refuse citizenship and take advantage of this to flee jurisdictions if they wished—for trial and anything in the country from which they came. I still say we need to talk about the fact that this is a group of people who have renounced citizenship and are no longer Canadian citizens. They're not like the others who did not renounce citizenship when they left during that period of time and do not have to undergo this. They can just come in.

These people actually became citizens of another country. We have a process for people who renounced their citizenship after that period of time. You are now creating an unlevel playing field for people who renounced their citizenship after that period of time, and you're saying they have to go through the usual.... These people don't.

It's an unintended consequence, but it creates an inequity. I think it's the unintended consequence that the government is concerned about.

Madam Ablonczy made another point about the government being hypocritical because we're doing this by order in council. In many instances and in many other cases, if there is information about someone and the government decides they do not wish to let them enter Canada, and that is privileged information because it comes from CSIS or the RCMP and cannot be heard, no one debates these things in the House of Commons. You can't, because much of it is privileged information. That is where order in council reserves the right to get privileged, very private, and secret information regarding the person and act on it. This is so for every country in the world.

So this is not hypocritical at all. It is reserving the right of order in council to be privy to certain information. We do not use the House of Commons to take any individual case and try it in the House of Commons for anyone, because we do not have a lot of information that is very privileged under the Privacy Act, CSIS, or other places. We don't have that, so it is not hypocritical at all. It's very practical, and other countries do it.

The Chair: Thank you very much.

Is there any more input?

(Amendment negated)

(Clause 1 agreed to)

The Chair: Shall the bill carry?

Some hon. members: Agreed.

The Chair: Shall I report the bill to the House?

Some hon. members: Agreed.

●(1210)

The Chair: Thank you very much.

We'll suspend until 12:30 p.m. when the minister will be here.

•(1210) _____ (Pause) _____

•(1229)

The Chair: We are resuming our meeting. It's my pleasure to welcome our new minister, and our new deputy minister, Janice Charette.

Mr. Volpe, the committee has been quite pleased with some recent announcements you made, particularly as they pertain to spouses; with your support in the House for Bill S-2; and, last but not least, with your announcement on the Vietnamese situation and the situation in the Philippines.

[*Applause*]

The Chair: In particular, Minister, for many of us around this table, given our ages, the tragedy of Vietnam was very much a part of our younger lives.

Minister, welcome. We look forward to your opening statement and questions and answers from the committee.

•(1230)

[*Translation*]

Hon. Joseph Volpe (Minister of Citizenship and Immigration): Thank you, Mr. Chairman, members of the committee. I'd also like to thank you for this opportunity to allow members of the public to express their views on this government initiative.

I'd also like to point out that we have a new deputy minister. Under her direction and pursuant to her instructions, we will be able to accomplish a great deal of work, as you will already have seen.

I appreciate the invitation to be here today. I'm especially happy to have this opportunity to speak with you about some of the initiatives currently under way in my department, and how I see things moving forward over the coming months.

[*English*]

This committee, Chair, has a very important role to play in helping improve the immigration program. I'm looking forward in this regard to receiving your input from the upcoming cross-Canada consultations, which, as I understand, you are about to undertake.

Let me first extend my warmest greetings to each and every one of you. I've had occasion to meet some. I haven't met others; however, we do see each other on a daily basis. It's my hope that by moving forward together we can deliver a program that will indeed benefit all Canadians.

Where do we begin?

I recently outlined a six-point plan. In fact, it was the first question I received in the House after my appointment. I think it was, if I might be immodest for a moment, fairly well received—except by you, Mr. Chairman, but we'll work on that one as well.

[*Translation*]

Thanks to yesterday's Budget, my government has dedicated some of the extra resources needed to carry it out.

[*English*]

This is what I'd like to talk about this afternoon.

[*Translation*]

I'm very happy to note that the Budget provides the department with \$398 million in settlement and client service funding that will help us to improve access to information and service delivery for our clients and also provide many more newcomers with further access to the services such as language training that make such a difference to how quickly and well they adapt to their new lives in Canada. That is good news for everyone.

•(1235)

[*English*]

One of the first areas that we need to look at is the length of time it can take for some newcomers to get here. This is particularly true for many of the foreign-trained skilled workers who want to bring their talents, ideas, and indeed work ethic to Canada to help our businesses become more productive and more competitive. Some wish to stay for only a short time. Many more want to make Canada their new home permanently.

In all cases, we have to find a way to work more closely with businesses and unions to get the workers and the skills that Canada needs much faster than we can today. Our department is currently looking at a number of options in this regard, and we're also working very hard to find ways in which we can make the immigration program more responsive to labour market needs.

One group of workers of particular concern to all of us is those who remain in Canada without legal status. These workers also provide needed skills, especially in the trades sector. We need to find a way that they can be recognized as full and productive members of Canadian society, without jeopardizing the integrity of Canada's immigration program or signalling to those who would abuse Canada's hospitality that there are no repercussions for disregarding the rules.

[*Translation*]

This is a very complex issue. However, I'd like to assure the committee that my department is actively engaged in examining all possible solutions with our partners and other stakeholders.

[*English*]

International students also represent a current and future pool of talent for many businesses right across the country. That's why our department is currently looking at ways to make sure that Canada can attract more foreign students to come to study at Canadian universities and colleges and to better integrate into the labour market those who wish to gain Canadian work experience. We've taken some steps forward in this regard by launching a variety of pilot agreements with our provincial partners, but we can, and we will, do more.

Improving client service is also high on my list of priorities, especially as it relates to giving newcomers access to programs and information about their files.

[Translation]

The 2005 Budget provides my department with the resources to help improve many aspects of service delivery — including making it easier for newcomers to get information about their applications or about their new life in Canada through the development of an online information portal.

By providing community-specific information, the portal will be a useful promotion tool for provinces, communities and municipalities that want to attract and retain more newcomers.

It's also going to provide a coordinated access point for online information and services to help newcomers make informed decisions about coming to Canada as well as preparing for the Canadian labour market before they arrive.

[English]

Service delivery also applies to refugees. Today's system is internationally recognized as one of the best in the world in terms of fairness and compassion, but it also results in large inventories and it places lives in limbo. The Immigration and Refugee Board is working to address that backlog, and I support their efforts. What we need is a fast, fair, and efficient system that meets our service delivery goals by quickly landing those in genuine need of protection and quickly removing those who are found not to need it so all can get on with their lives.

• (1240)

[Translation]

One of the first priorities for many newcomers — whether they arrive under the skilled worker program or not — is to reunite with loved ones from overseas. Family reunification is one of the foundations of Canada's immigration program and support for families is a clear priority of the Government of Canada.

[English]

We therefore need to make sure we continually improve processing times for all family class applications, especially for spouses and children. Again, I would like to assure the committee that our department is currently exploring ways we can do that while also working hard to find a way to draw down our current inventories in the family class. That's why last week I was so pleased to announce a change for out-of-status spouses in Canada as part of that effort.

All newcomers to Canada, of course, enrich us socially and economically. The reality today, however, is that a large majority of those choose to settle in Toronto, Vancouver, or Montreal. I've said in the past that we need to work with communities across Canada to help them attract and retain the newcomers many will need to thrive and prosper in the future. For many of those communities, immigration may represent the viability and sustainability of their very being, and this is what we're doing so all regions in Canada can benefit from immigration.

[Translation]

My department is currently working very hard with our provincial and territorial partners to develop strategies especially for small centres including Francophone minority communities.

[English]

A clear majority of newcomers to Canada choose to demonstrate their commitment to this country by becoming citizens, yet our present Citizenship Act is more than 25 years old. I believe we need to examine and address how Canadians and newcomers regard citizenship, and we need to modernize Canada's citizenship legislation to reflect today's realities. I'm looking forward to working with this committee over the coming months to move this initiative forward. I think by working together as equal partners to strengthen and improve the immigration program, we can help ensure Canada's prosperity and national growth for both this generation and future generations to come.

[Translation]

Thank you, Mr. Chairman.

[English]

Thank you, ladies and gentlemen of the committee.

I'm prepared to answer questions. My deputy minister, whom I introduced earlier on, though probably in a rather ham-handed way, is none other than Madame Janice Charette. She brings to the department a fresh approach but an experienced hand, nonetheless. She'll be here to guide me through what I expect will be rather penetrating questions.

Thank you.

The Chair: Thank you very much.

Ms. Ablonczy.

Mrs. Diane Ablonczy: Thank you, Mr. Chairman, and thank you, Minister.

We hope this is the beginning of a long and productive relationship between you as minister and this committee. I can tell you we genuinely do want to work together with you and with you, Madame Charette, and your department to well serve Canadians and particularly immigrants to this country, and also to well serve our country in the way our immigration system is run.

I have a number of observations I would like to make to the minister, and perhaps you'll have some time to respond after I wind down. I'll try not to be too lengthy.

Number one is a concern I have that when you, Mr. Minister, outlined your six-point program, your six priorities for this portfolio, recognition of international experience and credentials of newcomers was not on the list. Unfortunately, this is number one for newcomers and immigrants. The immigrant community says recognition and obtaining Canadian equivalency for their international skills, training, and experience are their number one concern, but that's not on your list.

That surprises me quite a bit. I would hope this doesn't mean the department is out of touch with the needs of newcomers. The government, as you well know, has been promising to fix this problem for about ten years now, and I would really urge you to make this number one on your list, as it is on the list of immigrants and newcomers.

A second observation I would make is about the sponsorship of parents and grandparents. I have now heard that department officials have been instructed not to open, process, or service sponsorship files for parents and grandparents. Three independent sources have told me this, and this is in sync with the experience of many constituents and immigrants I have spoken to across the country, where they say they simply cannot get these files processed. They can't get a progress report on them, yet the cheques for application fees and other related funds are cashed by the department. They're really accusing the government of misleading them and taking their money under false pretences.

If I had not had it independently confirmed, I might have felt that maybe they were exaggerating, but I'm becoming more and more worried about this issue of sponsorship of parents and grandparents. If it is the department's position that these files aren't to be processed, at the very least this should be made known to people and money should not be accepted for work the department has no intention of doing.

On page 9 of your remarks, Minister, you talk about quickly removing applicants who are found not to be in need of protection, but we know this doesn't happen. There are the Mohamed case, the Harjit Singh case, and so many examples you and I both know of that illustrate that once someone is in our country, no matter how many times they've been refused, the removals are just not carried out.

About a year ago the Auditor General said the number of people under deportation orders had grown by 36,000 over the time she studied. Your own report in September said the number of foreign criminals in our country had risen from 75 to 125; those are the government's figures. Obviously, people who should not be in this country are not removed. So while I find some of the things you say in your remarks very reassuring and I agree with them, they fly in the face of what we know is actually happening.

I don't want to take up all the time because I know you'll want to respond, but these are three items I would particularly like to raise with you.

• (1245)

As a final item, I would really like to have an accounting to the committee for the money that has already been allocated to speed up processing times, provide better settlement services, and provide help on credentials because that was in the past two budgets. It seems to me that if we know how effectively these funds have been deployed over the last couple of years, then we can make sure that the new money in the budget doesn't fall into a black hole.

Our experience is that things are not getting better in spite of these new millions. That worries me. It's no good boasting about the money we're spending if we're not getting a bang for the buck.

These are things that I know this committee would like to see addressed. I know my colleagues have other items, but I'll leave it at four.

Thank you for your patience.

The Chair: Thank you very much.

Minister, you have one minute and five seconds to respond, so you might have to respond in the second round.

Hon. Joseph Volpe: You just used up forty-five seconds of that.

Mr. Chairman, if Madam Ablonczy and the other members of the committee will allow, I'll try to be brief, but I'm going to go over that one minute and five seconds. Perhaps we can, as they say, cheat on the next half of the questions. If it's okay with them, I'd be pleased to give her a fulsome response.

The Chair: Go ahead.

Hon. Joseph Volpe: You're quite right about not seeing an issue of foreign credential recognition in the six-point plan. The reason that I didn't put it there is because it wasn't one of the ones that I saw as not having been addressed.

I'll share with you the fact that this perception came from my previous portfolio, where we were already dealing with the issue. There's \$68 million available over a five-year period. They were coordinated by my former department to address the issue in 14 departments, under the direction and coordination of Madam Fry, who had a special mandate from the Prime Minister to do so. The work was already being conducted with the provinces, academic institutions, licensing bodies, and regulating authorities, which all needed to be brought in. Some progress was already being made in the area of health care professionals and engineers. In conversations after this presentation, I'm sure Madam Fry will tell you there were some good initiatives that were already bearing fruit.

The second thing, as you probably saw in the budget yesterday, is that about \$75 million was put aside for human health resources as part of the health accord signed last August. It was specifically designed to encourage more internationally trained professionals to go through the processes required in order to get validation and accreditation here in Canada.

I knew we were already working on additional funds, as you saw reflected in yesterday's budget, for what we would do to address the issue of foreign credentials at the receiving end of applications. Those funds were already in the pipeline, and it was up to me to continue to lobby. I'm happy to say that we succeeded and we saw them in the budget yesterday. Those funds would go through the evaluation and assessment at the point of application, and we would address the issue before it arrived in Canada. The reason you didn't see it there is because I thought, at least to my satisfaction, that a sufficient number of people were already working on it.

With respect to your second concern on the issue of sponsorship of parents and grandparents, I'm sorry if the way the word comes back is that the department is giving instructions not to address those applications. That would not be a reflection of the truth. It certainly wouldn't be a reflection of the way the deputy minister is running her department, nor the way the current minister and his predecessor wanted the department to go.

That having been said, the problem does exist. I know the member knows this and that other members around the committee know this. Parliament made a decision. Every time the plan is presented to Parliament, it's reinforced that the breakdown of the types of successful immigration applications that will be addressed is 60% economic and 40% family class. Within that family class, we include a variety of subdivisions as well. The net effect has been to create a larger inventory than any of us around this table would care to see.

It's one of the reasons why I said I wanted to make this one of my six points. We needed to address, and address vigorously, the reunification of families and the processing of applications. I'm happy to see that the department immediately directed its energies in that regard. It's not something that any minister would want to come before a committee or before the public and have to constantly defend.

You know that the backlog is very large. It's going to get larger, given the two figures I gave you. We want to meet it before it increases, and perhaps even reduce it or eliminate it altogether, but we're going to have to be looking at ways that have not been thought of before or at least haven't been explored exhaustively before.

On your third concern with respect to the difficulties that we can all acknowledge when someone sets foot in Canada, he or she has the same rights and the same defences as anybody who is a long-time resident or citizen of this country. When we try to remove someone who has been recognized not to have a legitimate position to be here, it doesn't mean we can eliminate that person's rights of appeal.

• (1250)

There is a substantial array of mechanisms available to him or her, and you pointed to one example. It's a classic, I suppose, but not a storybook example of how one can use the mechanisms available. And I'm not being an editorialist here; the opportunities are there and one uses them.

You know as well that this department has now refocused its energies, and many of the removal issues are resident with the CBSA, the Canada Border Services Agency. We have to work a little more closely together on how the enforcement mechanisms of both our decisions and the decisions of the IRB are effected. It's a work in progress. It's another one of the issues that I said were my priorities.

Your fourth consideration was one of accounting, where the moneys, the \$398 million in yesterday's budget, would be allocated. About \$100 million of that, \$20 million per year over the course of five years, is to put in place, operationalize, and constantly improve a portal for those who wish to come to Canada. It would provide them with evaluation and assessment tools or directions for self-identification to locate their place in the Canadian marketplace. A portion of that would also go for streamlining the service so we're able to process applications a little more quickly.

The other \$298 million over the same period of time would go towards integrating services. We would do that in partnership with our usual network and with others if they come forward, or we might develop another one of the priorities I indicated, which is the regionalization of immigration.

Part of that \$298 million will go to enhanced language training. That will be a part of the additional moneys that have already been put on the shelf for FCR, foreign credential recognition. We're assessing what the problem is and we're trying to put in the appropriate resources.

I might add, Madam Ablonczy, that committee members should be happy to see there has been a substantial amount of money put directly at the disposal of the Department of Citizenship and Immigration. This is not something that's happened for quite some time, so I'm delighted to be here with a new deputy minister in a department that's energized and that for a change has actually been given—

• (1255)

The Chair: Thank you very much, Minister.

Hon. Joseph Volpe: —some resources.

The Chair: No wonder we're having trouble getting things done on time.

Some hon. members: Oh, oh!

The Chair: You don't get the rules.

Hon. Joseph Volpe: I guess you have trouble with complete answers.

The Chair: We did do a report on settlement, and many of the things announced yesterday were in that report.

Madame Faille.

[*Translation*]

Ms. Meili Faille: I'd like to start by congratulating the minister. To date, he has adopted a very positive stand on this issue. We urge you to press forward with this initiative and we want to work with you.

I hope that I'm understanding you correctly and I hope that you recognize that quite apart from our institutions, Quebecers' experiences are different, particularly when it comes to foreign skilled workers. Earlier, you admitted that we may be somewhat further ahead or that we may have different mechanisms in place that allow us to move forward, however slow the pace of our forward progress.

One of the problems is finding the funding to put in place facilities to assist with the integration of newcomers. I'm pleased with the government's announcement of an additional \$400 million. However, the funds will be allocated over a period of five years. I may be wrong — and you can clarify this for me — but this represents a mere \$40 million in new money. In concrete terms, how much money does Quebec stand to receive as a result of this announcement?

Some of the problems that the immigration system is currently experiencing are of concern to us, particularly the delays in processing applications. I believe you're aware of the situation.

We are also concerned about the refugee question and about persons who have no legal status. You've allowed the community to have some hope and expectations are running high. I hope that you move very shortly to announce a plan of action and concrete initiatives that will benefit communities such as the Palestinians, the Algerians who are stateless and the many others communities who make up the face of Toronto. A number of these people have pleaded their case at your offices. The situation of persons who have no legal status, especially the ones we've met in Toronto, Vancouver and Montreal, is disturbing. A number of these individuals already work and contribute to our economy. You could draw some inspiration from some of the measures introduced in years past by the Liberal government of Mr. Trudeau.

I'm curious as to what you intend to do about refugee appeals. Will you be mindful of the way in which the IRB operates? Is it normal to have a refusal rate of between 95 and 97 per cent, whereas refusal and acceptance rates in the case of other boards are more balanced? What concrete steps do you plan to take to help refugees, aside from the reforms that were announced, but for which we have yet to see any formal plan?

• (1300)

Hon. Joseph Volpe: Thank you, Madam. I'll start with the last part of your question concerning refugees. There are two categories of refugees. First there are persons recognized as refugees by the United Nations who can be sponsored either by the government or by private citizens. Each year, close to 10,000 such refugees arrive in this country after being sponsored by the government or by a group of people, a family, a church or an organization. Then, there are those persons who make their own way to our country and seek political asylum on various grounds. The latter group poses the biggest challenge because we need to verify the facts that they are presenting. This process is far more protracted because verifying documents, when they do exist, is clearly problematic. Despite all of the problems with our immigration system, the United Nations has said that Canada ranks among the best countries in the world in terms of its handling of this issue and its treatment of refugees.

As far as delays are concerned, you're right to say that the situation is worrisome. We finally have the funding to start turning the situation around. I do want to point out that over the past two years, the IRB — the body responsible for approving applications — has reduced its backlog. Today, that backlog stands at approximately 26,000 unprocessed applications. The backlog could be reduced by a further 10,000 applications, but a scant two years ago...

• (1305)

Ms. Janice Charette (Deputy Minister, Department of Citizenship and Immigration): Yes.

Hon. Joseph Volpe: we had a total of 55,000 unprocessed applications. We're setting up some programs and we are making progress.

You asked me a question about the funding Quebec will be receiving. One hundred million will go to develop a portal to make the process and the procedures in place substantially more efficient. It will also help those who are applying to settle in Quebec. To our way of thinking, people apply to come to Canada. Naturally, those who opt to settle in Quebec will be treated the same way.

[English]

The Chair: Thank you very much.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Mr. Chair, and welcome, Minister.

It's not every minister who gets a standing ovation on their first visit to the standing committee. That was quite a welcome.

Hon. Joseph Volpe: I have to thank the chairman for arranging to have that happen.

Some hon. members: Oh, oh!

Mr. Bill Siksay: It's a clear indication of how we all feel about that decision and of how important it was to the people who were in the room—and to the people around this table as well.

Hon. Joseph Volpe: Thank you.

Mr. Bill Siksay: Madam Charette, congratulations on your appointment, and good luck with the challenges that are ahead of you in your new position.

There are four points I'd like to make. I'll try to be quick so that I can get to hear your answers to them.

The first one is about the Refugee Appeal Division. That was part of IRPA. We heard from your predecessor that it's not an expensive proposition in terms of implementing it. I think the figure was \$8 million to set it up and \$2 million to run it. We've heard from almost every refugee- and immigrant-serving organization in Canada, and many internationally, that it would fill an important gap in Canada's refugee process to have a fact-based, merit-based appeal. It was originally proposed by the Liberal government and passed by Parliament. I'm wondering if and when you're prepared to implement the Refugee Appeal Division.

The second question is around the private sponsorship program. You mentioned our excellent reputation around the world in refugee matters. I think that's largely due to the success of the private sponsorship program, which has been a great model for involving the entire community in the settlement and integration of refugees. The target was missed this year. We didn't even meet the low end of the range. We only got 92% of the low end of the range in the private sponsorship program. Given the absolute importance of this, given that there are 12,000 refugees waiting to be resettled through that program, given the incredible commitment from members of the community toward refugees, what can you do to improve the delivery of that program and to meet the urgent need for that program?

I'd like to come back to the question I asked you in question period yesterday about accountability around the moneys that are delivered to the provinces for settlement services. You didn't quite get through your answer yesterday, so it would be good to hear about how you're going to enforce the obligations that have been made between the federal government and the provinces for that spending. You mentioned yesterday that British Columbia takes 47% of the money the federal government sends for settlement services and puts it into general revenue, where there's no accountability for how it's spent. I think you were about to tell me how you plan to enforce those obligations, and I'd like to hear from you on that.

The last one has to do with rumours. There are rumours that the department may go to a request-for-proposal system around settlement and integration services in Ontario. We've just been through that in British Columbia, and it has been a complete disaster. It has set up immigrant- and refugee-serving agencies to compete with each other in a sector that has been incredibly cooperative, and it has left huge gaps in the actual services. I hope that's not under consideration, but if it is, I hope you can tell me why, given that experience.

• (1310)

Hon. Joseph Volpe: Thank you, Mr. Siksay.

I accept your positive comments and compliments on the way we have moved as a reflection of your appreciation of the way departmental officials are responding to the issues raised by parliamentarians whether in committee, in the House, or in cabinet. I found them to be doing that, and the chair will probably recall me as being one of the worst critics of the department. I didn't have a Pauline conversion on the way to Damascus, but I have discovered they actually want to work on behalf of Canadians and improve their lot, and that they actually are immigrant-focused as well as Canada-focused.

Let me address the issue of rumours for a second, because they are just that, and probably the best way to deal with rumours is to ignore them. But because you've raised it and I have respect for parliamentarians, I'll say that as far as I'm concerned, that wasn't one of my top-of-mind issues. In my briefings with the department that has not come up. That having been said—I'm coming at this from my previous portfolio—I think there are some good things to be said for that approach, but I'm not entertaining that for this department.

How to enforce? To complete the answer to the question you asked me in question period yesterday, I can say we are holding our partners to task on the way they deliver the services to us and to the immigrants they profess to serve, and in the agreements we have with Manitoba and British Columbia there are accountability provisions. That means we also have to be able to go through a particular period where we can do an audit and we can get a careful assessment of the outcomes. In addition to improving capacity, we want to ensure the performance is both timely and of good quality. We needed some more resources in that regard and I think we're getting them.

On the question of the private sponsorship program, I'm afraid I can't give you a very satisfying answer, because when we look at the range, the very first issue is not so much that there aren't refugees

available but that you have to have people here who are going to undertake the private sponsorship. We're at around the 10,000 range, with about 70% of those being government-sponsored and roughly 30% privately sponsored. If the sponsorship applications are a little shorter in supply than you or I might like to see, it's something we have to work on, but it's not an outcome of a deliberate policy that says no, no, no, we don't want these any more.

With respect to the Refugee Appeal Division, the Immigration and Refugee Board is an arm's-length organization, but I've had occasion to speak with the chief commissioner. He's looking at ways that will make the determination system much more efficient. He's also looking for resources, and I think we're going to be able to satisfy him.

He's looking for qualified people. There's a system in place where someone makes application, is tested, goes through interviews, etc., with respect to establishing competency and merit, and then they get appointed, trained, and put on the job. We're in the process of working with them to make sure that element of the review is done effectively and efficiently.

• (1315)

At this stage of the game, quite frankly, from what I've been able to assess so far, I'm not sure establishing the RAD would accelerate that process. I may change my mind, but not today.

The Chair: Thank you.

Mr. Temelkovski.

Mr. Lui Temelkovski: Thank you, Mr. Chair.

Mr. Minister and Madam Deputy, on a daily basis we read in the papers and hear about refugees having problems. We hear about people without status in Canada. We hear about foreign credentials and doctors driving cabs. We hear that too many foreign people have overstayed their welcome in Canada, and we don't know who they are or where they are. Timelines are too long and MPs' offices are becoming satellite immigration offices.

What are some of the things you as a new minister are going to do to improve the image of the department? We do have an impeccable immigration policy and impeccable standards, and we do attract a lot of good people to Canada, such as many of us at the table. We want to make sure the image of the department and the minister is preserved and enhanced. Do you have any programs or ideas to improve it?

Hon. Joseph Volpe: Thank you.

I guess you must be a great representative of the public, because you are obviously reflecting what the public says. I can't say I haven't heard those issues myself, but that's why I came out with a six-point response immediately. I said I wanted to address these things.

I feel just like every other Canadian. If people want to come here.... We're one of four countries in the world that actually has a system for accommodating, inviting, and bringing in immigrants from around the world. That doesn't mean other countries don't get immigrants, but we're actually one of the ones that has an open policy that says, if you meet certain standards and criteria, we want you here.

As I said in response to an earlier question, I've been a critic of the department just like every other citizen in the country. Maybe that's a healthy, creative tension that says, "We see what appears to be obvious to us. Why don't you demonstrate that the delivery of a service is actually what you claim it to be?" Hence, we have a six-point plan.

Before we become too critical—and we can afford to do that in this room—just keep in mind what an open-door policy means. This department makes in excess of a million decisions a year to accommodate people who will come here as either visitors, workers, permanent residents, or refugees. They do that over a million times a year. The exact figure is somewhere around 1.2 million. Over 115,000 of those people are students who come here on student visas. There are about 120,000 temporary workers who come here legitimately. That's about one-quarter of a million people. We accommodate another roughly one-quarter of a million people by landing them. That's half a million people who are here legitimately. The other 600,000 to 700,000 who are visitors leave, but there are a few who don't. There are few who abuse the system.

We have a tendency, out of those 1.2 million, to reflect on.... If you pick up the paper on any given day, I'll bet you can, if you press yourself, come up with a number in the tens, and maybe if you get your researchers, in the hundreds, or maybe a little more than that. If you worked really hard and took a look at all the ones that have been here a while, you'd probably come up with a larger number. Then if you include—Mr. Temelkovski, I know this is an issue with which you are seized because of the area you represent—all of those people who are here because the Canadian marketplace needs to be satisfied, and they brought their talents here but forgot to say, here I am, on the way in, that number is very large.

What's large? If you had 1.2 million decisions and 5% of them didn't fit within the process we've called legitimate and welcoming, is that a large number? I think so. It's an especially large number if you see them all around your backyard. But as I mentioned in my opening statements, a lot of small communities in Canada are turning around and saying, "If you're thinking about that 5% as overage, why don't you bring them over to us? Find them, put them on a truck or something, and bring them over here." So we have that dimension, that tension.

Our challenge is to make sure the welcoming program we have—that open immigration system with rules that people have to satisfy—maintains its integrity, while at the same time we address the labour market conditions in Canada. If you start at the border at the river over here and move west, there is not one province that has unemployment below 6.8%. Economists will tell you that 5.5% is underemployment. You go to places, pockets everywhere in all of those provinces, and there is a huge shortfall in labour. If you go east of the Ottawa River in Quebec, the unemployment rate last month was 8.6%. In New Brunswick it was at 9.5%. There are places in

New Brunswick that are clamouring for additional immigration. If you go to Newfoundland, outside of St. John's and the Avalon Peninsula where you have a labour shortage, the communities are withering. They're asking for the same thing: "How can we have access? If there's an overage, give it to us." Of course, the challenge is how do we identify them.

● (1320)

I think what we need to do, Mr. Temelkovski, is establish a system whereby we can maintain the integrity of our immigration system and at the same time recognize that we need to be able to identify those people who are here unofficially or illegally and without documentation. We need to be able to get a sense of what kinds of services they can provide so that we can encourage them to go to those places. This is a free country, so you can't put anybody anywhere.

That also goes to the question Madam Ablonczy asked earlier on. There are a lot of people who came here legitimately and are underutilized. Economists will tell you that the shortfall to the Canadian economy of that underutilization hovers around the \$6 billion per year mark. Our challenge in this department is to see if we can work with HRSD and other departments to make sure we can put them at a level of engagement that's both personally satisfying and generally productive for us.

The Chair: Thank you very much.

Actually, we heard a figure as high as \$15 billion in this committee. We'll send over to you how that came about.

Minister, before we wrap up, I have a question about a concern of all members of the committee and I'm sure all members of Parliament. It relates to the whole issue of visas. In 1997 we had a rejection rate of something like 10%, and in 2003 we had a rejection rate of something like 21%. The reason I raise that is because it's a problem in all of our offices.

The Ministry of Industry tries so very hard to attract tourists to this country. Every time somebody is turned down for a visa who shouldn't be, you have a lost economic opportunity in the tourism business, not just for the person coming here, but also for the person who is the host. I know when I have somebody come, I'm off to all sorts of places I wouldn't go, such as Niagara Falls, because they want to go.

● (1325)

Hon. Joseph Volpe: The CN Tower.

The Chair: I was going to mention that.

Anyway, that's a real concern. I wonder what can be done to streamline that process.

Hon. Joseph Volpe: I hesitate to give you a real abrupt answer because I know you're looking for a studious response. The studious response would direct your attention to the question presented by our colleague, Mr. Temelkovski, who says the public is looking at the way the system will work or will not work. If you agree with me that being one of the four countries in the world with open arms and systems in place is a good thing, then you would probably also agree with me that a systematic approach to inviting people would be the way to go.

The numbers you gave are not necessarily reflective of the acceptance rate in every one of the categories. You know there are several categories. This is where one can say that not everybody who makes an application to come to the country would meet the set of criteria we've all accepted as being necessary and standard for people to meet. There will be occasions when there will be a dissonance between those numbers and others. That's when there's hopefully a sober second thought, and that second thought usually involves a reflection by the delegated authority of the minister for discretion. That's a subject of a lot of grief for some people. It's a subject of questions in question period on some occasions. But in total, the system does work and it works relatively well.

I think we have to keep in mind a couple of other considerations, most specifically that we have become a much more security-conscious world in the course of the last three years, and not without reason. So people ask us to be more vigilant, and we are. Does that create an undue burden?

We're going to try. I indicated to you in my six-point plan that we would streamline the process so that we could get appropriate decisions made much more quickly.

The Chair: Thank you very much.

I hope you will be coming back for supplementary estimates on March 8. The chair is going to serve notice that I'll be a lot tougher on questions and responses so that everybody can get in.

The other thing is this. We had a request from Sam, who is with the Vietnamese community. This is going to be another first, Minister. He would like to have us pose for a group shot, including all the members of the committee. I take it the picture is going to be sent down to the Philippines.

The meeting is adjourned.

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