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—
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The Honourable Andrew Telegdi

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Friday, April 22, 2005

• (0805)

[English]

The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)): Mesdames et messieurs, good morning.

We are ready to start. I was going to have Madame Faille say bienvenue, but since Madame Faille is not here just yet, I will ask Monsieur Clavet to welcome our appearance in the belle province.

[Translation]

Mr. Roger Clavet (Louis-Hébert, BQ): Good morning everyone. I am very pleased, on behalf of the Bloc Québécois, to welcome to this meeting the witnesses and all of the members of the Standing Committee on Citizenship and Immigration, in order for us to pursue our study.

Our beloved vice-chair, who is moving towards our guests' table, will continue on with this little introduction, because my intervention was just the opener.

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): I am very happy because today I will not be the one to have sore ears. Indeed, it has been some weeks now that I have been using the services of the interpreters who have been accompanying us.

I would like to welcome you here to this our region. I come from a Montreal suburb where I have been working with the immigrant communities, the ethno-cultural communities of Montreal for some years now. I was elected as an MP during the last election. I am therefore very happy to welcome you here and to have this opportunity to listen to you.

You have before you a committee that is very close to communities. It is my belief that we are doing a darned good job. It is my hope that your statements will all be included in a beautiful report and that we will have the time to table the results of our consultations before the next election.

That is all, Mr. Chairman.

[English]

The Chair: Thank you very much, Madame Faille.

It's certainly a pleasure being in Montreal, and I'm really pleased with the great contribution you have been making to this committee. Let me say I'm very pleased with all the members of this committee, because I think we have managed to focus on the issue at hand in a very non-partisan fashion. It tends to be Parliament at its best.

Mr. Narvey, you have five minutes; you might have more. If somebody comes in, you have five; if nobody comes in, you have

seven. How's that? Mr. Narvey and I go back a long time working on this file. We have always maintained a very good cordial relationship—not always agreeing, but sometimes yes, sometimes no.

Mr. Narvey, your presentation.

• (0810)

Mr. Kenneth Narvey (Legal Researcher, Chief Operating Officer, Coalition of Concerned Congregations on the Law relating to War Crimes and Crimes against Humanity including those of the Holocaust): *Bonjour, tout le monde, et bienvenue à Montréal.*

My name is Kenneth Narvey. I am the legal researcher and chief operating officer of a coalition of Montreal synagogues with a long name. It's the Coalition of Concerned Congregations on the Law relating to War Crimes and Crimes against Humanity including those of the Holocaust—for short, the Coalition of Concerned Congregations, or the coalition.

[Translation]

In French, it is the *Coalition des Synagogues concernant le droit relatif aux crimes de guerre et aux crimes contre l'humanité y compris ceux de l'Holocauste*.

I will be pleased to answer your questions in either official language.

[English]

I sent you an e-mail some time ago saying what I wanted to talk to you about. We are in favour of an improved citizenship act. One thing that means is there should no longer be a role for the Governor in Council. The government should be the prosecutor, but not the judge. The courts should be what takes care of citizenship and immigration in a consolidated manner.

Unlike some others, we think citizenship should not be irremovable. On the other hand, it should not be removed lightly. There is a...I am not sure if it is a Canadian invention, but it is part of the Canadian law, both in the Immigration Act and in the Citizenship Act—humanitarian and compassionate considerations.

What we propose—and we proposed this to previous editions of the committee—is that there....

I'm being photographed by the chairman. I think I am about to be photographed by the chairman.

We propose that, as in the previous drafts of the bill, citizenship should be challenged by an action commenced by the minister. It is important that the words “at any time” be put in that section—“*en tout temps*”, because if they are not, then an action is automatically statute-barred after six years, and we are against any kind of statute bar.

If somebody comes to Canada this year, having been engaged in slaughtering people in Darfur, and lies their way into Canada and becomes a Canadian citizen, we don't believe their citizenship should be irrevocable in six years or ten years or fifty years, so it is important that the words *en tout temps*, at any time, be placed in that provision of the act, as they are in the Excise Tax Act, which says that if a person has defrauded the excise tax authorities, they may be proceeded against *en tout temps*, at any time.

We think the Federal Court should decide whether a person has obtained their citizenship by fraud. If it finds that they have, it should be pulled by the legislation to remove their citizenship, with an exception. If the court comes to the conclusion that there are valid humanitarian and compassionate reasons not to remove their citizenship, then it should not remove their citizenship. If it does decide to remove their citizenship, it should decide whether the person should be deported. If it decides that the law permits the person to be deported, it should, again, decide whether there are valid humanitarian and compassionate grounds not to remove the person.

There should be an appeal. We would prefer an appeal with leave so the courts get to decide whether you at least have a chance, but we could live with there being an appeal to the Federal Court of Appeal even without leave. An appeal to the Supreme Court of Canada, of course, would require leave.

You all have on your desks a long file of materials I brought here today. I hate to be disagreeable, but I would like to disagree with something the committee has been saying. That is on the question of statelessness.

I have here four documents. One could call them six documents. The first two, in English and French, are extracts from the November report of the committee. They are the three pages referring to statelessness. Perhaps I should look at the last page. On it, as one of the guiding principles, the committee says, “No one should be deprived of Canadian citizenship if doing so would render them stateless.” We don't agree with that. Statelessness is a misfortune, but it is not the same thing as being tortured; it is not the same thing as being cast into the outer darkness.

The citizenship acts of the world are very different from one country to another. Some countries, such as France, say that if you come to Canada and become a Canadian citizen, you are still a French citizen. Other countries, such as Holland or India, say that if you come to Canada and become a Canadian citizen, you lose your Dutch or your Indian citizenship.

• (0815)

We don't want to make being a Dutchman or an Indian a licence to obtain Canadian citizenship by fraud. If you come from a country that will take away your citizenship, if you can obtain Canadian

citizenship by fraud, then you are obtaining Canadian citizenship *à vos risques et périls*.

It's your risk. If you decide to come to Canada and to lie to come to Canada, to then say you can't take away the Canadian citizenship, even though I was slaughtering people, because it would make me stateless—then your problem is with your country of origin, which is not giving you your citizenship back. It makes no sense at all to make potential statelessness a licence to lie, and it's not required by international law.

The third document I have here is the Convention on the Reduction of Statelessness, to which Canada is a party. This is the Canada treaty series. It's in English and French on parallel pages. If you turn to pages 8 and 9, you will see article 8, which says “A Contracting State shall not deprive a person of its nationality if such deprivation would render him stateless.” It should be him or her.

But there is an exception in article 8.2, and particularly 8.2(b).

[*Translation*]

2. Notwithstanding the provisions of paragraph 1 of this Article, a person may be deprived of the nationality of a Contracting State:

(b) where the nationality has been obtained by misrepresentation or fraud.

[*English*]

Now, I don't have it with me here today, but I remember finding in Ottawa, at the library of the Department of External Affairs, the *travaux préparatoires* to this treaty; that is, the preparatory materials that in international law are used to interpret the treaties. Canada, at the conference that elaborated this treaty, specified that in Canada's view, misrepresentation or fraud includes knowingly concealing material circumstances.

So it's not just two things; it's three things. All kinds of perfectly innocent people said they were farmers when they weren't, when in fact they were construction labourers or they were tailors. We do not want all kinds of perfectly innocent people to lose their citizenship. We trust that nobody will even attempt to remove their citizenship and that the courts will say not to be silly, that humanitarian and compassionate grounds means people keep their citizenship. But should it be between two war criminals, between two persons who are arguably war criminals, between two persons who belonged to units that were committing war crimes, then to say we will remove the citizenship of one and not the other because one of them comes from a country that gives them his citizenship back, or never took it away, and the other doesn't, we think that would be a mistake.

The next document I have here is wrapped rather than stapled, because I couldn't find a stapler last night thick enough to staple it. This is from the United Nations Treaty Series, volume 360. This afternoon I will be referring to some other things in this treaty, but if you turn to pages 136-137, you have in parallel text article 1, the definition of a stateless person; article 1.2, “This Convention shall not apply:”; article 1.2(iii) “To persons with respect to whom there are serious reasons for considering that:”; article 1.2(iii)(a) “They have committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes”.

That may sound familiar to you. You are all experts on citizenship law and you are all familiar with IRPA. On the back page of IRPA are sections E and F of article 1 of the refugee convention. It has exactly the same exclusion—the provisions of the refugee convention shall not apply to persons whom there are reasonable grounds to believe...serious reasons to believe have committed war crimes.

The next two documents I have, which Mr. Matas drew to your attention in Winnipeg—but here are the actual texts—are the English and French of the Deschênes commission's provisions on statelessness. Mr. Justice Deschênes also refers to a third international instrument, or perhaps a first international instrument, that we are all very proud of, the Universal Declaration of Human Rights. The Universal Declaration of Human Rights says everyone has the right to a nationality. I once tried to translate that. There are over 100 ways of translating it, so one doesn't translate it; one looks at what it says. It's *tout individu a droit à une nationalité*, and no one shall be arbitrarily deprived of his nationality, but in Canada we don't arbitrarily deprive anybody of anything.

The chairman is suggesting I wrap it up. I can see there is a long line of other people here who want to speak.

Thank you very much. I'll be glad to answer your questions.

● (0820)

The Chair: The chairman gave you 12 minutes.

Mr. Kenneth Narvey: Thank you.

The Chair: Thank you.

I think we can get into a discussion on some of the points you have raised. If I may just summarize, you believe the process of citizenship revocation should be done on the balance of probabilities versus beyond a reasonable doubt. So that's one question.

The other issue you raise is that you don't have to prove war crimes; you just have to prove that you committed fraud coming into the country. You and I had this discussion. Fraud requires a criminal standard, whereas to convict people of committing fraud, and what you are proposing, is a civil standard.

Anyway, I will leave it at that, but I think those are two issues that you and I have been debating over the years.

I'm going to go first to welcome Mr. Rahim Jaffer.

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Thanks, Mr. Chair, and thank you very much, Mr. Narvey, for your presentation.

I don't know if it's the chair or our researcher or even Mr. Narvey who is going to have to clarify this for me, but obviously we're hearing today, and maybe I misunderstood, that Canada has been a part of this agreement from the UN concerning statelessness. That's what Mr. Narvey is saying, but past witnesses whom we've heard before have said that we haven't signed to that particular agreement.

Can someone clarify that for me because obviously that's...?

Mr. Kenneth Narvey: There are two agreements.

The one we're a party to—I've marked it here "2 E & F", and it's the one with the Canadian stamp on it, the Canadian coat of arms—is called the Convention on the Reduction of Statelessness. It was done in New York in 1961. It came into force in 1975. Canada joined in

1978. It's for the reduction of statelessness. This is the one that says you can remove citizenship if the person obtains it by fraud.

The other one, the big fat one in the United Nations Treaty Series with the United Nations symbol on it, is an early treaty of 1954, which came into force in 1960. Canada is not a party to it. There are people who believe that Canada should be a party to it. The Canadian Council for Refugees has recommended that Canada should be a party to it.

When I wrote to you by e-mail, inspired by the very moving presentations before you by the Vietnamese about the Vietnamese in the Philippines, I said this seemed like a good idea, but that one should not wait until one joins a treaty to help the Vietnamese in the Philippines.

There may be a bit of a problem with the.... Perhaps I could say a few things about the treaty that we're not a member of. One thing is that it's called the Treaty on the Status of Stateless Persons, so it's not about reducing statelessness. It's about how one treats stateless persons. Its general thrust is, don't treat the stateless worse than you treat other non-Canadians. You treat an Englishman different from a Canadian; you treat a Frenchman different from a Canadian; you treat a stateless person in the same general manner. Statelessness shouldn't mean that you are without status, that you are not a human being, that people can push you around.

There is a line in this treaty that says that the countries who sign onto the treaty "shall not expel a stateless person lawfully in their territory". That's a bit of a conundrum, and there are a few countries that, when they signed that, have specified that what they understand by "lawfully in their territory" is it doesn't mean on their territory. It doesn't mean here you are, so you get to stay. I would say that in a situation in which you would deport an Englishman, you ought to be able to deport a stateless person too. If no country will take you, then we do have a problem.

But statelessness should not be able to be used as a shield: I have a right to smoke marijuana because I'm a teenager; I have a right to acquire Canadian citizenship and keep it by lying because I would become stateless. The stateless must be treated with respect, as everybody must be treated with respect. Unfortunately, some people are trying to use "Don't hit me, I'm stateless", instead of "Don't hit me, I ought not to be hit".

I think my organization is backing off from saying whether we ought to join this treaty. We ought to treat everybody fairly. There are odd things in this treaty. There's a document at the end of it to act as a kind of passport—that a country that joins this treaty should provide stateless people with travel documents—which is a good idea. I'm glad to see, when I look at it carefully, it doesn't insist that the travel documents at the end should be the actual travel document. It's just a suggestion.

It has two things in it that seem to me very out of date. One is that it asks for a description of the colour of a person, and the other is that it has the word “nose/nez”. What you're supposed to fill in about “nose”, I don't know. At that time a person's nose was something that was supposed to be described on the passport, and this is absurd.

● (0825)

So I would think that if we should join this treaty and if we should issue travel documents, we should not undertake to describe the colour and the nose of the person.

Seeing that there is nobody here, can I go on to what this has to do with the Philippines, or should I do that this afternoon? I'll do it right now.

There is a very moving presentation before you by the Vietnamese. They are in the situation Jews were in after the Second World War—before, during, and after the Second World War—of trying to open the doors of Canada, and my organization would like to do anything it can to help. I'm not sure, but perhaps somebody can tell me whether this is a solved problem. For a moment it looked like a solved problem when the Vietnamese community applauded the minister. Then, in reading your transcripts, it appeared that it's not a solved problem, that the Canadian embassy in the Philippines is making difficulties. Is it solved or is it not solved?

One of the things you will notice in the materials I've given you is that the Philippines signed the second treaty with a reservation and never ratified it. The reservation was that it wasn't so sure it could open the Philippine labour markets to the stateless, and it appears to be that it still doesn't ensure that it can open the Philippine labour market to the stateless. It would appear that the Canadian embassy in the Philippines, which is saying the Vietnamese in the Philippines have found a solution in the Philippines, is mistaken. I do hope the embassy will stop making difficulties and that these people who deserve Canada's help and protection will come here.

But I would think the principles in the second treaty are good. Some of the detail may be problematic, might require that we reserve and explain.

Next question, please.

● (0830)

The Chair: Thank you very much. We're going to move on to Madame Faillie.

Madame Faillie.

[*Translation*]

Ms. Meili Faillie: I have read your documents several times. We attempted to get in touch with each other, but that proved impossible: we are both just too busy.

When we study history, we see that with regard to the definition of war crimes there are people that today we consider as being friends, but who, in a few months or a few years' time—who knows?—might all of a sudden become oppressive, undesirable. The problem today is that things change very quickly.

How do we go about determining with some degree of certainty who is a good person and who is a bad person?

When we work with people from Persian or Middle-eastern countries, the context changes. There are groups within the population that wish to overturn the regimes in place. There is a desire to create secular countries. How do we determine what to do in such cases?

At present, when we delve into the cases of certain individuals, we find that there have been excesses with regard to deportation measures. People are labelled as war criminals. But when we look at these files, when we look at the history and these people's involvement in the goings on, we realize that it is not obvious that these people are in fact war criminals. It often happens, with transitional governments, that documentation is hard to obtain. When we do manage to obtain it, it is the credibility of the entire content of the hearings that is thrown into question.

In our modern world of today, how can we go about avoiding the repetition of the errors of the past that we are all familiar with?

Mr. Kenneth Narvey: You have asked several very good questions. One must do his or her utmost to be as objective as possible and to not think that our friends are never guilty of war crimes and that our enemies always are.

Through the evolution of international law, society is striving to ensure that warfare be submitted to certain rules. It is not true that anything is allowed during war times or during revolutions. A person who overthrows a regime by having children killed is not a hero to my mind. There is always the issue of credibility and of false allegations. There must therefore be courts, rules with regard to evidence and the benefit of the doubt. Decisions should perhaps not be free from any doubt whatsoever, but the balance of probabilities does not mean that you simply flip a coin to determine if a person is guilty of something or not.

The courts take very seriously what is proven and what is not. Every person must be allowed to defend him or herself, to call witnesses and to cross-examine the others' witnesses. There must be levels of appeal so as to minimize judicial errors.

There are within our Canadian system many safeguards. Before a person is deported from Canada, he or she has dozens of recourse mechanisms to convince authorities to not deport. He or she also has the possibility to be deported to a country of his or her choice and not to that of his or her enemies.

For example, in the Middle East, there are people who believe that the South Lebanese army is horrible. To my mind, it is difficult to say that. These are people who were on our side. For me, membership in the Southern Lebanese army is not a crime in itself, but neither is it an excuse to commit crimes. It is the same thing in other situations.

Unfortunately, in Yugoslavia, for example, crimes were committed on all sides. It is not true that the Bosnians were innocent and that the Serbians were murderers. There were innocent people and murderers on both sides. Just like the International Criminal Tribunal for the Former Yugoslavia, the courts and the residents of this country must strive to be fair. Perfection is not possible, but one must do his or her best.

• (0835)

[English]

The Chair: Thank you.

Mr. Siksay.

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

Thank you too, Mr. Narvey. It is good to see you again. We met many years ago when I worked for Svend Robinson and you were working on issues related to the Deschênes commission at that time, so it is great to see you again.

I wanted to come back to your statement about statelessness being a misfortune, but not something like torture. Could you expand on why you don't think it is as serious an issue as some others might?

My other question is when do we, as a society, collectively take responsibility for some of the systems we put in place? Examples are our security checks when somebody is immigrating to Canada and the security checks carried out when somebody becomes a Canadian citizen. When do we say the buck stops with us, that we put a system in place and we are going to be held accountable for the decisions we made at that time and deal with the consequences of them?

When do we take responsibility for our criminal justice system and say we have put measures in place for dealing with fraud or war crimes, and hold Canadian citizens accountable to the standards we have established there, rather than saying you committed this crime, so you need to leave—that it's somebody else's problem, in effect?

Maybe you could comment on those things for me.

Mr. Kenneth Narvey: Thank you. If I forget anything you said, ask me again, please.

When I started in this work, my first choice was criminal prosecution. Not everybody agreed with me. At the Deschênes commission—we have copies in English and French of the Deschênes commission report—I spoke briefly about immigration remedies, but mainly about criminal remedies. There are still people in Canada, I believe, against whom criminal remedies would work. The evidence is sufficiently there.

One of the arguments for a citizenship and immigration remedy, as opposed to a criminal remedy, is that particularly for the Second World War, but also for more recent conflicts that are becoming quite long ago in the past, if you managed to lie your way into Canada—not by using an innocent lie, such as saying you were a farmer when you were a shoemaker or a jeweller or a construction labourer, but by saying you were a farmer when you were a war criminal, when you were a member of a unit that went from town to town killing people—then your lie may make it impossible...it's your lie that hides the evidence. It's always a question of what you are hiding. If you are hiding the fact that you have six children by saying you have four, that's not serious. If you are hiding the fact that you killed six children, or 600 children, that's serious.

Because of the way war crimes have been organized, and are being organized today, if you are a member of the Janjaweed militia in the Sudan, killing people in Darfur, or if you are a member of one of the rebel groups killing innocent people in Darfur, we may not be

able to establish that you personally killed anybody, because the only people who are witnesses to it are the dead. They are not available, and your colleagues aren't going to rat on you, and if they did we shouldn't believe them.

One ought not to treat membership in the Interahamwe in Rwanda, membership in organizations described by the Canadian jurisprudence as being used primarily for a limited, brutal purpose, as a case of, well, we checked you out and made a mistake, so you get to stay.

The chairman mentioned fraud. Fraud is a crime, but fraud is also a civil category. If there's a dispute as to who owns this building, and somebody says he owns this building and somebody else says, no, you stole it from me—you obtained it from me by fraud, or you lied to me about something when we were getting the building—ownership of this building is not determined on the basis of its being beyond a reasonable doubt. It's done in the civil courts of Canada. It is called balance of probabilities, but that isn't a very low standard; that is a “convincing the judge” standard.

When you lose your citizenship, you don't go to jail for losing your citizenship. When you are deported, you don't go to jail for being deported. Unless you are going to jail, a criminal standard is not appropriate. What you call taking responsibility is that we take responsibility for not having found out that you committed a crime. I'm afraid I don't agree with that. We do our best, but we don't want to license people to fool us. We don't want to say you fooled us once, so good for you.

The expression is if you fool me once, shame on you; fool me twice, shame on me. Some witnesses have suggested that if I can fool you for five years, then I'm home free. I don't see that. If you fool us...people have said they shouldn't have to worry that somebody is going to take away their citizenship. Well, if you obtained it by fraud, you should worry. It is unfortunate that it means people who did not obtain it by fraud also have to worry. It is like the difference between inherited wealth and earning wealth.

• (0840)

All of us are subject to somebody coming along and asking how we got that car, saying they think we got that car by fraud. Hopefully, not too many liars are going to come and challenge what modest wealth we manage to achieve, but life is full of imperfections, and one of the imperfections is that false accusations are always possible. We do our best to not have frivolous accusations ever get to court, to get false accusations or insufficiently supported accusations defeated in court, and to have appeal processes so the first-level court error will not be a final error.

But to introduce a statute of limitations and say we only later found out who you really are, so it doesn't count, I would say no.

• (0845)

The Chair: Thank you very much.

Mr. Temelkovski.

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

I am sorry I was late for the presentation, but I will read the transcripts with much interest.

Kenneth, I have a couple of items. Since this is your line of business, maybe you can tell us what happened to Mr. Milosevic and Mr. Hussein. Have they been found guilty or not yet?

Mr. Kenneth Narvey: Not.

Mr. Lui Temelkovski: Not. Okay, so—

Mr. Kenneth Narvey: Saddam Hussein's trial has not started yet, and as far as I know, Mr. Milosevic's trial is ongoing.

Mr. Lui Temelkovski: So it is I think correct to say that these types of trials are not done overnight?

Mr. Kenneth Narvey: Yes.

Mr. Lui Temelkovski: But it is also correct to say maybe that minister's signatures to remove somebody are done in a minute.

Mr. Kenneth Narvey: I would say no. The actual signature may take a minute, but it is like passing a bill in the House of Commons. One can pass a bill in the House of Commons on a Friday in a minute, but to arrange that minute takes years.

Mr. Lui Temelkovski: Okay. Just prior to that, I heard you say you would not be in favour of time limits of revocation.

Mr. Kenneth Narvey: That's right.

Mr. Lui Temelkovski: So once somebody obtains their Canadian citizenship, they should have it, unless they are war criminals and they are found guilty within the courts of law.

Mr. Kenneth Narvey: Well, that's not my point of view; that's your point of view. My point of view is that revocation, as a way of dealing with war criminality, is valid. It should not be dependent on a criminal conviction. It should not be done frivolously, and if there is the evidence.... I don't think one should use citizenship instead of the criminal courts in a case in which the specific individual evidence is available for a criminal proceeding.

If one was a member of a unit that was committing war crimes, but one's specific role is lost in the mists of time, then something like the present system is a correct system. As you know, the last page of IRPA gives the exclusion provision from the refugee convention. Hundreds of people from dozens of countries have come to Canada, sought refugee status, and been excluded from refugee status on the basis of possible war criminality or crimes against humanity.

People have been excluded for.... A lady was recently excluded who was a Chinese official in charge of enforcing the one-child policy.

Mr. Lui Temelkovski: Should citizenship be removed from somebody without deportation? Should we keep them in Canada as a landed immigrant or should they be deported?

Mr. Kenneth Narvey: They should be deported—

Mr. Lui Temelkovski: If they're found guilty, of course.

Mr. Kenneth Narvey: Well, "guilty" is a criminal concept.

In 1992 there was legislation before the House of Commons, and I appeared before...no, I didn't appear before the committee, I appeared after the committee; I distributed documents at the committee. The question asked was this: what happens when you lose your citizenship?

The way in which the law was interpreted before 1992—let me see if I can remember this—was that when you lost your citizenship, you didn't get permanent resident status back. There was a proposal to change that, to get it back. I made representations, and the result appears in the law today: if you obtained citizenship by fraud that was purely citizenship fraud, such as sending somebody else to do your language exam, you do get your permanent resident status back, but if you got it by immigration fraud, by lying to your immigration officer, you don't get your permanent resident status back.

That's the present law, and I must say I agree with it.

• (0850)

Mr. Lui Temelkovski: Just to follow up on that, many Canadians come into the country not speaking a word of English. So I think the idea that they're lying would itself be a big lie, because even to do papers, they didn't do them themselves. You know yourself, in Canada, if I get you to sign a paper that's not in your language, it will not be found to be admissible tomorrow. That's number one.

Number two, should that be carried to the next generation? If we remove parent A, should parent B be also...?

Mr. Kenneth Narvey: Do you mean the children?

Mr. Lui Temelkovski: The children, yes.

Mr. Kenneth Narvey: Very simply, no. There was a proposal, and the chairman knows about it, that was going to take away the citizenship....

Was that of Canadian-born children?

The Chair: No, a one-day-old child coming in the country with somebody else could have their citizenship removed by fiat of cabinet.

Mr. Kenneth Narvey: First of all, the fiat of cabinet should definitely be removed from the law. The chairman and I absolutely agree on this. The role of cabinet should not be as it is in the present Citizenship Act.

As a matter of practice, for all of the persons, and there are not that many, alleged to have been war criminals or associates of war criminals in the Second World War—it so happens that they've all been male, although they could have been female—in no case has the government moved to remove the citizenship of the wife. They could have, but they didn't. If some of their children were born abroad and came here, in no case has the government moved to remove the citizenship of the children.

In general, people are responsible for their own acts, not for other people's acts.

Mr. Lui Temelkovski: So it was argued that if you remove the father from the children, you might as well remove the children as well. Because if you remove the father from the family, it's no longer a family unit.

Mr. Kenneth Narvey: If we're talking about 20-year-olds, it's one thing. If we're talking about 60- and 80-year-olds, it's another thing.

So far, the only person who has been deported as an alleged war criminal is Mr. Luitjens. He was deported to Holland, he went to prison in Holland, he was released from prison in Holland, and he died in Holland. His wife, as a Canadian citizen, certainly had the possibility to go to Holland with him—or not; they had to decide that. I don't know whether she did go. I don't know what the Dutch prison regulations are for visiting.

I don't think we should treat anybody harshly, but I don't think we should treat mass murder as nothing at all either.

The Chair: Thank you very much.

Mr. Clavet.

[*Translation*]

Ms. Meili Faille: I would like to begin by adding something with regard to the Vietnamese who are presently in the Philippines, Mr. Chairman.

You have read the transcript of our meetings. The Committee tabled a motion and obtained certain guarantees from the government and namely from the minister. We are expecting something back in early May. We are to be supplied with the details on what will be done. Mr. Sam—his last name escapes me—, who is in charge of the follow-up in the Vietnamese file, was quoted in the papers as saying that the Vietnamese community had launched a process as soon as the minister made his announcement. However, as is often the case for anything coming from the government, the people at the embassy still had not received the department's instructions. This takes some time. We have however obtained guarantees to the effect that these 500 persons will be able to come to Canada as of the beginning of May.

Mr. Kenneth Narvey: I would like to congratulate the committee as a whole, but you in particular, Madam Faille, for having adopted this motion. It warms the heart to see that Canada is at last, with the participation of this committee, able to do what must be done for these poor people. Thank you.

• (0855)

Ms. Meili Faille: I will now let my colleague, Mr. Clavet, take over. He has questions for you.

Mr. Roger Clavet: Thank you very much, Meili. Thank you, Mr. Narvey. I wish to congratulate you on your presentation. You know your files in and out.

Earlier on, in the Treaty Series, I read on page 136 the definition of the term “stateless person“, which is the following: “A person who is not considered as a national by any State under the operation of its law“. This is a very broad definition and it is at the same time very narrow, because there are all sorts of conditions.

However, in your opening remarks, Mr. Narvey, you stated that statelessness was a misfortune but that it was not as bad as torture. To my mind, in a state of law, statelessness is a personal drama, because you get lost in the cracks, in the loopholes and twists and turns of the system. You seemed to be saying that it was serious, but that it was nothing compared to torture.

What is your own definition of a “stateless person“ today, in 2005, in a State of law that recognizes jurisdiction in the case of persons who legally exist? To my mind, statelessness is a tragedy. I would like you to tell us what statelessness means for you.

Mr. Kenneth Narvey: In the Canadian Charter of Rights and Freedoms, we talk of the rights of any individual. That is not aimed at certain Canadians who have the nationality of such and such a country, but to everyone. It is not just the people who are citizens of a country who are entitled to a fair and equitable trial; it is everyone's right. If in Montreal there is a person who has French citizenship and another who has no citizenship anywhere in the world, it remains that both of them have human rights. If you are the citizen of no country, you are nowhere entitled to vote and no country is required to allow you on its territory.

However, you will not be killed because you are stateless. Statelessness does not mean that you are not allowed freedom of speech. It is a misfortune to be stateless, but if everyone is treated equally and with respect and if everyone has the same rights, except for a few inconveniences...

A stateless person is defined as a person who is not considered as a national by any state under the operation of its law. One of the problems mentioned by the United Nations High Commission is that, just as the papers of those people coming here as refugees were destroyed, if we say that statelessness is a protection, not only will we be protecting stateless people but we will be granting them more rights than we grant to others. People are therefore going to renounce their nationality in order to benefit from the rights of stateless persons if these rights are better than those of Americans or of Chinese nationals. Stateless or not, we are never to send a person to a country where he or she will be tortured.

Mr. Roger Clavet: Given that the clock is running, Mr. Narvey, I would like to add something. You stated that there should be an appeal process in the case of the removal of citizenship even if no such request is made.

How will that work?

Mr. Kenneth Narvey: I am not saying that there should be an appeal even if there is no request. The question is whether or not an authorization from the court is required. In English, we talk of leave, and in French it is an authorization. There are situations in our system in which we are fully entitled to something without asking for authorization. In other circumstances, you need leave from the court of first or of second instance. In general, in order to go before the Supreme Court of Canada, you must first obtain leave. In the other bills, we asked whether an appeal should only take place with leave or whether it should be a matter of right. We would prefer that it would be with leave, but we can also accept that it be a matter of right.

• (0900)

Mr. Roger Clavet: Thank you.

[English]

The Chair: Thank you very much.

I will take a round here.

As you know, Mr. Narvey is probably our biggest fan in following our proceedings, and he certainly knows a lot about this issue and has certainly helped me over the years in clarifying my thinking on it. He and I are in complete agreement that we should be dealing with war criminals.

Where we differ in our agreement, Ken, is that just because one says someone is a war criminal, it doesn't make that person a war criminal. There is a real jump from a criminal standard to civil standard, and the perceptions of some people of the cases we are dealing with are totally and completely different.

I have to say thank you to Roger, because he raised a very important point: how does one consider statelessness? To the six million Canadians who are citizens by choice, statelessness and loss of citizenship are pretty traumatic things, and it also depends on the matrix of how you lost your citizenship or how you got to this country. If you came to this country as a refugee, then you have a much bigger problem than if, say, you came as an economic immigrant from England, or what have you, because you are not quite at the same risk. I think you said—and I think this is the key to the whole thing—that if you obtained it by fraud, you should worry. If you were to follow through on that, then you would have to prove fraud to a criminal standard, and this is where we have a disagreement. Then you said that if you did not obtain it by fraud, you also have to worry.

The issue was crystallized for me when we were holding our hearings in Vancouver, where we had a professor from Simon Fraser University speaking on a topic not related to citizenship revocation, but who then shifted over to citizenship revocation and asked the committee, when do I become a real Canadian? I think this issue might be very cerebral to you, but it is very visceral to me, and we have had that discussion.

Having followed the cases and having heard at the committee from Olya Odynsky and Irene Rooney, whose parents have gone through this process, and whose cases you are quite familiar with, I basically have to jump to the characterization of this whole thing by Peter Worthington, a columnist for the *Toronto Sun*, whose take on

this is that Odynsky and Oberlander, or the Ukrainian teenagers, were Nazi victims too.

If I look at the policy paper, when this whole thing started in 1995, the government started out by saying that before they would proceed with any of the cases they would have evidence of individual criminality, but the government has changed the policy over the years. They now say, if you are a member of this group, then we can proceed against you. There is a huge.... When I look at Odynsky and Oberlander, they were two 17-year-old teenagers who were conscripted on the threat of death—at least in the case of Odynsky, who was told that if he didn't do what he was told to do he was going to be executed.

I guess that is where our disagreement lies, and I am not sure how you address the problem of having to worry if you did not obtain it by fraud—worry that you are saying is acceptable. That's where I go back to my professor from Simon Fraser University, who essentially said it is bad public policy to deal with the very, very few and terrorize the many.

• (0905)

Mr. Kenneth Narvey: There are a hundred topics there. I'll try to deal with as many of them as I can. And I hesitate to give you my impression of the Odynsky and Oberlander cases, but I think I will.

Mr. Odynsky was not 17, he was 18, and his story of how he was conscripted is very believable. He was called up with all the other 18-year-olds of his village. The mayor of the village was asked to provide a list of those who would turn 18 that year. This is the common way of conscripting in Europe; it's called "the class of". The 18-year-olds of this year are conscripted this year. In Israel today, the 18-year-olds of this year are conscripted this year.

Mr. Oberlander says that he was 17. He turned 18 on February 24 of 1941 or 1942. He was taken in February. If I were cross-examining him, I would like to know whether he celebrated his birthday before or after he was taken. But at the time, being conscripted at age 18 in Europe was something that was done on all sides.

I recently reread the judgment in the Odynsky case. I thought of bringing it here today, in English and French, and I didn't, so this is from memory, *sous toute réserve*. So if I'm mistaken, I apologize for being mistaken.

At the end of the judgment, Mr. Justice MacKay suggested that the minister not proceed against Mr. Odynsky, or that the Governor in Council not proceed against Mr. Odynsky. He said there was no evidence of action by Mr. Odynsky against any other individual. That's an odd way of putting it, because if you go back, the best evidence against Mr. Odynsky was Mr. Odynsky's own testimony. If a person says, "I did this", then there is a reasonable chance that they did. If they said, "I didn't do this", one can doubt, but doubt is not evidence.

I'll talk about the case of Mr. Rudolph, a man who is dead. He was an engineer at the factory that produced the V-2 rockets for bombing London. Bombing London is not a war crime, but using slave labour to build the rockets is a war crime. You can hire labourers to build a weapon, but if you use slave labourers you are committing a war crime. Mr. Rudolph asked the SS to bring him slave labourers, and said, "But they didn't always comply with my requests", which he thought was exculpatory in that if they didn't comply with his requests, what were we bothering him about? However, making the request, sending out for slave labour, is itself a war crime.

Now, Mr. Odynsky—and this is according to Mr. Odynsky, not according to me, I wasn't there—was a guard near the Poniatowa labour camp, at a facility called the Siedlung, which means the settlement, a few kilometres from the Poniatowa labour camp. He says he was a perimeter guard. Inside the perimeter were barracks for Ukrainian guards, barracks for Germans, and an apartment block for, as he describes it, the "better off" of the Jewish slave labourers. He was guarding the perimeter.

Now, what does a perimeter guard do? The perimeter guard does two things: he keeps people in and he keeps people out. Keeping people in—forceable or illegal confinement, in Canadian terms, being there with a gun to make sure that people don't go over the fence, or go out—is in itself a war crime.

It's not the same war crime as committing murder. There was extensive murder committed at Poniatowa within a two-week period. The best evidence seems to be that it was the Germans who did it, not the Ukrainians. One doesn't wish to charge Mr. Odynsky with things he didn't do, but what he said he did do—that is, carry a gun, keep people in, and watch for any potential rescuers so that nobody could break in and liberate the prisoners—is a war crime. In my interpretation, Mr. Odynsky, on his own evidence, committed the war crime that one commits when one is a perimeter guard in a war crimes commission facility.

• (0910)

I'm getting a football signal to speed it up.

Mr. Oberlander—according to Mr. Oberlander, not according to me—was a translator for an Einsatzkommando. The Einsatzkommando was an organization whose business was murder: it murdered Jews, it murdered gypsies, it murdered mentally ill persons, it murdered communist commissars. It went from town to town filling anti-tank ditches with men, women, and children. It murdered infants. That's all it did. Its essential purpose was to commit murder.

Mr. Justice MacKay found there was no evidence that Mr. Oberlander killed anybody. He also found that Mr. Oberlander was a member of that unit.

Mr. Oberlander—I happened to see some of the documentation in the case—presented to the Governor in Council, as exculpatory, a document issued by the British showing that he was released from a British prison camp and that they had discharged him from the German army. He had never been a member of the German army. If it was the German army that was committing these crimes, they would still be crimes, but this particular unit was organized as a separate non-army unit for the purpose of murdering people.

Mr. Oberlander has stated that he was asked what he did during the war and he said he was a translator for the German army. That wasn't true. He was a translator for a gang of murderers. Do we want Al Capone's translator here?

I don't think I should comment any further on an individual case. I think Mr. Oberlander ought to have full rights of appeal.

I hope that answers some of your questions.

The Chair: Well, actually it doesn't. You have to read Mr. MacKay's finding; he says there was absolutely no evidence presented. My only point is—and I think it's very important for the committee—that you can label somebody a war criminal, but they do not become a war criminal because you call them a war criminal. They become a war criminal by proving it in a court of law.

If you go to Justice MacKay's findings, he is very clear in the cases of Oberlander and Odynsky that neither committed any acts of criminality. I can only say that in the case of Oberlander, the Federal Court of Appeal unanimously overturned the government's decision to strip him of citizenship.

So there are a lot of subtleties in the whole thing. I will end it at that, because I don't think it is fair to the committee for you and I to argue it back and forth.

Mr. Kenneth Narvey: I've been working on this as recently as yesterday, so I can tell you that the judgment of Mr. Justice Décaré of the Federal Court of Appeal was not simply to overturn the revocation of citizenship, but to refer the matter back to the Governor in Council for a new determination.

The Chair: Yes, but a determination that cannot be met.

I will end it there and see if anybody has any more questions.

No questions?

Mr. Narvey, thank you very much. I hope you continue to follow our... It's always good to know you are there watching when I'm on TV.

It really has been great knowing you over the years. Thank you very much.

Mr. Kenneth Narvey: Thank you, Mr. Chairman. I don't know if I'll be the only witness this afternoon. We can continue. Thank you.

The Chair: I think we already covered it in part. Thank you very much.

We will suspend.

• (0915)

(Pause)

• (0916)

• (0930)

The Chair: We are ready to start this session with panel two. We have, from the National Association of Canadians of Origins in India, Ms. Marlow, the president; and from Rassemblement Canadien Pour le Liban, Ms. Marie-Claire Namroud, the executive director.

Madame Marlow, could you start? You have seven minutes.

Ms. Flora Almeida Marlow (President, National Association of Canadians of Origins in India): Just before I begin, I would like to let you know a little bit of the history of where I come from, so that you know my viewpoints.

My name is Flora Almeida Marlow, and I am from Bombay, India, where I was born and brought up. I came here as a foreign student to study computer science, and then I got my landed immigrant papers, married, and became Canadian, and now I am working here in Canada.

[Translation]

Mr. Roger Clavet: Mr. Chairman, could you remind witnesses that they are free to express themselves in French or in English. I know that Ms. Marlow's French is very good. Given the fact that we are in Montreal, could you perhaps give a little reminder to our next guests?

[English]

Ms. Flora Almeida Marlow: I have been working with my Indian community for quite a while. I'm the first female president of the Indian community in 25 years. It is a big achievement for people over here to change their attitude towards females, and here in Quebec, I'm the first Indian female as president.

I have worked with the Indian community and also with the immigrant community for quite a while, and I have seen different things that are wrong and need improvement. For example, it is a very nice thing when we have family reunification. You know, we want our parents and our grandparents to come, and sometimes also our family members. But many times our parents, who are old, come here and they're sometimes made to be like servants of the well-to-do children. They take care of the children, and they take care of the cooking, the cleaning. Their lifestyle here is so affected. Sometimes they are uprooted from countries where they had milder climates, and they come to a country that is so extreme in the weather conditions, and they're made to work like slaves sometimes for their children, and without any payment.

I see, certain times, very old parents coming here not being able to speak either English or French. They're made to work, and they are isolated. They're in their own room for so many days, and because of the extreme weather they're just in their homes. So it's a very nice thing to have family reunification, but many times many of these old parents are mistreated by their children. So we have to take that into account.

The other thing is on grounds of marriage. Many men go to their countries of origin to find a bride. They bring a bride here to Canada, and they do not tell the bride what the conditions are here, what they will face in this country. For example, I have experienced and seen my friends who are children of professionals in India, who are brought here as brides, and they are made to get up early in the morning and start slogging for the whole joined family.

The idea of coming to this country, a country that is, according to them, paved with gold...it is not the reality. And then they come and they end up just working for the traditional joined family system. Many times there are so many bad things happening to them, and they are never able to voice them, because in our society it is always

only the man who has been able to make these decisions, and the female has to always stay behind and never has a voice.

The other thing, when I was going through, is that the biggest problem the Indian community faces now is they feel they have been harmed and there has been an injustice done to them because of what happened in the Air India bombing. So many people, Canadian people and Indian people, died on that flight, and it's taken 20 years of seeking justice, and no justice has been got. Extremists and terrorists are in this country, they are in their homes, and the poor people who have to suffer, the children and the grieving families, have nowhere to turn. The people who were part of the bombing are not even imprisoned; they are free, free to go.

This is the Canadian system of justice—that extremists and terrorists are here and continue to live here. They're never deported. Our deportation procedure has to be re-evaluated. When people come here to Canada they must come honestly, justly, and when there is something false found on them they should be deported. The deportation thing should be much stronger and taken more seriously. That's my opinion.

● (0935)

I can give you another example, the sad thing that happened to Madam Judy Sgro. She was accused of certain things, of giving pizzas to her campaign group. But the thing is that the gentleman who accused her had been 18 years in this country. He was doing bank fraud, illegal activity. He has been in this country illegally for 18 years and not deported, and he can make any false accusations about a person.

And the poor woman, to work so hard... You have to be a woman to understand that to be on the top, you have to work so hard to get to that level. And to be just given, *carte blanche*, a thing that she was responsible for certain things...

When a man has done fraud for 18 years, you never consult him. Even if he's taken to court or whatever, he'll prove he's bankrupt. But what has she lost? She has lost her career. She has lost her name. She's judged unfairly already. But the man who's been 18 years in this country illegally, doing bank fraud, his word is taken, and the media makes a big issue.

I have many cases to talk about, but the thing is I would like to make people realize that when people talk about refugees... You know, if this were a place with an unlimited amount of funds, we could take all refugees. But the thing is, you have to realize that many refugees can also be writing a story. So in the bargain, what happens? The people who are standing in long lines all over the world, honestly, justly, standing a long time in lines in the world, wanting to come into Canada fairly and honestly, their lines are delayed. But if you say "refugee", you break the line and you jump the queue. You're first in the queue.

I believe we have to do things justly, give everyone a fair chance. If you find that the person has done something, has made up a story, the person should be deported right away, not staying on for 18 years, because it's a burden on the taxpayer. The taxpayer doesn't have an unlimited amount of money. We have to realize that people have to work hard for a living, and it is a burden, so when the person is illegal, they should be sent back right away.

Thank you.

• (0940)

The Chair: Thank you.

Next we have Madam Namroud.

[*Translation*]

Ms. Marie-Claire Namroud (Executive Director, Rassemblement Canadien pour le Liban): My name is Marie-Claire Namroud and I am here to represent the Rassemblement canadien pour le Liban. This is a non-profit organization that works to promote human rights and democracy in Lebanon. I will attempt to respond briefly to the questions asked by the committee.

The first question relates to the preamble to be included in the Citizenship Act. Canada counts among those countries recognized for accepting a large number of immigrants from throughout the world each and every year. However, the notion of citizenship can vary from one country to the next. For example, the Petit Robert dictionary defines a citizen based upon one's political rights. If we take certain political systems that are not democratic, we see that citizenship is not necessarily linked to political rights such as those that we experience here in Canada. I would take as examples the right to vote for women and multiple party systems.

The existence of a text defining the responsibilities and rights of Canadian citizens will enlighten citizenship applicants with regard to their rights and responsibilities. I am also of the belief that this will ensure a legal context that will apply to all Canadians of all cultures.

The second question relates to the criteria to be used in determining the granting of citizenship to new entrants. We are very much aware of the fact that we live in a world that is constantly changing, where globalization is firmly entrenched and where life styles are evolving, all of which require greater mobility and more movements.

I would invite the committee to consider two important points in its reflection on the flexibility to be introduced with regard to citizenship requirements, namely residency and linguistic knowledge.

The first point is the integration process of immigrants. A few months ago we did a study involving 135 Lebanese immigrants or Canadians of Lebanese descent. This study showed that there is a rather important positive correlation between the period of time spent in Canada and appreciation and integration levels within Canadian society. Those who had spent more time in the country continuously were more stable. They sought work, pursued their studies, were more productive both economically and socially.

I believe that section 28 of the Immigration and Refugee Protection Act is a valid reference, although we should not for example be encouraging certain citizenship applicants or Canadians having obtained their citizenship to leave Canada to go and establish themselves in their native country. Paragraph 28(2) of the Immigration and Refugee Protection Act states that the spouse or common law partner of a Canadian citizen, when the latter is not working for the Canadian army or for the government, must fulfil the residency requirements.

Following the same logic, we believe that the period of time spent here by the citizenship applicant before the examination of his or her refugee status request should be considered similar to the period of time spent in the country by other immigration categories, because in the end, the refugee applicant did spend a rather lengthy period of time here. He or she is guided by his or her desire to lead a stable life in a secure environment.

If I continue yet again within the same logic, I believe that the recognition of linguistic ability is, it too, important. Of course, we must provide for exceptions and define groups that could be exempted. We believe that it might be possible to introduce a mechanism by which certain groups would be required to have better language skills. I am thinking here more particularly of young people, of university students who are at an age where they can learn.

During the course of this study, we observed that most people who have a language problem also have an integration problem. Often, the language barrier has brought about feelings of isolation or even discrimination. There is confusion between the two. Indeed, it would be worthwhile to encourage certain groups or even to offer certain programs in order to help people improve their knowledge of at least one of the two official languages during the very first years following their establishment in Canada.

The second point is with regard to the prevention of abuse of the system. It must be said that the system as it now exists has some gaps. There are serious reasons why some individuals have not fulfilled the residency requirements in particular. I would therefore invite you, in your reflection as to the proper period to provide for, to think about the possibility of establishing a parallel mechanism that would allow for a more effective verification of the fulfilment of the requirement.

The third question related to citizenship revocation and the processes to be followed. We agree with most of the comments made by witnesses and we would call upon you to establish an appeal process, to entitle people to call upon the courts. If it is a matter of national security, then we would ask that there be at least one judicial review.

Another problem to consider is that of the risk incurred by a person whose citizenship is removed or who is deported. It must be determined if this individual risks torture or mistreatment in his or her country of origin. I believe it is important to establish a risk appraisal mechanism before removing people. It would be a mechanism rather similar to that which applies to refugees.

The fourth question related to the oath. We would accept any version whatsoever, but we do consider that the introduction of rights, freedoms and democratic values is extremely important, because this serves to underscore these values in the minds of new immigrants.

Lastly, the fifth question ties in somewhat with what I have just said. The introduction of a preamble in the Citizenship Act, the provision of some flexibility with regard to residency requirements and linguistic ability and the establishment of a mechanism to verify that requirements are fulfilled will all contribute to a greater appreciation by immigrants of the acquisition of citizenship.

I would add yet one other thing. It would be wise to find a mechanism to better enhance and underscore human rights and democratic values in the outlook of new entrants, along with linguistic skills and the knowledge of the geography and history of the country. These aspects could perhaps be more forcefully included in citizenship tests.

Thank you.

• (0945)

[English]

The Chair: Thank you very much.

Congratulations to both of you, and thank you for partaking in this process.

I'd like to call on Mr. Jaffer.

Mr. Rahim Jaffer: Thank you, Mr. Chairman, and thank you to our witnesses this morning.

What I'd like to ask, which I believe both of our witnesses may want to comment on, because they both addressed it to some extent....

Flora, you mentioned the issue of the Air India bombing and the frustration of the community when it comes to people who remain in the system, who should be deported immediately, I think you said, if they are guilty of certain crimes. We are sort of dealing with this particular issue as it pertains to citizenship, and how there may be more of a case to deport people who have committed a crime and don't have Canadian citizenship.

However, if they have Canadian citizenship and have been here for a while, no matter what sorts of crimes they have committed, should they go through due process of fair treatment before they get deported or their citizenship gets revoked? I don't know if you made that clear in your presentation. Were you basically just talking about people who are in the system and are trying to stay here, or would you apply that as well to Canadian citizens who obviously haven't been here for long? What does the community feel about that, or what are your thoughts on it?

I'd like to hear from both of you on this issue of revocation of citizenship.

• (0950)

Ms. Flora Almeida Marlow: It's a very good question. I believe we have to do things in a democratic fashion, but also in a fair fashion and with common sense. If due process or getting justice takes 20 years, for example, then the system is flawed. We have to be able to take action right away. If we say somebody is a terrorist and say that we have to go through due process and it is taking years, we are not getting justice for those who have been harmed and have suffered. So we have to have a more efficient system. While we have to act in a fair fashion, we also have to take the timeline into consideration.

So we have to deport them. I fully agree that people who have done injustices to humanity have to be deported, and they have to be deported right away. They should also be given a chance to appeal, but not an indefinite amount of time, because the system has to be a little bit more efficient in dealing with these sorts of crimes.

Thank you.

Ms. Marie-Claire Namroud: I agree with most of what she has said. I agree that we have to protect our society and not allow people to take advantage of the system. At the same time, as I mentioned in my presentation, it is important to establish maybe one way or chance for them to defend themselves and establish a mechanism of assessment of the risk if they are deported.

But absolutely, we cannot allow things to go on in an unlimited way. We have to have a mechanism that can work within a certain or limited time period, and sometimes we have to take decisions that are not to the benefit of an individual per se, but to the benefit of the Canadian society and people.

Mr. Rahim Jaffer: Thank you.

My next question, and this will probably be my last question, is with regard to citizenship, since this is the section we are talking about right now. We have heard from a few witnesses over the course of the time we have been hearing presentations that when it comes to educating people about citizenship and their ability to participate, the importance of citizenship is something that is lacking in our system. I know that both of you have been in Canada for a while, but you also represent people in your communities who are new to Canada and some who have been here for a long time.

I'm wondering if you could speak to that, whether something we should be looking at on a bigger scale is trying to impress on people, once they do get their citizenship, the importance of that citizenship and the aspect of participation once they have that citizenship. It seems that our education system is lacking to the extent that it does not teach that there are some responsibilities, maybe, that come with citizenship. Maybe you could comment on that and give us some of your thoughts, if you wouldn't mind.

Ms. Flora Almeida Marlow: Yes, it's an appropriate question, because before citizenship has been achieved, the entry level has to be talked about. Before new people come to Canada they should be educated about what Canada is about. When I came to Canada, I didn't have a clue what Canada was about. We do not talk to these people. Before coming into our borders they have to know about the two official languages. Many times the immigrants speak neither English nor French. So how can they integrate if they don't even have the language background? They do not know anything about the geography. They do not know anything about the climate. They do not know that there is extreme weather.

So I think before we talk about citizenship, we have to talk, before they come into the country, about whether they are capable of integrating. Many times they could pass their lives here in a little ghetto and never integrate. So we have to get the information out to people before they come in. Of course, when they are becoming citizens, they have to be made aware that besides just getting their rights, there are a lot of duties. We do not emphasize duties enough. We only teach people about their rights, rights, rights, but there have to be duties.

When you come into this country you have to contribute, because there are many people in this country who have worked for years. Generations have worked and have built this beautiful country. So you can't expect only the rewards of coming into the country and not contribute. Many times, so many new refugees are on welfare, and they think it is the best thing because in their countries they never got a thing. So they come here and sit down in a little ghetto because they are getting welfare and are really well off.

Canada is a land of opportunity if you want to make it one. Immigrants have to be taught every step of the way how to integrate. I have seen these integration and language programs in Quebec. And what happens? The Indians are meeting with Indians to learn French. How can they learn French by having Indians with Indians? I try to tell them that when you are learning French, you have to meet another community. If you are with an Indian you will be in another sort of ghetto. You will speak Hindi or you will speak Punjabi, and you'll never move on. When you are learning a language, you have to meet somebody different. That's how you get exposed. That's how you learn. You learn to see the world in a different light. Otherwise, you come to Canada and you stay Indian all your life and you'll never want to change.

So I believe people have to learn to integrate, and integration comes with the programs that are involved. There are so many programs, and Canadian people mean to do so much good for the new immigrants, but they don't know the way to go about it. They are investing a lot of money in language classes. They are investing a lot of money in how to integrate, but it's not working. Why? Because they are giving money to people to have their little ghettos. Sometimes it's a voting issue. You know, sometimes it is just to get the vote of the groups, but it has to change.

The mentality has to change. Make people—for example, an Indian or a Pakistani—meet Italian or Greek people in that language class. You have to mix people.

For citizenship they should learn about the geography. They don't know who the Prime Minister is. They don't know anything. How they pass the exam, I do not know, because they do not know anything. If they do not know the language, how can they know anything at all?

• (0955)

Mr. Rahim Jaffer: Do you have a comment as well?

Ms. Marie-Claire Namroud: As I mentioned in my presentation, the concept of citizenship may differ from one town to another, from one culture to another. I mentioned some examples. I think this is the origin of the problem we are living today, the problem of seeing cultural communities here in Canada lacking the ability to integrate with Canadians.

And I think it is a very serious problem that should be addressed more and more. The problem is when we come here to Canada, we do not receive.... I came here several years ago. There was nobody who told me what Canadian citizenship was, and all I knew was what I learned when I was preparing for my citizenship test. I don't think this is enough, because this is a test that we can prepare for a couple of days before we go to it, and after that it is over.

If you look at the schools now, I don't think there is an adequate program to tell people, especially new immigrants, what the benefits and advantages of having Canadian citizenship are. How is Canadian citizenship different from other citizenships? I am not saying it is better or worse, but what are the characteristics? What are the consequences of having it? What are your rights? What are your responsibilities?

Canada is one of the countries that is indeed a leader in the international community in terms of human rights and democratic values. But this hasn't been integrated into the lives of these people. When people come here, all they talk about is, "Okay I have the right to find work, I have the responsibility to pay taxes". But citizenship is more than that. It has to have a cultural and a legal context, a legal meaning, a cultural meaning.

I suggest some ideas that we can work on. The first one is, before people get accepted to Canada, maybe it is a good idea to establish a program in the embassies where there will be sessions to inform people what Canada is. How is it different? What is Canadian citizenship? And this has to be done before, or at the very beginning of, the process of applying to get an immigration visa.

Then I suggest having a similar program after they get here. The first few years are very critical, and this is where we should work hard.

The third option is to have programs implemented in schools.

The fourth one is to support NGOs in the communities that are working to develop and to educate people, because there are some government programs that cannot reach some parts of the community. I can tell you, for example, about the elderly people in the Lebanese community. They won't go to schools. They won't go to work. So here comes the job of NGOs in the community.

Thank you.

• (1000)

The Chair: Thank you very much.

Mme Faillie, go ahead, please.

[*Translation*]

Ms. Meili Faillie: Thank you, Mr. Chairman.

I work very closely with the Indian community. There are more than one organization representing this community. There is yours, but there are also groups that work horizontally on specific issues.

One question brought up by Flora Marlow was the matter of threats and informers. There are people who commit fraud, who are considered dangerous in their country of origin and who are circulating freely here. I have worked on several cases with the community and I know how things happen in the field. I would like to ask you a few questions with regard to the work of CSIS and the RCMP.

Often, the identity of informers or abusers or of dangerous individuals is not adequately protected. We use methods such as photo albums or lists, and we wind up with so many names and photos that the community is unstable. At the Ville-la-Salle temple, I saw several community leaders who were very worried about these practices.

In the area of citizenship, I would like you to tell us, Madam Marlow, how, in your view, one becomes a citizen. Should there be a probation period? Once citizenship is acquired, it is a right and not a privilege.

Ms. Flora Almeida Marlow: I would like to explain that if a person obtained his or her citizenship papers fraudulently, then he or she should go back to his or her country, because fraud is not limited to one precise move. Those things do not change. That would be the case, in my opinion, for someone who supplied false information, misinformation. For example, if a terrorist pretends to be a religious leader and is the representative of a religion, that is all right as long as his activities confirm this, but if he does things that are bad for humanity, then what will we do? Will we tax people more? The people living here, Canadians, will they have to pay higher taxes because of these fraud artists?

We must be fair towards ordinary people who contribute to making society work. I believe that this is the proper thing to do. We must carry out an inquiry but if the person is thus found guilty of fraud then he or she should be sent back to his or her country.

You asked me a question with regard to the Air India flight explosion and to the informers. Are we protected? I constantly ask the minister what will be done for the victims and their families, but no one is helping me. If someone does something bad to me, no one helps me.

For example, the other day, the minister of Revenue came to Montreal. He was accompanied by several people. I explained that all of the Indian communities want an inquiry. A man came up to me and gave me a paper telling me to call the number that appeared on it: he was going to give me all the answers to my questions. I was somewhat afraid, because he did not give me his name nor any other information. He simply told me to phone him and that he had all of the answers.

I am the spokesperson for our community, but no one helps me if something happens. CSIS always asks the same things. Three hundred people were there, but more than two hundred realized it. Why? These are questions that must be answered, but there are perhaps people who infiltrated CSIS and are now on the inside. We are not getting answers to our questions. We need answers, we need an inquiry, because if the terrorists are being protected, then perhaps someone has managed to infiltrate CSIS.

●(1005)

Ms. Marie-Claire Namroud: I would like to say that I turned the question around. Clearly, sovereignty is a right and not a privilege, but I also believe that it is the right of all the others to live in a safe and honest society. If we are laxist in our reactions to these acts of fraud, are we not going to encourage others to do the same?

[English]

The Chair: Mr. Siksay.

[Translation]

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

Thank you, Ms. Namroud and Mr. Marlow, for your statements.

[English]

Now I'll stop torturing you with my French. I have questions for both of you.

I wanted to say congratulations to Madam Marlow for your election as president of your organization. I realize what a significant occasion it is, so congratulations.

Madam Namroud, you mentioned the need for more flexibility around residency requirements. I wonder if you could just say a bit more about what specifically you may have in mind with regard to that.

Ms. Marie-Claire Namroud: When I was talking about flexibility, I was referring to suggestions to use article 28 of the act for protection of refugees. But I was also saying that we should be careful about this, about introducing some flexibility. I was saying that there are already some gaps in the actual system. There are cases where people have abused the system where there are serious reasons to believe they haven't really met residency requirements.

I was saying that especially section 2 of article 28 should be considered very carefully because I don't think it would be a very good thing to implement it as it is. Either remove it or apply another mechanism in parallel so that we can control the application or the way people meet the requirements of residency. Allowing Canadians to find a job outside Canada and then encouraging or facilitating the process for their spouses to have Canadian citizenship without even living in Canada, I don't think would be of help to these people. They don't know anything about Canada. They don't know anything about the culture, and they're getting this citizenship, so I don't think we'll be helping them.

Mr. Bill Siksay: Thank you for your suggestions on citizenship. They have been helpful and I appreciate them.

Ms. Marlow, you made some interesting statements about the cultural sensitivities of parents and wives coming to Canada. More often than not, we have heard that we need more cultural sensitivity to cultural differences between Canada and other countries. You seem to have another point of view.

There have been suggestions that we need to be more open to the definition of family. In places like Asia, there are broader definitions of the family. We have also heard that we need to be open to different cultural understandings of what marriage means. I thought I heard you saying something a little different, so I am wondering if you can talk a bit more on these points.

●(1010)

Ms. Flora Almeida Marlow: Few Indians would tell you the other side of the story. You will be given one version. I believe you have to hear both sides. This is the only way you can make a good decision.

There is a lot of exploitation of the elderly. We come from a traditional way of life in India and in Asia. It is more the elite who come to Canada. They are brought up having maids. They are used to having a person to clean the toilet. They have somebody to help with the cooking and cleaning and taking care of the children. When they come to Canada, they can't get that, so they often bring their elderly parents and grandparents over and exploit them. While claiming that they are taking care of these people, they are getting free labour. They have people sitting in their house taking care of the children, doing all the menial jobs that no one would do in Canada. Those poor parents!

An 80-year-old woman was brought here by a certain young lady because she has a job and no time to take care of her home. She brings this old woman, her mother, and makes her do all the cooking. The woman told me she didn't have the energy for this work. She was like a stick, a skeleton, underfed. In the wintertime, she has to wear a coat that's so heavy she can't even carry it.

Mr. Bill Siksay: Can I interrupt you for one second? I understand the circumstances. What measures are you suggesting we take?

Ms. Flora Almeida Marlow: I am suggesting that if you bring in parents, there should be a way of checking the circumstances. There should be a common-sense approach.

In the case I mentioned, you are uprooting an 80-year-old woman from a warm climate and bringing her to a country with extreme weather. She doesn't even have a coat. She doesn't know the language. You have to take the human aspect into account. Many times people want to bring their parents, but the parent doesn't want to come. You need to find out the circumstances.

Mr. Bill Siksay: Would it be acceptable for Immigration to say to a family from India, "No, we think you are going to exploit your mother so she can't come here"?

Ms. Flora Almeida Marlow: No, I am talking about a common-sense approach. In the case of an older person, you have to go and check if they are okay. Follow up. Otherwise, this person may be subject to bad treatment and exploitation. We are fighting for rights for all over the world, but sometimes rights are being abused in Canada.

Mr. Bill Siksay: So what measures would we take? If Immigration did a follow-up visit and found that there were abuses, what would you suggest should be done?

Ms. Flora Almeida Marlow: Sir, the family who brought her should be responsible and should be held accountable. Otherwise, it is a carte blanche for exploitation.

You don't know what is going on in a family, what is going on with these new brides. Sometimes they are being exploited. It is not right that Immigration's duty ends when the person comes over. We should also do the follow-up. If we don't, the rights of people living in Canada are being forgotten.

Mr. Bill Siksay: Thank you.

The Chair: Mr. Temelkovski.

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

Thank you to both presenters. It was very interesting.

Marie-Claire, you mentioned that information should be available abroad in our embassies for people prior to coming. Did you mention that it should be cultural information?

Ms. Marie-Claire Namroud: What I wanted to say is that we need to tell people who want to immigrate to Canada about Canada, the Canadian culture, the climate, the political system, and what to expect when coming here. I think this would make a big difference and maybe solve part of the problem they were just discussing. If they were informed about the kind of life they're going to live when they're here, they might make the appropriate decisions.

We have to tell them, because in many cases there is culture shock. People come here because they think it's a very free country. I think it's not free, but it has different connotations for different people culturally. It's like paradise in one way, but it's not. It's a lot of hard work, and this should be emphasized.

• (1015)

Mr. Lui Temelkovski: Who is drawing the picture that it's paradise? Is it the children? Do you think the government should be overruling the children's stories to the parents?

Ms. Marie-Claire Namroud: There are many factors, but the main ones are relatives. People who come here and then go back to spend the summer or one or two years away often tell stories. This is a reality. We have to be honest and face it.

Immigrants assume a certain responsibility for this, but there is also the whole policy of immigration that Canada accepts immigrants in large numbers. That is also giving a certain idea or a false image about the system here, but I can say that often the relatives and friends bear responsibility.

It's why we need a reliable source of information coming from the embassies, telling people what it's really about at the beginning when they are applying.

Mr. Lui Temelkovski: You also mentioned that knowledge for citizenship should be increased. Applicants for citizenship should be asked more questions and deeper questions on more than what our own kids know about Canada, such as questions on some of the natural resources or main industries in British Columbia, Prince Edward Island, and so on and so forth. Do you think that would make a better citizen?

Ms. Marie-Claire Namroud: I think when you emphasize the importance of living in a democratic system and the characteristics of the system, it would help people to have a better idea of Canada. Sure, it's important to have information about geography and history. I'm not saying we should exclude that, but we should have this information available and emphasize to people that it's as important as the other information.

In my opinion, it makes a better citizen, who knows that he or she is going to live in a system that is more democratic, respects the rights of the old, and respects human rights.

Mr. Lui Temelkovski: I think those are the basic questions, but you may want questions that are a little deeper than that.

Ms. Marie-Claire Namroud: No. I think if we refer to these questions of human rights and democracy, it is already a big step.

Mr. Lui Temelkovski: Okay. You also mentioned that it should be applied to seniors, elderly people who are coming to Canada—or did you say the opposite to that?

Ms. Marie-Claire Namroud: I said specific groups, such as young people and university students, who are at an age when they can learn, so that you can really feed them this information. I don't have any suggestions for elderly people. I'm emphasizing that this would be for young people.

Mr. Lui Temelkovski: Flora, you mentioned that people are abusing the system when they come to Canada. You're representing a group, the National Association of Canadians of Origins in India. Are these people from your group?

Ms. Flora Almeida Marlow: We are talking in general. Many times many of them are from my group, but many I'm seeing because I'm working with.... I have seen it; I have lived it. I have seen—

Mr. Lui Temelkovski: What responsibilities do you have as a group if you find out somebody is misusing the system?

Ms. Flora Almeida Marlow: I'm just saying, what are the responsibilities of having Canadian...? What is policing doing? Sometimes, as I just said, when I am talking about the Air India issue, no one is there to protect—

Mr. Lui Temelkovski: We are talking about people abusing the system, such as the refugees that are not refugees. You mentioned people who jumped the queue and abused the system. Do you know of such people?

• (1020)

Ms. Flora Almeida Marlow: I'm telling you that when people write a false refugee statement and make false refugee claims, that is jumping the queue, because people all over the world who want to come to Canada honestly, fairly, and justly are missing out because somebody has made up a story. So many times when you do research on it you will find that not 100% of them are telling the truth about being refugees. So when you find some person who is not a real refugee, you have to check on them and take action; otherwise you are limiting persons from all over the world from coming into Canada.

Mr. Lui Temelkovski: You are aware that not all claimants of refugee status do end up staying in Canada, right?

Ms. Flora Almeida Marlow: I know that, but I'm saying it has to be stricter, and more studies have to be done and the files must be checked more seriously. Also, people who are working on the refugee case, for example, have to know the mentality of the person from the country of origin, because what a person is saying is not necessarily the gospel truth. Sometimes you have to realize that you have to be able to give the person a chance.

Mr. Lui Temelkovski: Right.

You also mentioned that people who don't speak English don't make good Canadian citizens.

Ms. Flora Almeida Marlow: I never said that. I said if they do not know either English or French and they are not able to integrate, it will be very difficult for them. I never said they can't at all. Of course, they can stay in a little ghetto and they can do well—

Mr. Lui Temelkovski: Okay. What's your definition of integration? Maybe we should check that.

Ms. Flora Almeida Marlow: My meaning of integration is that people come to this country, they contribute work, they earn a living, and they contribute to this society. They don't just sit at home and get a welfare cheque. That, according to me, would not be my sense of integration.

My sense of integration is that a person who comes to this country learns something about this country and contributes to this country and is an asset. That, according to me, is what is required of people when they come.

The Chair: Thank you very much.

Mr. Clavet, go ahead, please.

[Translation]

Mr. Roger Clavet: Thank you, Mr. Chairman.

Ms. Marlow talked about the truth and the lies that people can tell about their family. This is a very difficult area. Sometimes, out of love or out of boredom, you are tempted to dress things up. But, it is not necessarily the case that you are doing so because you want to exploit people, for example.

My question is both for Ms. Namroud and for Ms. Marlow. It relates to those people who are here but whose family members are in the old country. How can we legislate in this area? You talked of cases of exploitation of elderly people, which is very serious, but how can we legislate in order to distinguish between a little white lie and true betrayal?

Ms. Flora Almeida Marlow: I will answer in English, because my French is not very good.

[English]

I would say that we have to relax our visitor's visa. For parents and grandparents, when it is an occasion, for example, a wedding or a death or some important celebration, give them the chance, give them easy facility to come into the country with part of the family, to unify the family. Help them enjoy the joy of the birth of a baby; help the daughter. So in that way be part of the family so there is not much distance.

Also, during the good weather sometimes—many times people are not interested to be here in the severe weather in minus 40. They would prefer to come in the good times, enjoy the good occasions. Give them the change to reunify with the family, and then when they are happy they will go back.

That's the way I feel. It will improve the standards of both the people...so they get to be a reunified family, but also they go back when we have extreme weather. So in that way we solve the problem.

[Translation]

Mr. Roger Clavet: Madam Namroud, would you have anything to add?

Ms. Marie-Claire Namroud: I could envisage two possibilities, as I mentioned.

First of all, we truly have to give these people, even if they are elderly, the opportunity to access more credible information. They must be given a source of information other than parents or family members, so that they can see how things work in Canada and how people live here.

The second possibility I see would be to ensure that the people who come here, especially parents or the elderly, have sufficient means to live here, be it through the person sponsoring them or their own funds. In this way, we would ensure, at least for a certain period of time, that they are not coming here in order to be on social assistance and then to go back to their country if they are not happy with their experience here.

The most important element therefore remains information.

• (1025)

Mr. Roger Clavet: Madam Namroud, I would like to come back to the study that was mentioned by the Rassemblement canadien pour le Liban, I believe, involving 135 citizens from Lebanon or of Lebanese descent.

How do the Lebanese integrate? Do we find the same split between Christians and Muslims? Did the study cover only the Christian side, or was it broader in scope?

Ms. Marie-Claire Namroud: The study was limited to Christians. However, the sampling included a certain percentage of Muslims. But in any event I do not believe there is really a difference between Christians and Muslims. It is mostly cultural.

The main aim of this study was to determine to what extent people are integrated in society and the most important factors that inhibit the integration process. We noted that one of them was the period of time spent here. Those respondents who had been in Canada for two or three years did not appreciate their experience as much as those who had already lived here for seven, nine or ten years. We also observed that the level of education has no impact. Those who had studied longer did not have an appreciation of their integration that was different from that of the others.

I do not believe that religion played any part in this either. It was more the information they had obtained and the expectations they had when they arrived that played a very important role.

Mr. Roger Clavet: Finally, do second-generation Lebanese citizens integrate better than their first-generation peers?

Ms. Marie-Claire Namroud: We did not really delve into that question. However, it would appear to be the case based upon general observations and studies. As I stated, generally speaking, those people who have lived here for ten years or who are second-generation Canadians have a better appreciation of the system in place here. We did not compile statistics per se in this regard, but this is what the responses given seem to indicate.

Mr. Roger Clavet: What would be the greatest obstacle to adaptation?

Ms. Marie-Claire Namroud: The first one is foreign credential equivalency. That would be followed by job shortages and then by language issues. We have the percentages; I could get you our study. It is available on our Web site.

Mr. Roger Clavet: Thank you very much, Madam Namroud.

[English]

The Chair: Thank you very much.

As Mr. Marlow arrived late, I am going to call on him to make a five-minute presentation now. So when we go into the second round of questions, you might take that into account as well.

Mr. Marlow.

Mr. Cathal Marlow (As an Individual): Good morning, everyone. I'm very sorry for being a bad citizen and arriving late, but it couldn't be helped.

It's great to see people here discussing this issue, because it's important. Probably a lot of you around the table have been in the situation where you were immigrants yourselves not that many years ago. I don't think you can really separate citizenship from immigration in the sense that I would think those who would qualify as a good immigrant would normally qualify as a good citizen. This is where we have to put the process in action.

What Marie-Claire was saying there is absolutely important; we have to make information available to would-be immigrants on what they're getting themselves into when they come to Canada. It is not a paradise. It is not Disneyland. It is a place where people have to live and work and contribute to a society where they will experience solitude if they do not seek to integrate.

Now, you asked the question, what does integration really mean? I could tell you a little story about Ireland, where I originally come from. We have a tradition there called *ceilidhing*. For anyone who doesn't know the Irish language, *ceilidhing* means to go and visit your neighbours. If you arrive in a new neighbourhood, you go and visit people and get to know them, and get to know a little bit about them. You would ask them, "Is there any way that we can help you out?", and in so doing learn a little bit about the neighbourhood. You learn about the customs of the people—I'm talking here about the country sense—and about their language, about what identifies the people. What is it about these people that I, as a potential immigrant to the land, can identify myself with?

Really and truly, both Flora and Marie-Claire have it when they say that there has to be clear information available before people make the decision to leave their land of birth and come to a new land that they know little or nothing about. Or if they do know something about it, it's probably, in a lot of cases, through unreliable sources.

I think there is a little bit of a crisis in Canada that I would call an identity crisis. Who are we as Canadians? What is Canadian society? What do we stand for? What do we, as Canadian people, think good citizens are? How does the Canadian government define a good citizen? What values do we say a good citizen has? And what constitutes a bad citizen?

We have to have some sort of process in place, very much like an examination of some sort. If a businessman wants to do business in Canada, I think he has an interest in going to the country and asking a few questions. For instance, who are these people? What makes them tick? How can we serve them? How can we get better business out of them?

It's a little bit of a simplistic comparison, but I think at some stage we have to adopt a similar strategy toward the immigrant. If an immigrant is coming to Canada, surely it would be to his own benefit as well to the benefit of the host country to be fairly well qualified and up to date on what Canada and its people are all about: the history, the religions, the predominant faiths, the customs, the challenges, the climate—and the potential that exists for spending a very lonely life. These are things that are important. You don't really hear much about legislation on these parts.

To the ordinary citizen who has come to this country as an immigrant, I'll bet you've experienced solitude. I'll bet you've experienced frustration. And I'll bet you would have liked, at some stage, to have been better informed about the country you were going to. If you're like me, you were told about a week before you went, "You're going to Canada, because we need a businessperson there to open a market". But I'm talking about a certain category of person; luckily enough, I did not have to come as a refugee. I must tell you, though, when it was becoming difficult to get Canadian citizenship or immigrant status, certain people said, "Because you come from the north of Ireland, I think you should actually apply through refugee status". I said, no, I will not lie and I will not cheat; if Canada wants me, I'll stay here and I'll make sure—not to boast myself—that no Canadian will ever put a cent toward keeping me in this country. I'll try my best, as God gives me strength, to be of benefit to the country who welcomes me. As such, I will try to learn as much as I can about this country and to help out the people of this country in whatever way I can.

● (1030)

I think if we as a nation put down on paper or we announce, listen, to be a good Canadian citizen, this is what we expect of you. We have a Charter of Rights and Freedoms, and somehow we really promote that big time in society. But have we really promoted the other side of the coin, which says, "You know what? These are things that aren't just there; these things have to be merited. If you want to be respected, you have to earn respect. If you want rights...."

I think people who are immigrants here who have a common-sense attitude say, listen, if we come here and the host country is doing a lot to receive us, then we surely have a duty to those people, to act as people who contribute more than we take. I think this is probably something we are all familiar with. There are net contributors and net takers. I think it is important that we're able to discriminate between those.

I sometimes shy away from political correctness and call a spade a spade. Sometimes that's what is killing our nation. We are afraid to call a spade a spade for fear of being called intolerant. So we walk away from common-sense situations because we're afraid of becoming intolerant.

A little thing in the Citizenship Act that really annoys me—I have to say it—is the fact that to become a citizen of Canada you have to swear allegiance to the Queen. That to me is a little bit harsh. Coming from where I come from—and there are lots of other countries—we certainly have a difficult time with that. I think there are many people of various origin who have been living in this country for a long time and have not become Canadian citizens because they cannot find it in their hearts to swear allegiance to a

monarchy that for a long time has oppressed the nation. I think it has to be gotten rid of. I think we swear allegiance to the land that welcomes us, which is Canada.

Personally, when I was doing this, I said "Canada" instead of "the Queen", and I hope the guy didn't hear me. I hope I won't be thrown out of the country for that, because my allegiance is towards Canada; it's not toward the Queen of England or the Commonwealth.

To sum up, in listening to Marie-Claire and Flora, I think they have a common-sense approach to the problem. Let us tell the people what they're getting themselves into before they come to this nation. Let us tell them what we expect of them as citizens. Let us tell them what we will tolerate and what we won't. Then I think if people have as much information as possible as to what they'll get themselves in for, they will be better equipped to make a better informed decision. I think they will become good citizens, because I think a good citizen is someone who contributes not only to his own well-being but to the well-being of the land and the nation that welcomes them. I think that's what your secret is.

Let's tell them who we are. Let's tell them what we're about. Let's tell them, if you can adapt to this model you're welcomed here. I think we have to be able to stand up and say, you know what, it's up to you as an immigrant group to adapt to our land and it's not up to us to adapt to you. I think that's very important. A lot of us seem to forget that in government we can't bend over backwards not to insult some people. We change our laws to adapt to immigrants, and this is what is wrong. I call that the syndrome of the tail wagging the dog. I don't think that should be taking place. I think the immigrants who come here should be informed of what we are, what we're about, and, listen, if you are willing to adapt to this model, that's the way to go.

I would like to say thank you very much for listening to me.

● (1035)

[Translation]

The Vice-Chair (Ms. Meili Faille): Thank you very much, Mr. Marlow, for appearing before us.

We will now move on to questions. Each member of the committee will have the opportunity to ask you some questions, and this will allow you to contribute more to the debate. Thank you.

Mr. Jaffer.

[English]

Mr. Rahim Jaffer: Thank you, Mr. Marlow.

I really don't have any questions. I think you summed up a lot of what we've been chatting about earlier. I was encouraged to hear your attitude, though. I would almost encourage you to run for politics so you could call a spade a spade. That is something that often is missing, and you obviously stressed that point quite clearly.

But it's interesting. You come from Ireland, and I have a colleague, a close friend in our caucus, who is also from Ireland but is a staunch monarchist. I don't know what you guys did to him before he came here, but it's something interesting. Jason Kenney is just crazy about the monarchy, and coming from Ireland, that's always surprised me.

Nonetheless, that's all I really have to say. Thank you for your comments.

[*Translation*]

The Vice-Chair (Ms. Meili Faille): You now have the floor, Mr. Clavet.

Mr. Roger Clavet: Thank you very much, Madam Chair.

First of all, Mr. Marlow, for reasons that you will understand, I do not plan to sign a deportation order because you did not pledge allegiance to the Queen.

However, I also understand that you are saying that it is not up to immigrants to adapt, but the reverse.

• (1040)

Mr. Cathal Marlow: No, no.

Mr. Roger Clavet: In other words, the host society must welcome these people, but immigrants must adapt.

I wanted to know to what extent, because the host community must also be sensitive to cultural differences. If that were not the case, we would all resemble each other, we would be interchangeable and we would pledge allegiance to a single person, a single state, a single society.

Must one take into account the cultural differences of people coming from all over the world? Is this also something that we should keep in mind when drafting legislative measures?

Mr. Cathal Marlow: That is a very good question. Obviously, there are always sensitivities with regard to certain customs, but I believe that what is essential is information.

If we acted like a good family man, we would tell all of these people that they are like our children, that they are welcome in our home, as long as they respect the rules of the house. We have a culture in this house, we have a certain history, a certain heritage. We therefore tell them that they are welcome, that they can practice their customs, but that they cannot impose them upon us. We are prepared to tolerate them, to tolerate certain things, but when they interfere with the house rules or disrupt the peace within the house, then, sorry, but we must act like a good family man and say no.

Tolerance is a necessary virtue. Sensitivity it too is necessary. But sometimes the paterfamilias must stand up and be a man—I hope that my words are sufficiently politically correct here—and say no. They come here as our guests. We respect them as such, but this is how we act. If they are able to act in agreement with that model, then they are welcome. If that is a problem for them, they will have a problem with us.

This is why I say that it is important to define a model of what Canadian society is. What is our dominant philosophy? Where did we come from? Who were our ancestors? Who cleared all of our land? What efforts were made to put in place the infrastructure as we know it today?

Respect is a two-way street. Yes, the host society should have respect for immigrants, because most of them come here to bring us their expertise, their experience. This is an incredible gift. However, let us do as other countries do: let us use these riches wisely so that we all move in the same direction towards bettering our country and

our society, and not towards a diversity such that all sorts of interest groups filled with complainers will start cropping up preventing the nation from moving forward.

Mr. Roger Clavet: Is it your impression, Mr. Marlow, that Quebec society—since you are here and you were originally from Ireland—tends to sometimes lack sensitivity towards the Irish, the Scottish or the English? You are identified as English. Is that not in itself proof that we are still lacking certain things, as a host community, in the area of cultural sensitivity?

Mr. Cathal Marlow: Allow me to tell you one thing, Mr. Clavet. I have never in my life seen a more welcoming society than Quebec society, to such a degree that, having arrived here with very little knowledge of the French language, these people, even when their English was poor, made an effort to speak to me in English.

I was therefore very surprised by the welcome given me by Quebec society. I have great admiration for Quebec society. If I had a piece of advice to give Quebecers, I would tell them to be themselves, to be aware of their beautiful traditions, to not be afraid to share them and to protect their country, their nation, because it is worth it.

With regard to immigrants, I would tell them that they should not lack sensitivity. It is a matter of education. Perhaps the minister of Education could explain that the anglophone population of Quebec is made up of 40% of people of Irish descent, and such and such a percentage of Scottish descent, etc. When people arrive here today, they could be asked if they are of British origin or of some other origin.

Normally, people do not get offended by all of that. On the contrary, they feel fortunate to be welcomed here on this land. It is my duty to teach the people who are welcoming me here who I am, where I come from, what I bring with me and why I am here. It is not up to the host society to make tremendous efforts; rather, it is up to the person who comes here as a guest to explain who he or she is and to integrate him or herself, to learn the language, to not remain in a ghetto, to reach out to people, just as good neighbours do.

When you go into a neighbourhood that is not your own, it is normal to want to meet with the people around. If you do not make a move, you risk living a life deprived of knowledge, of culture, a life less filled than if you had made the effort to go out.

• (1045)

The Vice-Chair (Ms. Meili Faille): Thank you, Mr. Marlow. I would ask that answers be brief, because we have already gone over the time allowed. There is passion in what you say. I will sacrifice a few of the minutes allotted for myself and give them to my colleague.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Madam Chair.

[*English*]

Mr. Marlow, it's an interesting discussion, and it's one that I think I probably disagree with you a little bit on.

I don't think we're in a country where immigrants must adapt to Canada and not the other way around. I think Canada does change and evolve by virtue of the people who come here, and I think that's a good thing. I want to encourage that. I think the policy we have in Canada of multiculturalism is an important one to our society, and it has been very important to immigrants who come to Canada as well, that they know their culture and their traditions can be respected here and that they're not expected to jump into the melting pot and emerge in a different form, as immigrants to other countries have been expected to do.

It seems to me we've talked this morning already about some of the basic rules and values of our society—the Charter of Rights and Freedoms, our democratic institutions, our system of criminal justice and law, our official languages policy. Those are some of the basic things that I would expect newcomers to Canada to respect.

You talked about certain rules. For me, those would be the rules that Canada should demand respect for. It seems to me to say that immigrants must adapt to Canada flies in the face of Canadian history, where we have made certain decisions along the way that have kind of contravened the prevailing wisdom.

We decided at certain times that conquered people in Canada didn't have to give up their rights, their culture, and their language. We've built a nation that's founded on two nations, essentially, and we're developing a respect for our aboriginal people and their connection to the land and their cultural values as well, something we can probably do much better on but I think is certainly emerging in this country.

So it seems to me that this is a country that is very dynamic in that cultural sense, but there are certain values that have been very well defined through the charter and through our democratic institutions.

I would much prefer that we stay the course with a policy of multiculturalism. I think the concern about ghettoization is something we need to be aware of. We don't want people to feel isolated from their neighbours and from society, but I think we have had some discussion about how that may go.

Anyway, I think it's a bit of a speech, and maybe you want to have a bit of time to respond to that.

Mr. Cathal Marlow: Thank you very much. I think that's a good point you make.

I don't want to pass for someone who's saying that you absolutely must adapt to life in Canada. I think it's something that should be encouraged. I think an immigration policy or citizenship policy must be one—and this is what I said at the end—that not only benefits the person who comes here but benefits society at large.

So I am absolutely not against multiculturalism in any way. As I said, I think immigrants are an incredible wealth of the nation, but I do think there is a danger if those of us here in Canada—how shall I say this—throw our old heritage and culture in the dustbin or neglect it and say, you know what, I think we were intolerant before on this issue and that issue; you're telling us we have to change this and I think you're right.

I think there's a danger that if we don't become a solid model, you will have a kind of chaotic society in which...if people can live quite

well in their ghettos and have their own little customs, why the heck would they bother integrating? Some of them are from such very different lands than the one we have here, and if they can live quite well and quite happily in that little ghetto, what's the use of integration? But on the other hand, they will say, there are so many advantages to integrating into society, so much to be learned from the host culture; let's embrace it.

I'm not for one minute suggesting that Canada disrespect multiculturalism. I think it's a great thing. I don't think we should make a god of it. That's what I'm saying. I think that's what's been happening.

• (1050)

[*Translation*]

The Vice-Chair (Ms. Meili Faille): Mr. Telegdi.

[*English*]

Hon. Andrew Telegdi: Thank you very much, Madam Chair.

Let me say, Mr. Marlow, the Irish have brought a great tradition to this country. My wife is Irish.

Mr. Cathal Marlow: You'd better say that then.

Hon. Andrew Telegdi: But one of the wonderful things about a country like ours is that most Canadians embrace St. Patrick's Day. Be it in Montreal, be it in Kitchener-Waterloo, or be it in Vancouver, it's embraced.

When we talk about tolerating other cultures, to me.... When the Sikhs won the right to wear the turban in the RCMP, it said to me that this country of mine reflects the people of this country. I don't look upon it as tolerance; I look upon it as an inclusiveness because it enriches me. It makes a testament to the fact that I come here as a Hungarian, and I'm a Canadian. The people of Canada ultimately reflect what the country's about, and it changes very much.

I think you said as much when you expressed your discomfort with swearing allegiance to the monarchy, because if I were to take your original statement to its conclusion, then the monarchy should still be very strong, and the Monarchist League of Canada still should have the kind of power it had.

So I think when you look at the history of this country and the patterns of immigration—be it the Irish, the Scots, people from China, India, and from all over the globe—it's because of the conflict we have had over time, and the lack of attribution of rights, and the sad history we have had in many cases that we came up with the Charter of Rights and Freedoms. To me, the Charter of Rights and Freedoms is probably our secular holy book in this country. To me, rights are not conditional. If rights become conditional, then they can be taken away at any time, and that would be totally contrary to what the Charter of Rights and Freedoms says.

Would you be able to give me a comment on this?

Mr. Cathal Marlow: I think I would agree with you that it's important to have the Charter of Rights and Freedoms, but I would again beg to differ with you on it being a book of holiness. I think isolated on its own, it should not exist. I can't speak for anybody other than myself, but personally, when I came to this country, I said I would not talk about rights until I had earned something or had contributed something to this nation. I am not interested in rights until I have contributed as much as possible, and I will respect the history and tradition of this land.

With regard to the granting of the right to wear a turban, let me not in any way offend some people, but I think other groups may say, well, you know what, if certain groups can do this, why can't we do this? Another group will say, well, did we not contribute this, and should we not do that? Should we not have the right to have this? There is now a court case where we are discussing whether a dagger should or shouldn't be allowed to be worn to school.

Once again, I think it is important that we adapt common-sense attitudes and policies and not always hide behind this Charter of Rights and Freedoms, because I have seen a lot of wrong things done behind the Charter of Rights and Freedoms. Personally speaking, it is not my bible; my bible is from the word of God, so the charter is not my bible. That's what dictates what I think, and maybe it is being intolerant to tell you all of that, but my God is the creator of this earth, and that's who I will be judged by, and I will call that my holy book, because he tells me that I have certain responsibilities that I have to fulfil before he tells me about my rights.

• (1055)

Hon. Andrew Telegdi: I think I said it was our secular holy book, a set of rules to live by in a very pluralistic society. I see a difference in how I perceive Canada; you perceive it as more of a tolerant thing, while I perceive it as an inclusive thing. But we'll differ on that.

Thank you.

[*Translation*]

The Vice-Chair (Ms. Meili Faille): There is one member of the committee left, Mr. Lui Temelkovski. I would ask that you be brief, because we only have about five minutes.

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

[*English*]

Mr. Marlow, you have knocked me off my equilibrium here, and maybe that is good.

You say "we" are prepared to tolerate your culture. Who is "we"?

Mr. Cathal Marlow: The people whose ancestors took this land from a state of forestation and built the infrastructure up to what it is today, who have made this land accessible and easy for me to function in as a citizen, who came in the 1980s. I would say that would be the "we" in this particular case.

Mr. Lui Temelkovski: Well, I came in the 1960s. Maybe I should have said you shouldn't come.

Mr. Cathal Marlow: Possibly, very possibly.

Mr. Lui Temelkovski: I think it is a joy and we should celebrate, and we should share, not tolerate, other cultures in Canada. I think we are doing a darned good job with it. Only when we share and we celebrate other cultures can we go next door and say, "Welcome to

the neighbourhood". We can't do that if we are just tolerating somebody's attitudes and customs and language. And this ghetto system.... You know what? It is a pleasure to walk through Chinatown. Many people in Chinatown are intermarried. They speak very good English; they are very good Canadians.

There is nothing wrong with living in ghettos. People who have lived in ghettos contribute. We know that if a person comes to Canada and they do not have another person of their culture here, their likelihood of being successful in this country diminishes a great deal. They need another person of that culture to thrive in this culture.

I came to this country just as much as you did in the 1960s. I didn't speak a word of English, and I think by what I have heard so far, because I didn't speak English, I wouldn't be able to come under some rules and definitions that you are putting forth. And that's sad. That would be a sad day for Canada.

My parents died in Canada, with very little English after 30 years. They never depended on the system. According to your definition, they should be shot and/or returned. I find that very offensive when you talk like that, about ghettos and about us not being tolerant of newcomers to this country.

Thank you.

• (1100)

[*Translation*]

The Vice-Chair (Ms. Meili Faille): Thank you.

Would you like to add something, Mr. Marlow?

[*English*]

Mr. Cathal Marlow: Yes, if I could just respond, I would agree with Mr. Temelkovski that my choice of words may not have been the best. When I say—I don't mean to tolerate cultures. What I meant was that certain aspects of certain cultures should not be brought up in the face of existing cultures. I think I am alluding specifically to the wearing of a dagger. I think this goes against most rules and regulations of schools. I should have said aspects of certain cultures.

I cannot be against anybody. Who am I to speak against anybody? I would only say to you that I have a love of the people. I don't have a hatred of people. I have a love of this land, and I do recognize that if you don't have some rules and regulations to adhere to, you could end up with chaos.

Far be it from me to say that people who don't have English or French should not be welcomed here. That is absolutely not what I said. I simply said that if information was available to people as to our languages, our land, our climate, our culture, maybe they would still come or maybe they would not. But I think it would just be easier if they were informed correctly as to what the realities of Canada are.

I certainly am not an intolerant person. I have a great love of people. I think maybe I didn't express it, and I apologize for my humble ability with the language.

But I would say that ghettoization does not contribute as much to the society, in my opinion, as a person who decides to go out and embrace the existing cultures that are already there. That is a personal opinion. It is not to say that I am terribly upset when I see ghettos, for I am not. I can understand it. I can understand the necessity for a different culture to join together. I can understand that. I myself would have loved at some stage to have an Irish ghetto, let me tell you. So I am absolutely not against that.

But I think we have to tell the people there is more to Canada than living within your own little culture. I'm certainly not an intolerant person. I embrace other cultures. I absolutely adore other cultures, but I think if you don't have a preponderant set of rules, you could end up with chaos.

[Translation]

The Vice-Chair (Ms. Meili Faille): I wish to thank all of the witnesses who have come before us. I would like to take a minute to conclude.

I feel so very personally touched by all the people who have appeared before the committee. I am a Metis. On my father's side, I have ancestors who were First Nations people and ancestors who were Quebec francophones. As for my mother, she was of Chinese descent. I therefore feel very moved because this dilemma, that of including or not including, is part of what I grew up with. I still speak my mother's language. At home, we have totally Asian practices; I eat a lot of rice. At the same time, I am a total Quebecker, I am part of Quebec. I recognize that First Nations people are distinct and that it is possible to have equality agreements with them.

I am completely tolerant and accepting. When the wearing of the turban came up, I was among those who fought in favour of it. Clearly, all of these issues will come up. As a nation, I believe it is our duty to be tolerant and to take our own good time looking at each and every thing. We must, first and foremost, be humanitarian and egalitarian.

In this regard, the Canadian Charter of Rights and Freedoms grants a certain number of authorizations or offers a certain number of possibilities. I believe that diversity enriches us. First and foremost, if we take a good hard look at the situation, we see that everyone wants to succeed. It is all of the people together who create the identity of our nation.

I thank you all and I look forward to seeing you again.

Thank you.

• (1105)

_____ (Pause) _____

• (1110)

The Vice-Chair (Ms. Meili Faille): I would now invite our guests to come and join us.

I would like to begin by welcoming you before the committee. We are very anxious to hear what you have to say. Please feel free to make your presentations in either official language. As you have probably noticed, we have simultaneous interpretation services.

Please welcome Ms. Rivka Augenfeld, Ms. Glynis Williams and Ms. Amy Hasbrouck. We have an hour and I would therefore ask that you stay within the five minutes we have given you for each of

your statements. We will then have a round of questions and you will have the opportunity to complete your statements.

Let us begin with Ms. Rivka Augenfeld.

Ms. Rivka Augenfeld (President, Table de concertation des organismes au service des personnes réfugiées et immigrantes): Good morning, Madam Chair, members of the Standing Committee. Thank you for welcoming us here to speak to you about certain aspects of citizenship.

The Table de concertation des organismes au service des personnes réfugiées et immigrantes is a Quebec-wide umbrella organization comprised of 140 member organizations that work in various ways with and for refugees and immigrants. We have just celebrated our 25th anniversary. We have thus acquired broad experience with regard to the hosting and establishment of refugees, the rights of refugees and various aspects of immigration.

I would like to state at the outset that the Table de concertation is also a member of the Canadian Council for Refugees and that as such we also support the positions and resolutions of the council.

Without wanting this to be the central point of our presentation today, we would like to simply state that we are in favour of the granting of Canadian citizenship to every child born in Canada. This is a position that we have been defending for some time now and that we have already discussed on other occasions.

Today, we would like to use the limited time we have to speak about an issue that is very close to our hearts, the matter of statelessness. I will be calling upon my colleague, Glynis Williams, to explain our position to you. Ms. Williams is director of an organization called Montreal Action Refugee, which is of course a member of the Table de concertation des organismes au service des personnes réfugiées et immigrantes.

Ms. Glynis Williams (Director, Montreal Action Refugee): I am really delighted to be able to say a few words to you about stateless persons. Montreal Action Refugee works in the area of detention; it is one of our projects. We therefore meet many people who are already stateless.

I will continue in English. I do however have a short article that we have drafted in French and which, I imagine, will be translated for those who are unable to read French.

[English]

Citizenship has been called the right to have rights. Citizenship provides a link between an individual and a state. Without the right of citizenship, there is no state to which a person can seek protection and basic human rights.

In some ways, I think of stateless persons as the orphans of the global world. No state has recognized the right to participate in society, to exercise any of their political rights, nor can they seek protection that is accorded to all of us by our citizenship or nationality—and those two words are used interchangeably.

There are two conventions that relate to the question of statelessness: the 1961 Convention on the Reduction of Statelessness, to which Canada is a signatory; and the 1954 Convention relating to the Status of Stateless Persons, which Canada has not signed onto.

I'm sorry if I am repeating things that you may already know. Maybe it's Statelessness 101.

Generally speaking, Canadian laws do conform and recognize the importance of citizenship, and they conform to the principles required in order not to create statelessness. This is good news.

I would argue that I think some people have presented that we should consider changing citizenship on the basis of birth on the territory. I propose that this would actually put us in conflict with our commitments that we have made under the question of reducing statelessness or preventing statelessness. So we would definitely be against that.

What Canada has not been able to do is respond to the needs of people who are considered stateless and who have arrived on our soil. It has been argued that we do not need to sign this second convention, the 1954 convention, because a stateless person in Canada can actually seek protection as a refugee or a category of protected person. In reality, the refugee determination system is not able to respond to the situation of stateless people who have not been individually targeted by their country of habitual residence. Obviously, everybody lives on a territory.

At this stage, the Immigration and Refugee Board has neither a mandate nor the competency to determine that a person is stateless. Even if they did agree that a person was likely stateless, and periodically you see that written in a decision from the Immigration and Refugee Board, there is actually no framework to accord refugee status in the absence of any nexus with any of the five enumerated grounds in the convention.

So what are some examples? Probably we are all familiar with the dissolution of states or transfer of territory that can result in statelessness. A common one would be the republics of the former Soviet Union, which may refuse nationality to those who cannot claim ethnic lineage before the time of annexation to the Soviet Union, thereby rendering folk who may find themselves on that territory stateless. Russia will not then recognize those who have not lived on its current territory, so a person is therefore left in limbo state.

Palestine is another good example. Palestinians who were sent off their land sometimes have a travel document from another country but absolutely no right to live on that territory. Thus, they are stateless.

In some countries, marriage or the dissolution of a marriage, if you're divorced, can result in the loss of nationality of that person. Women are quite often more at risk in these situations.

Some of you who watch *The Passionate Eye* might have seen a recent documentary on the case of a young Romanian girl who was sponsored here, and because of that sponsorship-adoption by a Canadian parent, her own country considered her to be Canadian and she had lost her citizenship.

Anyway, these are some ideas. A child born to stateless people becomes stateless.

So what happens to people who are stateless and in Canada? If they're not determined to be refugees, they then enter the removal from Canada stream, but of course, with no recognized nationality by a state and therefore no travel documents, these folk often enter into a limbo state that can last for years. This has lots of implications for their capacity to work, their access to health care, access to education, their mobility, and obviously, I think, the most traumatic incident would be separation from family members. The trauma of statelessness is not to be underestimated.

Some people who would be considered stateless will end up in our immigration detention facilities awaiting removal, which is the context in which the people in my organization come into contact with stateless folk, and we have encountered numerous individuals there.

We do have examples of people who have been removed from Canada but end up being denied entrance back into the country of habitual residence, or whatever one wants to call it, and then being returned back here.

In one case that we actually knew quite well, we had a person who twice went through this trajectory of being sent back, through two countries of origin overseas, and came back to Canada. We did the whole thing again, still unsuccessfully, and he ended up back in detention for several more months and fell into an extreme, extreme depression.

• (1115)

There is no recourse that exists in Canada to respond to statelessness, and one of the difficulties is even who determines who is stateless. At this stage only the UNHCR can definitively decide that someone is stateless, but there's really not a provision for us to apply to them to accord that and then respond to that. Neither the pre-removal risk assessment nor the humanitarian and compassionate review can contain any provisions for remedying this situation of statelessness. So what proposals do we have?

I think it would be useful to establish a sort of public policy category to protect stateless persons when these people have no effective protection. The immigration manual chapter IP15, section 13, should be amended to include statelessness as a persuasive factor in processing humanitarian and compassionate considerations.

Even now, if we use the humanitarian and compassionate route, the criteria really work against...they are kind of contradictory. A person who is stateless may not have any right to work or may find it very difficult to work. In one of the cases we're working on, that's the case. The humanitarian and compassionate route is very much allied with the ability to show integration, and integration shows work.

Currently I'm working with a gentleman who has been in this country since 1993 and still has no determined state. We have a document from UNHCR, but we have no remedy for his situation. He's in quite a bad situation.

I think I'll leave it there. Sorry, I've probably taken more than five minutes.

Thank you.

•(1120)

[Translation]

The Vice-Chair (Ms. Meili Faille): Thank you.

Would you like to add anything, Rivka, or would you prefer to wait for questions?

Ms. Rivka Augenfeld: I will wait.

The Vice-Chair (Ms. Meili Faille): Very well.

You now have the floor, Ms. Hasbrouck.

[English]

Ms. Amy E. Hasbrouck (Executive Director, Centre ressource à la vie autonome de Métro Montréal): Good morning, ladies and gentlemen, and thank you for the opportunity to speak before the House of Commons Standing Committee on Citizenship and Immigration.

Before I begin, I want to beg your indulgence, since while reading my testimony I will be unable to look directly at you. My name is Amy Hasbrouck and I am the director of le Centre ressource à la vie autonome de Métro Montréal, Metro Montreal Independent Living Resource Centre. This is a private, non-profit organization. We provide services and assistance to people with disabilities to enable them to live independently in the community. We serve people with all kinds of disabilities in both official languages throughout the Montreal metropolitan area.

I have been in the post since December 2004. But because I have not been able to get a work permit, I have not taken my paycheques since I started working there. I don't have a work permit because Citizenship and Immigration Canada has not yet provided a labour market opinion. But I believe that once I make my application for a work permit and eventually for citizenship in Canada, which is my goal, I will be deemed medically inadmissible because of my disabilities. This presents a profound irony in that part of what qualifies me as the director of the Independent Living Resource Centre is my personal experience with disability, which may also prevent me from being able to stay in Canada. This is part of the reason I appear before you today.

I have been legally blind since birth as a result of cataracts. I also have severe depression, post-traumatic stress disorder, and other mental health issues due to childhood abuse. In addition, I have obstructive sleep apnea and mild lupus. I currently take medications for the depression and PTSD, use a CPAP machine for the apnea, have contact lenses, reading glasses, and other visual aids, and sometimes take over-the-counter medications to alleviate the lupus symptoms. Yet, I am here today to demonstrate the flaw in the assumption that someone with multiple medical needs might pose an excessive demand on health and human services.

Besides personal familiarity with disability, my other qualifications for my current job include my 25 years as a disability and women's rights activist, my experience with the Boston Center for Independent Living on both board and staff, and my work as an attorney specializing in disability, domestic violence, health, and mental health law. These credentials would seem to give the lie to the analysis implicit in the excessive demand exclusion.

The desire to prevent foreigners with disabilities from becoming a public charge has long been a public policy goal in Canada, as evidenced by the 1869 Immigration Act, which required ship masters to post a \$300 bond to secure the landing of any person who was lunatic, idiotic, deaf and dumb, blind, or infirm. But even though references to specific diagnoses were finally eliminated from the statute in 1976, the law still effectively excludes people with disability in a categorical manner. The HIV/AIDS Legal Network pointed out in its excellent 2001 report that in the medical officer's manual a sample score of medical admissibility of H4D4T4S1E4M7 is offered for a person with HIV, and many people with HIV are excluded using this exact formula.

Similarly, L'Association Multi-éthnique pour l'intégration des personnes handicapées du Québec found that the great majority of persons with disabilities who were refused landed immigrant status under paragraph 19(1)(a) of the former Immigration Act were persons with some form of mental disability. Parliament took an important and positive step in 2001 by exempting most family class members and refugees from the excessive demand exclusion. Yet among those still subject to the exclusion are the people most likely to be able to support themselves, people with disabilities who live and travel independently, like me. But the exclusion itself remains, as do the defects in its rationale and execution.

Before I address the effect of the excessive demand provision, I want to recognize that under the regulations, minimal consideration is given to a person's employability as one of the five criteria that contribute to the score for medical inadmissibility.

•(1125)

Its impact is diluted, however, by the evidence and process used to make the assessment. The "excessive demand" language presupposes that people with disabilities cannot play any important social role, are unable to earn a living, cannot live independently, and cannot integrate into society.

It also implies that any positive impact someone with a disability has is diminished by services he may use or resources she consumes. This point is illustrated most starkly when you consider that Terry Fox, Glenn Gould, or Stephen Hawking would probably be found medically inadmissible to Canada based on the "excessive demand" criteria. I would also point out that all three of those people never worked in any traditional sense of the word.

In addition, many of the demands on health and social services posed by people with disabilities are a direct result of socially constructed barriers and discrimination. For example, the high level of unemployment among people with disabilities is a result of discrimination, inadequate access to education and job training, architectural and communication barriers, and insufficient personal assistance services, rather than an inability to work.

Similarly, many people with disabilities are institutionalized because public policy has directed most funds towards these establishments instead of less expensive home care services, which afford greater dignity and self-determination to individuals.

I made reference earlier to the process by which medical inadmissibility is determined via medical examinations done by doctors in countries throughout the world. There is a great deal of research that shows that physicians tend to rate the capacity and quality of life of people with disabilities as far worse than that experienced by the individual herself.

One study reported in the *Annals of Emergency Medicine* in 1994 found that 86% of high-level quadriplegics rated their lives as average or better than average. In the same study, only 17% of doctors and nurses surveyed thought they themselves would have an average or better than average quality of life if they became disabled. Beliefs about the capacity of people with disabilities in countries with less supportive infrastructure tend to be even more negative.

As well, doctors generally see people when they are sick, which contributes to a skewed and fragmented view of people with disabilities. Doctors often see people with disabilities as a collection of pathology or symptoms rather than as whole people whose bodies simply function differently.

This is amplified by the tools used in the immigration assessment, which consider mostly medically based information. These include direct medical examinations; medical reports; the availability of health or social services; whether medical care or hospitalization is required; whether home care is required; whether the person's condition is likely to respond to treatment or is chronic; any report by a school board, social worker, or other service provider on the likely costs associated with the person; and whether special education, occupational therapy, physiotherapy, or other rehabilitative devices are required.

The Vice-Chair (Ms. Meili Faille): Madam Hasbrouck, can I ask you to summarize? I was given a certain timeframe that we want to work within. Maybe some people here in the committee can ask you questions and you could complete. Please summarize in a few seconds, and then you can come back on the elements that you have in your report.

Thank you.

Ms. Amy E. Hasbrouck: My basic summary is that the concern of people with disabilities is that it's necessary to have an individualized assessment that is not medically based and that incorporates an individual's ability to contribute to society on both a social and economic level, and those elements should be included in the determination as to whether a person with a disability would be an asset to Canadian society.

Thank you very much.

The Vice-Chair (Ms. Meili Faille): Now we are going to go into a round of questions from members of this panel.

Madam Guergis.

• (1130)

Ms. Helena Guergis (Simcoe—Grey, CPC): Thank you very much, all of you, for being here. I really appreciate the time you have taken to give your presentations.

I'm always called upon to go first, and I don't always have some great questions until I've actually heard some of the conversation

going around the table, which I find is unfortunate for me, being on this side.

I have a couple of comments on your presentation, Ms. Williams.

I find it really disturbing that we have some people in the country who have committed crimes, and there's the odd one you hear about in the paper where they can get into and out of the country. We can't seem to deport these people who have clearly been required to be deported. And then I hear about people who are sitting in such a sad situation of being stateless, and we're doing everything we can to get them out of the country.

It just doesn't make any sense to me. I'll give you some more time to comment on that if you like.

Ms. Hasbrouck, thank you very much for being here and for your presentation. It's very courageous. I've always had a great concern that in Canada we don't really do enough for disabled people. I think the way we conduct our disabled programs, we seem to set up systems—much the same as your comment about socially constructed barriers—that don't allow them to go forward in their life. We treat them as though they are on welfare, and we don't really do anything to support them.

There's a loss of talent out there, and for some reason we seem to have a certain bias or opinion that people who are disabled are not capable. I appreciate your comments on that because it's something I agree with you on.

I'm going to stop there and allow any of you to take up the rest of my time to add further comments.

Ms. Glynis Williams: I appreciate your making that comment, because it is a nice segue into discussing this issue.

One of the difficulties of statelessness is actually diagnosing it, if I can use that terminology. It's not a common...most people don't have much understanding—most immigration officers, even front-line workers, *intervenants*—because it's not immediately obvious to a lot of people. It takes a long time. So they enter this removal stream, because the only way we can look at them is by asking, “Do you need protection or not?” And if they don't meet that category, and some of them don't, then they go into a kind of limbo state, because we cannot remove them.

There's no official body to determine statelessness, so it means there's no way you can even seek a remedy. It's a bit like being in front of a medical doctor: they cannot treat you until they know what the diagnosis is.

So I think that's one of the issues. Consequently, until—if they're fortunate enough—their lawyer or some other person is able to recognize that this is potentially a stateless case.... Again, I have to emphasize that you can't tell that by looking at someone. You definitely have to do a lot of research, and at this stage only UNHCR can do it. The UNHCR has limited resources, but they also need a referral.

Ms. Helena Guergis: But at this point, you may have identified a plan of action on how to do that. Is that something you would be able to provide to Canadians?

Ms. Glynis Williams: I think there are a number of ways, but yes, we could respond to this particular situation. One thing we could do is give the Immigration and Refugee Board the mandate to examine not only questions of refugee protection but also questions of statelessness as a category for persons in need of protection.

In fact, I feel like I'm experiencing déjà vu because I actually talked about this the last time the standing committee came through here. I'd suggested that putting it in as a category in the new Immigration and Refugee Protection Act would be one way to do it.

I actually believe, first of all, the government is concerned about signing the 1954 convention because of fears that large numbers of people would come and take advantage of or benefit from this provision. I would like to suggest that I doubt very much that is going to happen. You still have to be able to get to our soil in order to benefit. People who are stateless may not be able to do that very easily because they still have no travel documents. If you ask UNHCR, they don't know what the numbers are worldwide, but we are not even dealing in the tens of thousands compared to all the refugees and others. It's a small number, but folks live in limbo for a long time.

Having worked for a long time on this issue, one of the things I now recognize is that some people disintegrate slowly because they have no status in Canada. There is a young man who has been in such a state since he was about 20 years old. He is now over 30 years old. He is a single young man, who is alone and quite vulnerable to being preyed on by other people in his community, and he has fallen into some trouble. He has done nothing, I would suggest to you, that is a criminal activity, where we would wish to deport him for other reasons. He is chronically depressed and under medical care, and he isn't functioning very well. He said it actually relates back to the time when he was put in detention prior to removal in 1998. That's how long we've been trying to get him out.

I am sorry to go on about one case, but I think he's a good illustration of this. He has gone through the entire determination process. The UN High Commission for Refugees has done a thorough analysis of all his potential countries of habitual residence. He is from the former Soviet Union and they have determined that he's stateless, but there is no provision for that.

The only option currently is on humanitarian and compassionate grounds, which has a very strong link, as you know, under the provisions. It's somewhat open-ended, but it is very much based on the capacity to show successful integration. He cannot demonstrate that adequately, so we're in a kind of circular situation.

For instance, if there's a short-term remedy, humanitarian and compassionate considerations could include a comment on those who are stateless or who are most likely stateless. Again, I keep coming back to the fact that there are very few people who can even give you a definitive diagnosis. I think that would be a very successful remedy because other parts of the requirements could be diminished recognition and recognition of their status.

• (1135)

[Translation]

The Vice-Chair (Ms. Meili Faille): Madam Augenfeld, would you like to add something.

Ms. Rivka Augenfeld: Yes. I consider your question to an important one. Ms. Williams spoke of a case, and there are others. But see the tremendous efforts and resources that are deployed in order to remove someone. But, as Ms. Williams well explained, the criteria for humanitarian and compassionate reasons are very narrow, but can be used to accept someone if we so wish. If the officer wishes to use his or her discretion in the most positive way possible in order to resolve a problem, then that is a possibility. Otherwise, we waste tremendous energy for cases such as those and, as you were saying, all of these resources could perhaps be better used elsewhere. But this would also require more advanced training for immigration officers and, in the first place, for the decision makers, the policy makers. In order for training to be offered to those officers working in the field, there must be some recognition somewhere that it is important and that training must be made available to those who set policy and then to those officers who must deal with the individual cases, because it is very complex. People imagine that it is very simple, that you are either a citizen of a country, or you are not, but I must assure you that it is complicated. As a matter of fact, I believe that several people here in this room know just how complicated it can be.

The Vice-Chair (Ms. Meili Faille): Thank you very much.

Mr. Siksay.

[English]

Mr. Bill Siksay: Thank you, Madam Vice-President—

Ms. Helena Guergis: Ms. Hasbrouck has a comment.

The Vice-Chair (Ms. Meili Faille): I am the Bloc member. I could probably use my time and extend some time to Amy to briefly complete it.

Ms. Amy E. Hasbrouck: I wanted to respond to what Ms. Guergis said.

What you identified as some of the problems in the system can really be boiled down to the difference between the use of the medical model of disability and the socio-political model.

The medical model of disability is what has traditionally been used. That identifies the problem with people with disabilities as a pathology that exists within the individual that has to be ameliorated or remedied through medical intervention.

The socio-political model identifies disability as a naturally occurring part of the human existence, and the problems that exist are the barriers in society, the way the institutions of society are set up, whether that is architectural barriers or systems that promote dependence and isolation of people with disabilities. And obviously the socio-political is a much more forward-thinking model. Our hope is that the determination as to whether a person with disability is an appropriate candidate for citizenship in Canada would be made, not under the medical model as is currently done, but under the socio-political model of viewing disability.

• (1140)

[Translation]

The Vice-Chair (Ms. Meili Faille): Thank you very much.

Mr. Siksay.

[English]

Mr. Bill Siksay: Thank you, Madame Vice-Chair.

I want to say I appreciate all the presentations in this panel because they have been very helpful and they have helped me clarify. Little light bulbs went on. I don't know if you noticed the room getting brighter over here, but....

Ms. Williams, your point about the way Canada deals with statelessness helped me understand the situation of the government's response to the Vietnamese refugees in the Philippines. The government, the department, came here and said these people were not in any particular difficulty there, even though they were stateless, which I found hard to understand. They said they are not on the verge of deportation; they are not in difficult circumstances, but doesn't sit well with me when they can't legally work, they can't go to school, and those kinds of things. The difficulties that presents for people I think are huge and significant. But given our own attitude to statelessness and stateless people here in Canada, it makes more sense that they take this position.

So I think that was very helpful. And on statelessness, we heard this morning that statelessness is a misfortune, but it is not like people are being tortured or something like that. I wonder if maybe you could expand a little bit on that.

I want to make some comments on Ms. Hasbrouck's presentation. It rang very true to my own experience as a gay man, because gay people were treated under a medical model. We were seen as medical problems for a very long time and it was thought there was a medical solution to our situation. One of the things we had to fight was that medical model and the treatment model we faced. So I very much appreciate your presentation and the need to look at this as a socio-political situation and address those circumstances that discriminate against people with disabilities.

My question to you is this. I am wondering if there is a country that is doing better than Canada on this issue, that has implemented this kind of approach or is working on that kind of approach, in your knowledge. Or do you have any thoughts about making that change and where there has been more success in that?

Maybe Ms. Williams could start, and then we will go to Ms. Hasbrouck.

Ms. Glynis Williams: Thank you.

I want to respond to the question on torture, but I think we need to come back to the notion that nationality is absolutely basic to exercising rights, to being human. I really have found it helpful to think of stateless persons as orphans in our world, and it is not to be underestimated what that does to one over time. So we should start from that point of view.

The nation state is the way our world is divided. That's why we have borders we ferociously defend. Having acknowledged that, we have to allow that people then have to belong within the borders of some country in which they can at least demand their rights, or, in the case of when they're being abused, to seek them elsewhere. You don't have that when you're stateless, and I can't imagine what that's like.

I'm always hesitant to use a word like torture, which can be perhaps overused or facilely used in a way, but I think the nature of statelessness is that it's incremental and it's long-lasting. When you have repeated and continuous denial of very basic rights, at some point it accumulates and becomes a form of torture, I think.

I don't know how you define it. I used to be a nurse; I worked in palliative care, and we used to say all the time that you can't tell someone that their pain is less than another's. It's really difficult to do that, so I won't do that. But I'll just say that I think the endlessness, with no solution in sight, can amount to torture.

With regard to the Vietnamese who are in the Philippines, I did a little investigation on that too because I had seen the word "stateless" used. Yes, the inability to ever be able to send your children to school, to buy property, to set up any kind of formal business—everything, you just have no rights—is untenable in the long-term.

That brings me, actually, to another solution or recommendation that we might want, which is to include a category of statelessness in the treatment of overseas visa applications as well. So open the possibility for private sponsorship, "groups of five" sponsorship, as well as government-sponsored UNHCR to refer people for government-assisted sponsorship to come to Canada, recognizing that statelessness over a protracted period of time needs protection. These folk need a durable solution, and that's what we look for.

• (1145)

Mr. Bill Siksay: Ms. Hasbrouck.

Ms. Amy E. Hasbrouck: In response to your question about the issue of what other countries are doing, I don't know that much about immigration law in other countries, though I do suspect that Canada is about in the middle compared to other countries in terms of its exclusion of people with disabilities.

However, my experience, coming from the United States to Canada, is that in general, Canada is about 20 years behind the United States in terms of the general integration and empowerment of people with disabilities. In the United States, provisions for architectural access, rehabilitation, and integration of people with disabilities became part of federal law in 1973. People with disabilities fought to have that implemented in the late 1970s. So those have been in effect for more than 25 years.

Particularly in the state of Massachusetts, where I came from, architectural access was mandated from the mid-1970s. So as the building stock has turned over, over time, new buildings, which were mandated to be accessible under a uniform code that was part of the building code, have created more architectural access, and there's been a heightened awareness.

The independent living movement, which began in the U.S. in the early 1970s, was also a big part of that. It's from the independent living movement that the social political model of disability has arisen. The independent living movement in Canada began in the early 1980s, but in Montreal, the Independent Living Resource Centre was only founded in 2001. So it's really late in getting off the ground here.

Mr. Bill Siksay: Thank you very much.

[Translation]

The Vice-Chair (Ms. Meili Faille): Thank you very much.

Mr. Temelkovski, do you have any questions?

[English]

Mr. Lui Temelkovski: Thank you very much, Madam Chair, and thank you all for presenting.

I'll go to Ms. Williams. You mentioned that people become stateless because of the dissolution of states and for other reasons. Is one of the other reasons people leave a country that it is persecuting people of their ethnicity?

Ms. Glynis Williams: Yes.

Mr. Lui Temelkovski: So geographically, a state could still be there, but they don't feel a part of that state?

Ms. Glynis Williams: I think there are two issues there. You are talking about some people who might renounce citizenship, and I'm not as familiar with that. I suspect it does happen, but I haven't seen any.

There is another category in which you can have both dissolution or changing of territories or boundaries, as we saw. The former Yugoslavia would be an example. One of the examples given of how someone ends up stateless was through the introduction of new legislation. For instance, when the Czech Republic was created, there were people such as the Roma who, for reasons of ethnicity, were marginalized. It was impossible for them to prove the criteria that made for nationality. So it effectively left a certain number of people stateless, probably on the basis of fairly racist or discriminatory considerations.

Mr. Lui Temelkovski: I am aware of people of Macedonian background who came from Greece and who subsequently wanted to go back to Greece. Greece would not allow them to go back because they were of Macedonian background, and Greeks did not recognize Macedonians within Greece.

Do you see the development or the emergence of the European Union as maybe providing some sort of assistance in this?

Ms. Glynis Williams: This is a good question. We were very fortunate in Canada to have Carol Batchelor, who is considered the world-renowned expert from the UNHCR on statelessness, come and give a presentation five or six years ago. That is what piqued my interest. One of the comments she made was that some of these issues are fairly emerging issues. The dissolution of the Soviet Union was one. She said that as countries, especially in Europe, are seeking entry into the European Union, it can be a bit of a carrot or a stick that your nationality laws or citizenship laws have to conform to international norms in order for your country to be considered a member of the democratic world, or the European Union in this case. Sometimes one of her roles at UNHCR is to work with newly emerging states in helping them or encouraging them to bring their nationality laws in line with international covenants and protection.

So we may be seeing in fact I think a certain amount of change within the whole scenario of statelessness in the future. But until such time, we can have significant numbers of people, and consequently their children, who do not have access to basic rights. I don't know where we are going to go. I don't know where

statelessness is going to go. It could be that it is resolved in certain regions of the world and becomes worse in others as the world unfolds.

Mr. Lui Temelkovski: Rivka, you wanted to add...?

● (1150)

Ms. Rivka Augenfeld: Yes. I wanted to add that this business is so complex because of how certain countries deal with the nationals of other countries at one point or another historically. For example, we have a colleague whose family was from Rwanda, but they moved to the Congo, to what was then Zaire, the Democratic Republic of Congo. They lived there for many years. My colleague was actually born there; her children.... It was always very iffy which country they were citizens of. It wasn't clear that Rwanda was going to give these children citizenship. The Congo sometimes treated them like citizens, sometimes gave them passports and sometimes didn't. Given that they were of Tutsi origin, there was a point where the government in the Congo—and after the *coup d'état*—was friendly and then they turned around and didn't like them any more. So are those people still going to be treated as citizens?

There was a situation in Ivory Coast. Ivory Coast has recently had a whole terrible situation where a number of people have been disenfranchised because there was a question of their origins. So even if they were born in Ivory Coast but they had origins in another country because their parents were there, there is a notion of *ivoirité*. I am not getting on to this, but suddenly there are people who have been disenfranchised because they are not considered to be true citizens of the Ivory Coast.

And in a number of countries when nationalism has taken over, for whatever political interests or national ethnic interests there might be, suddenly there is a move to disenfranchise people who have been living, sometimes for generations, in a country.

You also have children who are born en route, for example, children of refugees or even children of displaced people.

I noticed this morning people were talking about their personal situation. I can say that I was born a stateless child in a displaced person camp in Austria after the Second World War. My parents left Poland and lost their citizenship in Poland as they left, and I was born a stateless child because all the countries that did tolerate all these displaced persons for a number of years did not give these children citizenship. So there were thousands of us who were stateless. The first country that, to its credit, did give me citizenship was Canada, when we came here.

But it would be terrible to think that in similar situations Canada would then add to the statelessness problem by not giving citizenship to children born on our territory. And the situation of some of those children would be far more complex than people imagine, given the situations in the countries of origin of the people.

Mr. Lui Temelkovski: How many stateless people would we have presently in Canada?

Ms. Glynis Williams: It would be almost impossible to tell. Some do get accepted under refugee determination, because they can show a nexus with the convention. It's the ones who don't.... We are probably not talking about more than a few hundred, I would say. Now, I may be wrong, but I don't think we are dealing with huge numbers. You could maybe argue, why do we need to have all of these extraordinary measures for a small number of people, but....

Mr. Lui Temelkovski: Are some of them kept in detention?

Ms. Glynis Williams: Yes. That is where we tend to meet people, because they have been put in detention prior to removal. Then they discover they cannot remove them. My organization, with law students and others, visits our immigration detention facility weekly, where we try to find out who is being detained and if they understand why. I can honestly say that I have dealt with a handful, so I don't know how many there are, but over 10 years there are maybe eight people I would have known, so it is not huge.

However, there is no determination; they simply go into this removal stream. I think that point was made by Madam Guergis before: it's as if we've got these great hordes of numbers now who we cannot remove from Canada, which is creating a lot of anxiety around security issues among Canadians. It would be enlightened self-interest to say, let's deal with the ones who are not actually security questions. As we cannot literally remove them, and will probably not be able to do so in any foreseeable time, let's land them and deal with them and get on with it.

•(1155)

Mr. Lui Temelkovski: Thank you.

Amy, thank you for presentation. As I read your synopsis here, I can't understand why you wouldn't be able to get landed immigrant status. Do you think you will not be medically admissible?

Ms. Amy E. Hasbrouck: Right. I have actually spoken to an attorney who has done many of these cases, and he said the chances were very small that I would be granted immigrant status now.

Mr. Lui Temelkovski: It's unfortunate, if you don't get it.

[*Translation*]

The Vice-Chair (Ms. Meili Faille): Thank you very much to everyone. We did not use up all of the time we had at our disposal. I would like to thank you for your statements before us. This was important for us to hear. I will repeat what Andrew Telegdi has a habit of saying: you have before you a group of members of Parliament who work together free from partisanship and who are interested in all groups of people, including immigrants and persons with a disability. The issue of citizenship is important to us—it is a matter of law.

In this context, it has been for us a pleasure to hear all that we have heard to date. We still have a few places to visit. Our sessions are most enriching. I would invite you to follow the committee's work, because without you, we cannot succeed. Your contribution is important. Thank you.

This meeting now stands adjourned.

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