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—
Chair

The Honourable Andrew Telegdi

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Standing Committee on Citizenship and Immigration

Wednesday, April 27, 2005

•(0905)

[Translation]

The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)): Good morning everyone, and welcome. Quebec is our last stop in our study on issues relating to citizenship, recognition of foreign credentials, and family reunification.

I'm going to turn the mike over to Mr. Clavet, member of Parliament for Quebec.

Mr. Roger Clavet (Louis-Hébert, BQ): Thank you very much, Mr. Chairman.

I am very pleased this morning to welcome you to the capital, Quebec City. The entire team of the Standing Committee on Citizenship and Immigration has crisscrossed the country. We are now in Quebec City, having spent last week in Montreal in the company of my colleague, Meili Faille, who is Vice-Chair of the Committee, among others. A number of other colleagues were also with us. There are fewer here this morning; I guess they must have urgent matters to attend to. People are often very busy.

I'm very pleased that you all responded to our invitation. The Standing Committee on Citizenship and Immigration is delighted to have an opportunity to hear from you.

From the very beginning, we have been receiving a lot of input. We are seeing that there are considerable, and almost systematic, delays in processing immigration files. However, there are some interesting solutions to be considered. All Committee members, whatever their political stripe, work together on a consensus basis. Our Committee will be reporting to the House of Commons. We will be very pleased to send you a copy of the recommendations we submit.

So, once again, I want to welcome you to our Committee—indeed, your Committee. We wish you well in today's discussions.

Thank you very much.

[English]

The Chair: Merci. May I say that in this committee—in spite of all the excitement up in Ottawa—we tend to work in a very non-partisan fashion, and we have been able to maintain that. It appears we are coming to a pretty good consensus on our travels. We hope to report to the House of Commons very quickly on our findings to make sure that, whatever happens, we have an official record of this cross-Canada tour we have done—this is now the fourth week—as well as a record of our conclusions.

Since I am in Monsieur Clavet's riding, I am going to ask him to assume the chair, because Mr. Clavet has been a very hard-working, diligent member of this committee, along with all members. I want to say that we very much appreciate his contribution. We have developed a very close working relationship with him, as well as with Madame Faille, in deliberations of the committee. I really believe that the report we're going to put forth is going to accurately reflect the wishes of Canadians.

Monsieur Clavet, the chair.

[Translation]

The Acting Chair (Mr. Roger Clavet): We are now ready to begin these proceedings. We will first hear from Bouchra Kaache, Director of the Centre International des Femmes de Québec. You have five minutes for your opening remarks, after which we will hear from other witnesses, before opening it up for questions. I would ask you to limit the length of your statements, so that we can have questions from all sides afterwards.

Please proceed.

•(0910)

Ms. Bouchra Kaache (Director, Centre International des Femmes de Québec): Good morning everyone. I would like to begin by telling you something about the Centre International des Femmes de Québec. This is a non-profit organization created in 1981 which serves primarily immigrant women and their families. It is also dedicated to intercultural bridge-building between immigrant families and Quebec families, as a means of fostering the integration of newcomers into society.

The services provided vary in nature. Working with immigrant women and families on the ground, the Centre International des Femmes de Québec helps newcomers by providing services, such as interpreters, particularly to refugees and allophones who speak little or no French. We are also involved in specific interventions with our clients, which include helping them to deal with any arrangements they are required to make upon arrival. The Centre also assists them by developing projects to meet needs that are currently expanding, with every new wave of migration.

The issue the Centre International des Femmes de Québec has chosen to highlight today relates mainly to family reunification. We have decided to talk about sponsorship, because our clientele which, as I just mentioned, is predominantly female, includes a lot of women who have been sponsored by their spouse. We have seen that this can sometimes cause problems.

Our brief touches on two specific points: first of all, the sponsorship undertaking, and second, family reunification involving spouses. In general, the undertaking of sponsorship places immigrant women and immigrant families in a critical situation. In addition to indebting the woman towards her husband throughout the sponsorship period, this undertaking specifically penalizes immigrant families because they cannot count on the same government support as other families, even though their financial circumstances are difficult.

So, we are proposing that the respondent be required to undertake to meet the basic needs of the sponsored person only if he is able to do so.

Family reunification involving spouses concerns the legal bond of dependency that flows from the sponsorship undertaking. That legal relationship creates a dynamic of dependency and subordination between men and women, while undermining immigrants' right to equality. Similarly, the dependency engendered by the sponsorship undertaking makes the sponsored woman extremely vulnerable to controlling behaviour and domestic violence, as well as fostering the perpetuation of historic models of patriarchal domination.

The recommendation we make in this brief is that the sponsorship undertaking not be mandatory in cases involving family reunification of spouses.

I will stop there, and thank you for your kind attention.

The Acting Chair (Mr. Roger Clavet): Thank you very much.

I would now ask Ms. Andrée Juneau, Coordinator of the Service d'accueil aux réfugiés de Québec, to make her presentation.

Ms. Andrée Juneau (Coordinator, Service d'accueil aux réfugiés de Québec): Thank you very much. Good morning, Mr. Chairman, ladies and gentlemen. I want to thank you for this opportunity to express our views on some of the issues associated with Bill C-11. Today we will primarily focus on family reunification.

Speaking personally, having worked with refugees as a volunteer for almost 20 years in the field. I believe I can say that this legislation is discriminatory when it comes to allowing refugees to be reunited with their families. I want to explain why I feel that way.

As a general rule, it can be expected that refugees coming to Canada necessarily had to leave behind members of their family living under distressful or dangerous conditions. Second, they have the right—and that is what is paradoxical, not to say cruel—as permanent residents, to sponsor members of their family, yet they do not meet the financial criteria set out in the legislation. Thus they have the legal power, but not the economic power to do this. That is cruel, especially considering that most refugees have had horrifying experiences. They often feel what is called survivor's guilt and, in order to heal that wound, they need to be able to at least do something for other members of their family who survived a genocide or other type of atrocity.

In terms of their financial capacity, it's important to consider that when they come here as refugees, they have a debt towards the Canadian government, as they're required to repay the money loaned to them to buy plane tickets and take medical exams abroad. When

they get here, their financial capacity is already limited. Many of them have to take French courses before they can find a job, and when they do find one, it is often a low-paying job. Others are income security claimants. But the legislation is clear on this point: they can sponsor members of their family if they can prove, through their available finances or employment income, as set out in their income tax declaration, that they will be able to care for them for at least three years, in most cases. Right there, we eliminate 98 per cent of potential applicants. That's the way it is.

Also, when you add up all the costs associated with having the application processed, not to mention settlement fees and air transportation, the family reunification process is really extremely expensive. How can you expect a refugee coming to Canada, who has lost everything, who very often arrives with only the clothes on his back, to be able to raise \$4,000 or \$5,000 to sponsor a member of his family? That is utopic.

There is another rule that I consider quite deplorable. The legislation does not permit someone to sponsor sisters and brothers, unless they are under the age of 18. But if I had a sister who was 19 or 20 years of age and was alone in a refugee camp, I would be terribly concerned about her. And the same would apply if it were one's own child, even if that child were over the age of 22. Do you suddenly stop loving your child or looking after him when he turns 23? That is simply ridiculous.

There is also the famous one-year window, which I have rarely seen apply. When people complete the forms abroad, they are often living in terribly stressful circumstances. There may be a language problem, which means that they may not fully understand what documents they are completing. We have also heard a rumour that it is preferable for them not to add the members of their family who have disappeared, because that will lengthen the process. All of this means that most refugees cannot take advantage of that one-year window. It's extremely painful—and I have experienced this myself—to have to announce to parents, to a father and a mother who have just found their five year old child in a refugee camp in Tanzania, and who had not listed him within the one-year window, that the law does not allow them to be reunited with their family, that they will automatically have to be given an exemption under the regulations, and so on. Furthermore, they don't have the wages that would allow them to do this, because they're still in school. It makes absolutely no sense to put people through this, particularly people admitted to Canada on humanitarian grounds

● (0915)

The regulations on family reunification make no distinction whatsoever between a humanitarian program and an economic immigration program. There is no doubt that this inability to reunite families has social and economic costs that we would do well to assess. Very often, when refugees get here, war is still raging in their home country. They are asked to become integrated and take language or occupational training, but they are not really in a place yet, mentally, where they can do that: they are still trying to deal with their sense of powerlessness and distress.

The Acting Chair (Mr. Roger Clavet): Ms. Juneau, I will have to ask you to summarize now.

• (0920)

Ms. Andrée Juneau: Yes, I will finish quickly.

The Acting Chair (Mr. Roger Clavet): I just wanted to remind you.

Ms. Andrée Juneau: I just want to conclude by saying that group sponsorship—that is our primary mission—has become a derivative and a stop-gap measure to fill the vacuum the current regulations have created with respect to family reunification.

We are recommending that Bill C-11 be amended so that all members of a refugee family, including brothers and sisters, whatever their age, who would like to settle in Canada, be admitted on a priority basis as permanent residents. We have to stop dividing and breaking up families. That is a disgrace for a country that wants to be seen as a country of refuge.

Thank you.

The Acting Chair (Mr. Roger Clavet): Thank you very much, Ms. Juneau. We will come back to those points.

I would now invite our third witness, Ms. Jocelyne Michaud, who is appearing as an individual, to make her presentation.

Ms. Jocelyne Michaud (As an Individual): Good morning. Thank you for being here in Quebec City and thank you for hearing me.

As you know, the immigration process is a long and fastidious one. I wonder whether Canada really wants immigrants. A number of announcements have recently been made by the new Minister of Citizenship and Immigration, Joseph Volpe, with respect to family reunification, but when we call the Department and try to find out what changes that will mean with respect to files currently being processed, and when the policy will actually be implemented, we don't get any answers. We're told that there are other concerns.

In that case, why create expectations by making premature announcements?

With the files I have had to deal with over the last nine months, I have had the impression that the appointed time for delivery is always being further postponed. Indeed, as you know, nine months is the length of a pregnancy. And yet the baby is taking a long time to be delivered, since a number of issues are simply not being resolved in a reasonable timeframe.

As regards the families, I have had a number of traumatic experiences. A Quebec woman I called one morning, thrilled to be able to tell her that her husband had received his visa, announced to me that he had died during the night after nine months of wandering and equivocation. You can imagine what state she was in. I am currently dealing with the case of a husband and wife who are trying to bring their children here. There were three left back home: a 14 year old who has died, and two other young people who cannot join their parents, even though we asked the Minister of Citizenship and Immigration to process their file on an urgent basis.

What kind of a country are we? Do we not have any humanity? Are we losing sight of the fact that immigration is something that is supposed to benefit people? I deal with a lot of cases where spouses who are Canadian citizens try to bring their husband or wife here to

Canada. The process takes so much time that they despair of ever succeeding. Here I am not talking about people who get married thinking that will speed up the process. What a disappointment for them and for us! In the rare cases where there is a successful conclusion, we feel as though we've run a marathon and are completely exhausted.

I want to now address the matter of requests for information in the consulates, which are never acted on, as though the request had simply been put in the shredder. Based on my own experience, the most problematic consulates are the ones in Buffalo, Paris and Abidjan. A colleague of mine, Kim Basque, who also works for Christiane Gagnon, could certainly provide testimony in that regard. And we could also talk about consulates that send documents to applicants that have not been signed, such as the one in Abidjan in Côte-d'Ivoire, for example.

As regards recognition of foreign credentials, Canada prides itself on being a country of refuge, but is it really? We skim off the elite from a certain number of countries, painting in glowing colours the good life here in Canada. And yet when these people finally get here, we refuse to recognize the education they have received abroad. Could we not set up a tutoring system, whereby they would be allowed to work under supervision, before eventually receiving accreditation by their professional association? If not, we may as well reject outright the applications—we're not talking about half-measures here—of immigrants with diplomas who come under the jurisdiction of professional bodies, rather than preventing them from working in their field of study.

As regards the Immigration and Refugee Protection Act, when we speak to officials from the Department of Citizenship and Immigration, we are treated with respect and dignity most of the time. Some officials feel they have a real mission with respect to citizenship and immigration, and demonstrate a true passion for the subject and for their Department's mission. I would like to see these people have more discretion to use their own discernment, so that they would not have to give stock answers as though they were robots. If they are people, they should have some flexibility. And if my information is correct, that flexibility is provided for in the legislation, even though officials are not able to make use of it.

At the present time, I am seeing a number of applications for temporary visitor visas rejected, as though the government had somehow decided to prevent Canadians and foreigners from carrying on loving relationships.

In conclusion, the work of your Committee is absolutely necessary, and you have an opportunity to present a report that will help the Department, help democracy, and particularly help the people affected by immigration issues. They are not just file numbers, but human beings who want to improve their situation and that of their family members through immigration. Help them to enrich us with their varied life experiences.

• (0925)

The Acting Chair (Mr. Roger Clavet): Thank you very much, Ms. Michaud.

That completes the first set of briefs. We will now begin the question period. We will be proceeding in the normal order. Our first questioner will be my colleague, Meili Faille, Vice-Chair of the Committee and Bloc Québécois Critic for Immigration. Meili will be followed by the Chairman, Mr. Telegdi. My turn will come a little later. For now, Meili Faille will be the one starting this round of questions.

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): I want to begin by thanking you for your testimony. I can't really be against what you're saying. I have been defending the cause of refugees for several years now, including one year as a Member of Parliament. I also worked in the field of immigration for a number of years. The whole issue of family reunification is important.

I would like to turn it over to you for additional input with respect to your clientele here in Quebec City. You explained the issues *per se*, but I want to give you an opportunity to tell us what the situation is like here in Quebec City. What proportion of the population are refugees? And in terms of Quebec's stated goals with respect to intercultural exchange and regionalization, what do you believe the impact of those goals will be in the greater Quebec City region?

The Acting Chair (Mr. Roger Clavet): That's a very broad question, but it's the one you will have to tackle first so that we have an overall picture of the situation here in the Quebec City region. Who would like to begin?

Ms. Bouchra Kaache: I can certainly begin, without taking too much time, however, in order to leave an opportunity for my colleagues to comment. I would like to talk about our client base here in Quebec City proper. And, of course, I will be referring to the client base of our particular organization, the Centre International des Femmes de Québec.

Our client base is made up primarily of refugees. In Quebec City, there are in fact more refugees than independent or economic immigrants. And as we were discussing this morning, these refugees have specific needs. For example, in most cases, they do not speak French. That is why the Centre International des Femmes tries to provide them with interpreters who know the language and are culturally sensitive, so as to help them with the various arrangements they have to make when they arrive here. And after a period of six months or a year in which they are learning French, they do not necessarily have a mastery of the language. As a result, they need a framework in which they can practice and improve their French.

The other part of our client group is made up of sponsors, such as we've been talking about. It could be a refugee sponsoring another person or an independent immigrant sponsoring a spouse.

I don't want to take up too much time, so I'll give my colleagues a chance to respond.

The Acting Chair (Mr. Roger Clavet): Go ahead, Ms. Juneau.

Ms. Andrée Juneau: On a day-to-day basis, we deal mainly with requests from newly arrived refugees who are anxious to sponsor a member of their family. I should point out, in passing, that this group sponsorship program, which is our primary mission, is slowly becoming extinct, since it can take up to five years to process applications. With every passing day the noose gets tighter. I see the impact in our retention rate and our ability to integrate newcomers. You can't become integrated into a new culture and a new country

when you're constantly preoccupied or being called upon by a member of your family who is in danger wherever he may be. The danger is the same, whether it affects a parent, a child, a brother or a sister. That cannot be changed; it's human nature. This has a major impact in many different ways.

The Acting Chair (Mr. Roger Clavet): Ms. Michaud, would you like to complete that picture of the situation with respect to immigration refugees in the Quebec City region by adding your own comments?

Ms. Jocelyne Michaud: We cover the territory encompassed by the riding of Louis-Hébert, meaning the former cities of Sillery, Sainte-Foy and Cap-Rouge, mainly. It should also be said that area also includes Laval University. So, there are a great many students, guest professors and people with an above-average level of education that come into our area and settle there. These are people hoping to become permanent residents. Yet their applications are often rejected for reasons that seem somewhat obscure.

For example, even if the attending physician tells the professor that his health is good and has been for three years, if there is anything in his file about his past, that is always used against him, thereby preventing him from sponsoring other members of his family. As a result, almost the entire family lives under the threat of deportation. In any case, that is the way they feel. They live in a three-and-a-half, even though the father and mother are university professors.

So, there are cases where I see real contradictions. The analysis carried out by the person who reviews the file says something that completely contradicts what the applicant has said. For example, we see a lot of students at the graduate level, studying for a master's degree or a doctorate, that are unable to complete their studies because their educational visa expires and the authorities refuse to extend it. Sometimes all that's needed is a period of four, five or six months, or perhaps a year, to let them finish and go back to their country with a diploma that will allow them to make a positive contribution to their country, either as university professors or as directors of a research centre, and so on.

• (0930)

The Acting Chair (Mr. Roger Clavet): Ms. Faille, if you have a supplementary question, feel free to ask it, because we have fewer witnesses.

Ms. Meili Faille: In terms of the refugee files you deal with, would you say that people's credibility is often under attack? Since the people settling here in Quebec City are mainly refugees, I imagine that most of them are from the Middle East or from places where the prevailing situation is not that clear. In terms of the way refugee claims are handled or the people themselves are treated, would you say they feel that their credibility is under attack?

Ms. Andrée Juneau: That is difficult to assess, but what I can say, in terms of the sponsorship undertakings that we're involved in, is that processing times are very long and that, from the outside, we have the sense that there is a lot of arbitrariness in the admission criteria. We know that for a fact and have deplored it for years. The interview is carried out by an official. Because he is alone sitting opposite the applicant, there is a lot of room for arbitrariness. We sometimes have the impression they're trying to sabotage the sponsorship undertakings that we sign.

At the same time, I want to say that the criminal checks are perfectly appropriate. I, personally, do not want to live in a country that takes in criminals. At the same time, we really have the sense—and this is true for refugees coming from Africa or any region of the world—that they are initially considered guilty and that they have to prove their innocence.

The Acting Chair (Mr. Roger Clavet): Would anyone else like to comment briefly on the issue of credibility?

Thank you, Ms. Faille.

I now recognize our Chair, Andrew Telegdi.

[*English*]

Hon. Andrew Telegdi: Thank you very much, Mr. Chair. It's a nice position to have reversed.

I should say to witnesses that it's time to put on your headsets. That's what makes this country of ours so great.

The Acting Chair (Mr. Roger Clavet): And so difficult.

Hon. Andrew Telegdi: Difficult, yes, but....

I really want to thank the witnesses for coming forward. Let me say that I'm always very impressed with the attitude of people from Quebec. In some ways it's closer to my background. I came as a refugee from Hungary in 1957, so when we talk about refugee issues, I just have to think back to my youth and the problems my parents had—my father in particular—with having his credentials recognized.

It's interesting, when you look at the committee, that we have twelve members, and six of us were not born in Canada. Two of us are refugees—the only two in the House of Commons. Then we have people like Madame Faille, whose parents immigrated and who is first generation, born in Canada. Then of course we have people like Roger, who has a great deal of empathy. Everybody on the committee wants to be here.

You mentioned, Madame Juneau, that while people have legal power, they don't have the economic power to sponsor because of income contingency. In some ways and in many cases, it makes no sense.

You have many cases where you have a mother and her children here who are on social assistance, and their only ability to get off social assistance is to have the spouse join them. You really have to look at it as a kind of investment. I'm not sure to what extent you see that reflected in the people you work with.

• (0935)

[*Translation*]

Ms. Andrée Juneau: Yes, we're seeing exactly the same phenomenon. The same causes lead to the same effects. This is predictable.

[*English*]

Hon. Andrew Telegdi: One of the things we have to identify is that, for the purposes of family reunification as well as economic future well-being, we should be examining this instead of just saying, no, you don't qualify, and then condemning the person to be on social assistance, at least until the children are raised. That's one

recommendation that seems to be coming through clearly right across the country.

You're right, there's nothing magical about a 21-year-old offspring. You said it very well; they don't stop being offspring at that age.

Madame Michaud, you talked about what I like to refer to as the brain waste. We have a policy in place where we try to attract people based on their degree accomplishments. It becomes very difficult for them to obtain positions here because there's heavy-duty competition, and we tend to be xenophobic in a way, which leads us to this question.

It was just over two years ago that we changed the selection criteria. We have 60% for economic migrants, and then we have 40% for family and refugees. One of the things we're wondering about is, should that ratio be changed, number one? We're thinking about it.

Also, many skilled tradespeople are unable to meet the cut-off criteria, but they happen to be practising trades that are in need in Canada.

There are two questions. One, should we give more points for people with skilled trades? The other question is, should we change the 60-40 ratio? I'd like you all to answer.

[*Translation*]

Ms. Jocelyne Michaud: In fact, I'm not sure that we should change the 60-40 ratio. At the same time, I know people are drawn here based on false representations. During the selection process, they're given a lot of points because of their skills, but once they get here, they have a lot of trouble finding work in their area of expertise.

When a neurosurgeon is forced to wash dishes at Tomas Tam, then we are losing out on significant expertise, and that is a real shame, because that person really has specific skills. People should be told the way things really are and not be given misleading information. We have to be straight with them and tell them that it will take years to have their professional credential recognized.

Here in Quebec City, however, when we bring in independent immigrants, they are sometimes selected by business corporations through international competitions. Yet when they get to Quebec City and it is discovered that they have a slight accent, they are told that they cannot work with Francophones, because they have too much of an accent. So, the community has to be prepared to integrate people who have a different accent. Sometimes, when you have lived abroad, you realize that a particular accent is not that pronounced.

So, the country of refuge really has to be prepared to make certain changes to allow people to work in what may be a foreign language for them. I have a friend who came here as an immigrant. He was selected through an international competition and now teaches at McGill University in Montreal, because he was told here that he wasn't fluent enough in French. And yet his French was really good; it was his accent that posed the problem. People were confronted with his accent.

So, it's important to be straight with the people we select. I don't want to see Canada going after people overseas who have skills, thereby depriving countries that need those skills, when it isn't prepared to let them use those skills here in Canada. I see that as a terrible waste for all humanity. I want them to be told the truth.

● (0940)

The Acting Chair (Mr. Roger Clavet): Thank you very much, Ms. Michaud.

Mr. Telegdi, your time is up. We can come back to this later. If others wish to make comments, they can do so later as well.

At this time, I would like to ask a question of my own, if I may. It's quite a general question, but one that concerns all of you.

I want to talk about the human dimension of sponsorship and refugee cases. Is it your sense that, from the standpoint of the bureaucrats and the way the Act is administered, greater consideration is now given to humanitarian realities? Before the sponsorship process is completed, things can change. Do you think lawmakers are giving sufficient consideration to that reality?

I don't know whether you wish to comment on this, but it seems to me that everyone agrees on that aspect.

Ms. Juneau.

Ms. Andrée Juneau: Indeed, based on my own daily experience as the representative of an organization that signs group sponsorship undertakings, I believe the term "humanitarian" is significant, particularly when you consider that on average, it takes four, five or even six years to process a file, even though we're talking about people who are in danger at the time we sign the sponsorship undertaking. This really makes no sense whatsoever.

I think that it is even becoming somewhat vicious. Indeed, we know full well that in order to be accepted as sponsored refugees, individuals must satisfy the requirements of the Geneva Convention in terms of the definition of refugee. Given the amount of time that requires, paradoxically, the political situation in the applicant's country of origin may in fact have changed, in a positive or negative sense. A whole host of variables come into play. It's extremely discouraging and disheartening for a sponsorship organization involved in these activities. We are all volunteers, but we receive no funding whatsoever. And the fact is we are losing volunteers, because it takes too much time to bring people here.

If it is what they call humanitarian consideration, all I can say is, it's ridiculous.

The Acting Chair (Mr. Roger Clavet): I would like to hear from the representative of the Centre International des Femmes de Québec regarding the humanitarian dimension and that whole issue.

Ms. Bouchra Kaache: As regards the humanitarian dimension, if you are talking about the administrative process *per se*, it is difficult to pass judgment and generalize. It depends on the cases.

As I said at the beginning, we focus more on cases involving women. As far as we are concerned, there have been changes in recent years. I could cite the example of domestic violence. At the time, when sponsorship was involved, a woman had to wait some ten years before, in a way, being freed of her husband's sponsorship,

when there was a problem of domestic violence. But since the "Bread and Roses" World March of Women which took place in 2000, the government has listened to the demands of these women, and timelines have been reduced. We're now talking about three to five years. That was a significant gain in terms of women's demands. Of course, that isn't all that needs to be done. Other improvements are also needed. The coming years will be proof of that.

The Acting Chair (Mr. Roger Clavet): Thank you very much.

Ms. Michaud, would you like to comment?

Ms. Jocelyne Michaud: I would like to know if, when a member of Parliament makes a personal commitment to an immigrant, there are cases where ministerial permits are granted. I'm not talking about dancers, but of other cases. This is of great concern to me, because I have yet to see one ministerial permit granted to the member of Parliament I work for. Mr. Clavet is well aware of what I'm talking about, right?

This annoys me. When officials don't have anything more to say to an immigrant, they suggest he speak to his member of Parliament. So when that immigrant comes to us, he is absolutely desperate. And even if we apply for a permit on humanitarian grounds, we don't get it. Sometimes we are told that we will get one if we meet this or that condition.

We have dealt with cases, such as that of Athanase Djongon, where the Minister's Office told us we would receive a permit for him if he were accepted at university and secured a commitment from his member of Parliament, which he did. In spite of all of that, no ministerial permit was ever issued. As a result, that young fellow is currently wandering around France, not knowing what his fate will be.

If we request a ministerial permit on humanitarian grounds, as we did for the children I've just referred to, things should move quickly, because the member of Parliament who met with the applicants has been able to see for himself that they are acting in good faith and that they want to do something. If not, what is the point of involving the member of Parliament?

That is my question. Can we not make improvements in that area? Can we not clarify the criteria so that we will know in what cases we can apply for a minister's permit and receive it? I'm not saying these permits should be issued to everyone, but there are cases where a response—indeed, a quick response—would be warranted.

● (0945)

The Acting Chair (Mr. Roger Clavet): Ms. Michaud, Ms. Juneau and Ms. Kaache, we will be taking a 10-minute break now. Thank you very much for your testimony. We will come back with the next group of witnesses, to discuss recognition of international experience and credentials of immigrants.

Thank you, and see you in a few minutes.

•(0945) _____ (Pause) _____

•(0955)

The Acting Chair (Mr. Roger Clavet): Good morning, everyone. We are continuing our study. This time, I want to welcome the representatives of the Centre Culturel Islamique de Québec. We will also be hearing from Paule Bérubé, who is appearing as an individual. Each will have five minutes to summarize their position. We will then begin the question period. This is a very informal arrangement here, but we ask that you give us as much input as possible. That is the way we will be proceeding. Welcome to the Committee.

My name is Roger Clavet. I'm a member of the Standing Committee on Citizenship and Immigration. Allow me to introduce my colleagues. Ms. Meili Faille is Vice-Chair of the Committee and Bloc Québécois critic, and Mr. Andrew Telegdi is Chairman of the Committee.

I would invite the representatives of the Centre Culturel Islamique de Québec to make their presentation. Thank you.

Ms. Nadia El Ghandouri (Lawyer, Héroux & Boivin, Centre Culturel Islamique du Québec): On behalf of the Centre Culturel Islamique de Québec, I want to thank the Committee for allowing us to appear here today. The Centre Culturel Islamique de Québec is a non-profit organization representing primarily members of the Muslim faith. In 2003, our membership was estimated to be between 5,000 and 7,000. The Muslim community in Quebec City is very diverse, highly educated and highly skilled. As a result, it is even more important that we be able to provide our input and talk about the problems we have experienced—and there are many—with respect to immigration.

Because we only have five minutes, we will attempt to quickly lay out some of our ideas. As you will see, we have some good ideas. First of all, we will be presenting our comments in relation to three major themes: information, recognition of international experience and credentials, and finally, the integration of people with the necessary skills to enter the labour market.

The solutions we will be presenting are also grouped under three themes: information, incentives, and public awareness.

My colleague, Nader Trigui, will provide our input with respect to the information component.

•(1000)

Mr. Nader Trigui (Lawyer, Centre Culturel Islamique du Québec): The first issue raised by many members of our community has to do with information. This is an issue at two levels. First of all, it is a problem within government institutions, particularly Citizenship and Immigration Canada, whether we're talking about its Internet site, its embassies or immigration offices outside of Canada. We have noted a clear lack of information for applicants with respect to recognition of their professional skills, skills for which they were selected.

Allow me to summarize. Often, where skills are involved, the institutions direct candidates to professional associations. They are not told what requirements they will be obliged to meet. Very often,

they are simply told to speak to the professional associations, and, in so doing, they are basically left to their own devices.

Furthermore, we have noticed that in both the embassies and on the Website, a very positive message is conveyed with respect to the job market here in Canada, but without providing accurate or complete information regarding the professions regulated by professional bodies. That creates expectations. As a result, when people arrive here, they are disappointed at seeing the kinds of issues they are facing. So, the information problem specifically concerns Citizenship and Immigration Canada.

We have also noted information problems with the professional associations. In terms of the quality of the information, there is a real dearth of accurate, adequate and effective information being provided to applicants by the professional bodies.

In one case, an individual asked for information from a specific professional body, which directed him to a university institution, which then referred him back to the professional association. That person was never able to obtain accurate information.

In that respect, we are suggesting that the professional bodies here in Canada work in real partnership with Citizenship and Immigration Canada, in order to provide accurate, adequate and effective information. We are also suggesting that rather than referring people to the professional bodies, Citizenship and Immigration Canada should put up on its own Website a list of occupations and professions regulated by these professional bodies, as well as a summary of the requirements associated with each profession or occupation.

The Acting Chair (Mr. Roger Clavet): Thank you.

We will quickly complete our testimony this morning with you, Ms. El Ghandouri, so as not to miss other points you wanted to mention in the five minutes allocated to you. You talked about incentives and public awareness.

Ms. Nadia El Ghandouri: Yes. We have already talked about recognition of international experience and credentials. In terms of our ideas, since we have limited time, I think there is one general observation we can make, and that is that people come here with their diplomas, and because of the requirements, they realize once they're already here that they cannot in fact enter the labour market.

We talked about real partners. We are fully aware of the fact that your group works at the federal level, while professional bodies fall within provincial jurisdiction. However, because the goals are the same when we're talking about real partners, we believe professional bodies could possibly play a prominent role when the foreign applicant is outside of Canada and wants to come to Canada to work in a particular professional field. Our thinking was that the professional body could analyze preliminary applications, as is currently done at the provincial level. When the selection process begins, someone could make a preliminary application, and there would be a preliminary review. But why not carry out the same exercise with the professional associations, so that they play a prominent role?

At that stage, there would not necessarily be a commitment made, but people would at least be able to obtain the right information. That way, we would not create expectations that cannot be met once they arrive here.

We also talked about another possibility. A list of professions and occupations in demand, such as the one that already exists provincially, could be developed at the federal level. Such a list would be a practical tool for applicants.

Once again, the professional bodies would be involved. If the list of occupations in demand included regulated professions, there would need to be some flexibility or a commitment on the part of the professional body in terms of the requirements to be met. Thus if someone was recruited because his occupation was listed as being in demand, the appropriate professional body would undertake to facilitate his quickly obtaining whatever credentials or equivalencies were needed, or seeing that those equivalencies were recognized once he had come to Canada.

• (1005)

The Acting Chair (Mr. Roger Clavet): Thank you. We will be able to delve further into this during the question period. I don't want to rush you, because I know that this always takes a certain amount of time, but I did leave some for you. We can come back to this a little later.

We are now going to hear from the other witness, Ms. Paule Bérubé who, as I mentioned before, is appearing as an individual.

Ms. Bérubé, please proceed.

Ms. Paule Bérubé (As an Individual): Mr. Clavet, Mr. Chairman and members of the Committee, I am a retired professional nurse and have been working for several years now with immigrants and refugees at the Saint-Vincent-de-Paul Society.

For the first 20 years during which I was in contact with immigrants, the system worked quite well. I was dealing with workers who had no occupation, who were simple miners or forestry workers. Everything was very well organized. The schools the children attended were fabulous, and everything worked as it should. I'm happy to be able to say that, because that is what I experienced before coming to Quebec City and working at the Saint-Vincent-de-Paul Society.

During the 1970s, in the Abitibi region, there was a serious shortage of doctors, although that was nothing new. Our new medical graduates would come to the area to work, get burned out and find themselves unable to continue. One day, a young Greek geologist was hired by the mining company. He was married to an Irish physician who had received her credentials from a well-known British university.

Faced with a pressing need for medical personnel, steps were immediately taken to get her accredited by the College of Physicians. She had to pay to have her file reviewed, which she did. Months went by, and correspondence was unbelievably slow. She was prepared to write exams. She was constantly being asked for more money to make further inquiries. Several trips to Montreal yielded nothing. Even doctors at Royal Victoria Hospital provided assistance.

In the meantime, this lady would come with me to schools in the Val-d'Or area where I practised. Some students had problems that I didn't understand. I myself witnessed the intelligence and level of knowledge of this woman that the College of Physicians was keeping endlessly waiting by dragging out the review of her file.

The Acting Chair (Mr. Roger Clavet): Ms. Bérubé, pardon me for interrupting, but you could just make your points in your own words, as quickly as possible? We're running out of time. This is such an interesting case that I wouldn't want us to miss the rest. So, please tell us your story in your own words.

Ms. Paule Bérubé: In my opinion, this lady was of the calibre of Dr. Gloria Jeliu who works at Sainte-Justine Hospital. Yet the College of Physicians never accepted her. Finally, after two years of trying, she decided to go to Manitoba, where she was accepted in the space of two months. The last I heard, she was still there and was very happy.

I would now like to talk about another case which we are dealing with here. It involves a neurosurgeon of Armenian nationality. He completed his studies in Russia and did his internship in neurosurgery at the University of Erevan. He has been practising for five years. He has also written 15 or so specialized articles that have been published in Armenian and Russian medical journals. This doctor, who came to Canada after receiving comprehensive training, has met the requirements of the College of Physicians. His file even landed on Mr. Couillard's desk. He knows all about letters and answers in triplicate. The exchange of correspondence has been incredible. People have pulled out all the stops to allow this gentleman to work.

In the winter, through its journal called *Le Collège*, the College of Physicians came out with a new plan involving three ways of accessing the medical profession in Quebec. I do not intend to read it to you. My reaction is: the more things change, the more they stay the same. Not only are they requiring that people take exams in order to practice medicine, but now, they have to take those exams in French, and not once, but twice.

The best thing an immigrant or a refugee who is a physician, and has been told that there is a shortage of physicians in Canada and therefore wants to find work here, is to submit an application to Laval University to be admitted into the first year of medicine. Even there, Laval University may say that the program is subject to a quota and that he will have to complete his first year of study in Montreal. If he is able to join his family in Quebec City after that, Laval University will ask him to redo his first year, even though he has already completed that year and received very good marks.

We are dealing here with a case of an individual who is in exactly that situation. She is now a doctor at the University of Montreal Medical Centre.

• (1010)

The Acting Chair (Mr. Roger Clavet): Ms. Bérubé, we'll have to end it on that note. I know that there is probably much more to say, but we're now going to give Committee members an opportunity to ask questions, so that you can provide more information about that and every person has a chance to build on their previous comments. So, we are going to begin the question period now.

Ms. Faille, please proceed.

Ms. Meili Faille: I want to thank all of you for appearing before the Committee. Earlier, I just wanted to add one thing in passing, which is that all these individuals are obviously competent, but they also have a big heart. I have seen for myself just how devoted the people appearing today are.

My questions will be brief. You have clearly circumscribed the problem experienced by professionals such as doctors, nurses and veterinarians, in terms of securing recognition of their credentials. There is a long list of such professionals. According to the testimony of some other groups we have heard from, it would seem that some progress has been made.

Ms. Bérubé, is the case you discussed still pending, or has it been resolved? You talked about a practising physician who provided personal testimony, I believe. I am not certain of the facts surrounding the last case you presented.

Ms. Paule Bérubé: The gentleman in question is registered at Laval University. He will be starting his studies in September, but not in medicine.

Ms. Meili Faille: At some of the meetings we've had, people have told us they were overqualified and had to change their resume to bring themselves down to a technical level where they could be hired, and then prove their professional skills.

Would you say that is somewhat the situation you're dealing with in the cases you discussed earlier?

• (1015)

Ms. Paule Bérubé: At the Saint-Vincent-de-Paul in my area, we are currently helping three physicians, seven engineers, one physiotherapist, three nurses, and we also have six Master's and Ph.D. level students.

Ms. Meili Faille: Thank you.

Ms. Nadia El Ghandouri: It's true that some people go back to school, but that is not the reality for everyone. Some people agree to do that because they need to enter the labour market in order to support a family. Because they cannot afford to pay for additional training, they take jobs that are not commensurate with their skills and training. So there is an obvious waste there. We haven't paid to train them, and we have an opportunity to bring them in once they've already received that training, and yet they find themselves taking jobs...

Minister Coderre said at one point that he liked to taking taxis because he always had interesting conversations with the drivers. That is a well-known fact—it certainly applies to the North African community, in a way—because some of the people performing this work have doctorates.

Ms. Meili Faille: That raises a question. I don't live in an urban centre; I live in a regional environment. We have tried to turn these situations around through conversion. Let me tell you about a person in my riding who now produces more than a third of the mead—honey wine—produced in Quebec. We realized that along the way, he had changed his CV in order to be eligible for a government job re-entry program. He took a brief technical training course that allowed him to be accepted into a quality management program at the honey facility. Subsequently, when visiting my area, he found a honey producer close to retirement who sold his business to him.

And yet he had a doctorate in biofood research. He used his skills, but not to get a job, because he was overqualified. He also had soft skills. Those were skills related to entrepreneurship, management, which meant that he was a fantastic entrepreneur. He is successful. He has created more than 20 jobs in the region.

Should we be more aggressive in developing these kinds of strategies? Nothing saddens me more than to see people left waiting who are very skilled and who have been lead to believe they will one day be able to practice their profession. Some of those people could perhaps develop a career in a different area, where they might be just as successful. Maybe we should be encouraging this kind of programming. What do you think?

Mr. Nader Trigui: The input we have been able to gather suggests that people like that really intend to change their occupation or profession. However, there is a tremendous obstacle facing them. When they come to Canada, they have no references with which to obtain credit. Their name is not a reference. So, although they may have plans, the financial institutions will not allow them to carry out those plans. So, they're back to square one. They ask for security, even though everyone knows that when people arrive in a new country, they have no references and don't know anyone. So, everyone is not as lucky as the fellow you referred to.

Ms. Nadia El Ghandouri: As the same time, there are programs in place that could offer a solution. That is one of the things we wanted to mention to you today. It would be possible to arrange for internships or practicums to allow people to obtain the equivalencies they require. I didn't mention this earlier, but in order to allow people to access employment in their field, they could perhaps do an internship that might last longer, rather than sending them back to school.

Another option would be to encourage employers to hire them by providing access to grant programs or tax benefits, so that they would have an incentive to hire immigrants. Business integration of immigrants would thus be facilitated. This could be done through internships which would become levers for entering a particular field. It would be a way of facilitating entry into the labour market for immigrants with no particular base who are not opposed to moving out to the more remote areas. Another possibility would be to set up a business development program, because it's perfectly true that when these people come to Canada, they have no references with which to obtain credit.

• (1020)

The Acting Chair (Mr. Roger Clavet): Thank you very much.

Mr. Telegdi, it's your turn to ask questions.

[English]

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

A couple of years back we changed the emphasis in who would make up the economic class and we put more emphasis on education. In the point system, the more degrees you have, the more points you get. The reality is that we have some courses that you graduate from in Canada, as I know from my time at university, from which you end up working at other jobs, such as driving taxis. I remember one friend of mine who graduated with a bachelor's degree and ended up buying a taxi and is quite happy with it; that's the direction he took.

Canada historically has always had a purpose for migration. For the creation of the country, they brought in the Chinese to help build the railway. To make sure Canada wouldn't be absorbed into the United States, they brought in a whole bunch of Ukrainians so they would till the soil. And of course there were waves of migration to northern Ontario and different resource extraction areas.

We have a lot of shortages in skilled trades. I think that's a reflection on our education system, where we seem to devalue the skilled trades. For years and years, we have relied on Europe for the trades, but under this new system that we have, their chances of coming in are a lot less. We have many tool and die makers who came to Canada and did really well, and they spoke no English at all when they came, or French.

I am wondering about the wisdom of our having given such an emphasis to academic qualifications for people coming in under the economic class, without the corresponding jobs being available. There are a lot of engineers in Canada who are without jobs. If you end up bringing in engineers from elsewhere, they'll probably have a rough time finding jobs. I am questioning the wisdom of this new policy we undertook, given that we end up with a real shortage in trades. Elevator mechanics are virtually impossible to find—it's a hugely deficient area of skilled people in Canada. If you look at diesel mechanics, it is the same thing; for tool and die makers it is the same kind of thing; for heavy equipment operators it is the same kind of thing.

The question is, was it the right policy? That's question number one. When we have a corresponding shortage, should we use the economic class to fill it?

The other question is on the breakdown of economic immigrants versus family reunification and refugees at 60-40. We're wondering if maybe the 60-40 breakdown should be 50-50 or 40-60. I wonder if you could respond to that.

One thing else that we don't seem to value enough is when we get a physician. Let's say we get a doctor who is a Haitian. It is terrible for us to take away any Haitian physicians from their country, because they are desperately needed. But the fact of the matter is, if they come to practise here, and we have a Haitian population, they're culturally sensitive to an extent that physicians who don't know the culture are not.

I wonder if I could put those questions to the three of you.

[*Translation*]

The Acting Chair (Mr. Roger Clavet): That's a multi-faceted question: labour shortage, economic immigrants versus refugees, and the 60-40 ratio.

Who wants to go first? Mr. Trigui, would you like to comment?

• (1025)

Mr. Nader Trigui: As regards economic immigration, we have noted that the criteria or the points given immigrants do not necessarily jibe with the current economic cycle. In the 1980s, Canada needed highly qualified people, with a Master's degree or PhD. That may not be the case now. Because the population is aging, we need more people with technical qualifications. Unfortunately, there seems to be no connection between our needs and the points

system. It's clear that someone with a Ph.D. or a master's degree will receive more points.

I think the answer is to adjust the points system, because changes occur on an annual basis or according to economic cycles. And there obviously needs to be a partnership between the business community and Citizenship and Immigration Canada, though Human Resources and Skills Development Canada, so that there is an awareness of market trends.

The Acting Chair (Mr. Roger Clavet): Ms. Bérubé, I'm going to try to accurately repeat the question Mr. Telegdi asked a few minutes ago.

Is it wise to want to maintain a system which, under the new policy, continues to recruit professionals, when there is in fact a gap between what they discover upon arriving here in Canada and the obstacles put in their path? What is the rationale for this process?

Ms. Paule Bérubé: I must say this process raises a lot of questions in my mind. It seems to me it's a lot easier to bring in a young worker and give him technical training here in Canada, based on our particular requirements, then to bring in a professional from overseas, invite him to settle here in Canada, and then tell him he'll have to complete his education here or take additional training, because he has to meet such and such a requirement. It's very demoralizing for someone who has just arrived here. There are already a great many constraints, arriving in a new country, settling in, getting used to a new environment, and so on. If, on top of that, the authorities refuse to recognize their skills, it's very demoralizing for them.

I can tell you it's a lot easier to have an individual who has to complete his education here accepted in a technical or business organization, than to have a doctor or an engineer accepted into the practice. For these latter individuals, the process is unending.

The Acting Chair (Mr. Roger Clavet): Thank you, Ms. Bérubé.

Now it's my turn to ask a few questions. I want to come back to what you were saying earlier, Mr. Trigui, with respect to job seekers who are referred to professional bodies. One gets the feeling it's a real game of ping-pong, with the ball constantly going back and forth from one to the other.

Correct me if I'm wrong, but you are also saying that we convey—I believe these were your words—a very positive message regarding employment and labour market opportunities here in Canada. Is it very positive or too positive? Do you think we're making the situation sound a little too rosy?

We also have to consider people's expectations. When you're emigrating to another country, you may have a tendency to build it up in your own mind, because the one you are leaving is an absolute hell. Would you say that there is a little bit of all that happening? I want you to go back to what you were saying earlier about the very positive image we project of our labour market.

Mr. Nader Trigui: Perhaps I can relate my own personal experience. I arrived in Canada as an immigrant in 1998. I'm a lawyer in my country of origin, which is Tunisia. When you visit the Canadian embassy in Tunis, you see messages which are very well conceived, in marketing terms. People are told that Canada is the best country in the world, a country where people have good quality of life.

•(1030)

Ms. Nadia El Ghandouri: Yes.

Mr. Nader Trigui: Obviously, we're told that the health care system is free, that the education system is one of the best in the world. For a young person, it sounds like paradise. They never say anything about problems with professional bodies or recognition of international diplomas.

So, I would say the message is, not too positive, but very positive.

The Acting Chair (Mr. Roger Clavet): That's the image being presented outside of Canada.

Ms. El Ghandouri, do you agree?

Ms. Nadia El Ghandouri: Yes, I agree. It's a positive image, which is fine, because the message places Canada in a favourable light, but it's not false advertising. However, the information provided is not complete. It's easy to say: we need people like you, we need professionals. However, where regulated occupations or professions are concerned, people have to get the information on their own. That's what we find regrettable.

Here we're talking more specifically about the Website, where people are left with the impression they can obtain the information on their own simply by going to the site or contacting staff. It goes even further, saying that there is no need to retain a consultant or legal counsel, when we know for a fact that information has to be provided about regulated occupations, which is the topic we're discussing today and which is a major issue.

We believe this means the government has an obligation to provide more information. That's why we were making a suggestion in that regard earlier. Where regulated occupations or professional bodies are involved, it's important that people know what the situation is and that they be given a list of the occupations or professions that are affected. If we're talking about lawyers, doctors and engineers, they should be told what a professional body is and does. There should be links and as much information as possible should be provided, because people have certain expectations.

Mr. Trigui was saying that his personal experience had been to go the embassy, where there was a lot of positive information presented. That is to Canada's credit, but that is not what we're talking about. The information provided is not comprehensive. In that sense, more information should be made available. Otherwise, we shouldn't be devaluing the work of consultants or lawyers, who can act as advisors. It's not just a matter of being paid, but of providing advice and accurate information. If we choose the first option, then we should be providing complete information instead of creating a huge vacuum for people to fill.

The Acting Chair (Mr. Roger Clavet): On other occasions, our Committee has met with representatives of a variety of professional bodies.

To Ms. Bérubé and our representatives from the Centre Culturel Islamique de Québec, do you believe there is a desire on the part of professional bodies and associations to make certain sacrifices in terms of standards for accessing the profession, and to relax them somewhat, while still guaranteeing the appropriate quality of service? Do you sense there is a reluctance to do that among certain professional bodies?

We have heard from doctors, nurses and engineers. On every occasion, they told us we shouldn't be sacrificing standards. On the other hand, when you don't have a doctor, you're perfectly willing to see a Haitian or a Lebanese doctor, insofar as he meets the appropriate professional standards. We are left with the feeling—although I may be mistaken—that there is a certain resistance to change and tremendous fear out there.

Do you sense that through your contacts with the professional bodies? This also applies to the example of the Irish physician that Ms. Bérubé told us about. What could we have done differently?

I'll turn it over to you to comment on what real desire the professional organizations have demonstrated in that regard when you talk or deal with them.

Ms. Nadia El Ghandouri: What I'm going to say now reflects what I've heard, and not what I have personally experienced. I fully understand the dynamic in a professional association: its goal is to protect the public and ensure the quality of service. At the same time, in my own experience, doctors and engineers I know personally have become totally discouraged. They estimate it will take them about ten years—and I haven't checked these figures—before they can actually join the ranks of a professional body.

I think there probably is some desire. Perhaps the explanation is that this is a new dynamic? My first impression is that we're dealing with a turf war. I don't sense much openness. There is a lot of disappointment about this. It's very difficult to access the professional bodies.

One solution that would allow professional associations to guarantee the quality of their services would be to organize internships. People would not necessarily be required to redo their entire program, with all that entails. International experience is not valued enough, even though it can be a source of tremendous enrichment in whatever field is involved.

•(1035)

The Acting Chair (Mr. Roger Clavet): Thank you very much.

Ms. Bérubé, would you like to make a quick comment?

Ms. Paule Bérubé: As far as medicine is concerned, there is certainly some resistance. I have experienced that resistance myself with the people I help. What is the real problem? In the newspapers this week, they were saying that 40 medical students had just received their degree from Laval University. We have a shortage of doctors, but they don't know where they're going to go.

The Acting Chair (Mr. Roger Clavet): You see that as an illustration of the situation we've just been discussing.

Go ahead, Mr. Trigui.

Mr. Nader Trigui: I want to make one brief comment. In my opinion, there is also a problem of awareness among the general population and within the professional bodies. Those who are perseverant will end up being recognized by a professional association. However, once they have done that, they will have to find a job. And job hunting is the starting point of a daily battle to establish the validity of one's work experience with an employer, either in the private or public sector, even though the government has anti-discrimination programs in place.

So, you're back to square one. These people don't have jobs, and as a result, it's difficult to bring them here. They find themselves forced to leave Canada and return to their home country.

The Acting Chair (Mr. Roger Clavet): Thank you very much. We will certainly consider your comments and suggestions in preparing our report, which should be released soon.

We will now take a five-minute break, but I would first remind you that my colleague has to leave to attend a press conference in her riding. So, we will be continuing our work with reduced numbers, but that will give us more time.

I also want to take this opportunity to thank the technical personnel travelling with the Committee: the interpreters, the clerk, the analysts, and the technical support staff. Finally, I want to thank all of you who took part in today's proceedings.

We will take a five-minute break before returning to continue our consideration of citizenship issues. For those who are interested, we are going to take a picture with the Chairman and Committee members. Thank you.

•(1035)

(Pause)

•(1050)

The Acting Chair (Mr. Roger Clavet): We are ready to resume our proceedings. Our witness for this portion of the meeting is Mr. Stefan Szilva. We are studying citizenship issues.

Mr. Szilva, I would ask you to make your presentation now. After that there will be a brief question period. It will be very flexible, because you are the only witness.

Mr. Stefan Szilva (As an Individual): Good morning. My name is Stefan Szilva. I would like to discuss my case. My brother and myself are the only two children in our family. My father still lives in Slovakia. My mother is deceased. Both of us live here. We have neither brothers, nor sisters, nor any other family. So, my father is all alone, because my mother died ten years ago. Since then, my father's health has deteriorated even more. He has to take medication. He is now 77 years old and lives in a second floor apartment. When he goes to do his food shopping, he has to use the stairs, since there is no elevator where he lives, and that doesn't make it any easier for him. He has to take medication every day: morning, afternoon and evening. I don't know whether you follow me, but it's no simple task figuring out how many pills you have to take: there are all kinds of different ones, and they're all different colours. At the present time, there is a lady helping him who cooks, cleans and washes for him, but she is already retired. Also, her mother is still alive and she has to take care of her as well.

Last year, I spent a month in Czechoslovakia with my father. I saw that it is very difficult for him to live on his own. As soon as I got back, I talked to my brother and we began the process of applying to sponsor him to come to Canada. We sent the applications and paid all the fees. Fairly quickly—on July 12—we received a letter acknowledging receipt of our application. However, it has been ten months, and we've had no news since.

Every time I call—we've called the office in Mississauga two or three times—we are told quite curtly that they have better things to do, that this application is not a priority, and that priority is given to children and spouses. But in our case, this is our father. We attached to our application the letter we have distributed to you. I imagine you have it. But there was no response. We even had the feeling we had bothered them by calling.

When we initially got in touch with them, they told us it would take 18 months to process the application. The last time we called, they told us it would now take 36 months and that the applications they had received in 2003 had not even reached the processing stage yet. Ours was sent in in 2004. We are now in 2005. If there are no further delays, our application should be processed in 2007. But given that he is 77 years of age, I'm not even sure my father will live until 2007, unfortunately. We are really discouraged.

To get some help, we went to see your assistant, Ms. Michaud. She listened to our story. She also sent a written request to the Department, which answered saying that we would have to wait about another 20 months. I don't understand why it takes so long. Our entire family consists of my father, my mother and two children. Two of us—my brother and myself—are already here. My mother had already received permanent resident status in Canada. Now she is deceased. The only one left is my father. I don't understand why it's so difficult. He is retired and does not want to work. We will undertake to pay all his expenses. He would have room and board with us, as required by the Board. I don't see why this is taking so long. I'm sorry, but I am discouraged.

•(1055)

The Acting Chair (Mr. Roger Clavet): Mr. Szilva, without wanting to comment on this specific case, I should point out that since we began our hearings, we have heard about many cases such as the one you are relating—over and over again.

Before I turn it over to the Chairman, Mr. Telegdi, I just want to repeat that you have heard nothing for ten months now.

Mr. Stefan Szilva: No, we have heard nothing from them. If we don't call, there is no communication, and when we do call, we feel as though we're bothering them.

The Acting Chair (Mr. Roger Clavet): We can come back to this a little later. There are many situations like yours. In each case, the individuals affected—people like you, your brother and your family—find the whole process very distressing.

Some Committee members are absent today because of other commitments, but when we met initially, right from the outset, we agreed on a non-partisan approach this morning. In our report, that Mr. Telegdi and all of us will be preparing, we will discuss this case and other similar ones. We intend to demand an explanation and suggest corrective measures. In our opinion, the fact that these situations are occurring is absolutely abnormal. The government has to at least be honest with people. If it wants to give families refuge, and if it feels strongly about family reunification, it should set an example.

Before we go any further, I want to recognize my colleague, unless you have something else to add with respect to this case. Are there other points that come to mind or that you would like to mention before we begin the question period?

• (1100)

Mr. Stefan Szilva: In my opinion, the situation is rapidly deteriorating. We made the same application for my mother about 11 years ago. I know this may seem a long way off, but at the time, the process didn't even take a year and cost about \$250, whereas now, we're talking about \$1,500 and processing times that are three times longer.

The Acting Chair (Mr. Roger Clavet): Thank you, Mr. Szilva.

I want to turn it over to the Chairman, Mr. Telegdi, who has heard about similar cases in these hearings and can comment based on his own experience. I want to point out that Mr. Telegdi is a member of Parliament for the Liberal Party of Canada, but has often taken a courageous stand on issues, thereby making him subject to certain action at times. He is in a very good position to understand whatever you may want to explain.

So, I'll turn it over to the Chairman, Mr. Telegdi.

[English]

Hon. Andrew Telegdi: Mr. Clavet, you are the chairman today.

The Acting Chair (Mr. Roger Clavet): Yes, for today.

Hon. Andrew Telegdi: [Mr. Telegdi speaks Hungarian]

For the record, I asked him if he spoke Hungarian. He told me he does, and I told him there are three members on the committee...the other two don't speak Hungarian, but they have Hungarian names, so there are three of us.

The issue you raise is one we have heard time and time again. Actually, the government made a recent announcement. I'm not sure if you caught it. They used to let in 6,000 parents, family reunification cases. They have now upped that to 18,000.

The other issue that used to exist is that as soon as somebody applied to come to Canada, what happened was immediately—

The Acting Chair (Mr. Roger Clavet): Hold on a second, Mr. Telegdi.

Hon. Andrew Telegdi: I could have kept speaking Hungarian. We would have been in fine shape.

The Acting Chair (Mr. Roger Clavet): I'm sorry, Mr. Telegdi, but I think it's better now than later.

[Translation]

While the witness is putting on his headset to hear the interpretation, I want to remind you that we are discussing citizenship issues. We have just heard from our witness, who has recounted his own pathetic story, as others have done before in these Committee hearings.

We are ready to continue now.

[English]

Mr. Telegdi, would you rephrase it for the benefit of our witness?

Hon. Andrew Telegdi: Just for your edification, Mr. Chairman, if you want to study the name Szilva, the English translation for it is plum. So if you remember the name, you'll know how to say plum in Hungarian.

• (1105)

The Acting Chair (Mr. Roger Clavet): Silva is forest in Latin.

Hon. Andrew Telegdi: Very good.

The issue you raise is one we have been hearing about continuously in the committee, and it has been very frustrating. There has been a recent policy change. I'll tell you how idiotic the old policy was. If a parent wanted to come to Canada, as soon as they made an application they were not allowed a visa. Given the long-term nature of this process, by saying they wanted to go to Canada to be with their children, many parents couldn't get visas to visit Canada because it was assumed they were going to apply for refugee status. It was totally idiotic. Anyway, that got changed.

The minister has made an announcement that he will change the numbers from 6,000 a year to 18,000 a year. Clearly, given that we have a backlog of over 100,000, that is going to take some time, if you were just to work with the numbers. I think we're going to have to make some kind of recommendation that parents who have all their kids in the country will get some kind of priority.

You mentioned that you'd be willing to pay all the expenses. There's one thing the government doesn't say, and it's a problem that we're going to have to come to grips with. When people come, the health cost is quite considerable. The committee will have to look at that, because I think it's a real barrier. I'm not sure if we can put some kind of process in place to make it more manageable so it doesn't stop the policy. I know Australia has a model where that comes into play, and it also has a model for which parents get priority and which parents don't.

But the issue you raise is one we have been hearing about at the committee. I dare say the change in policy probably comes because we are amplifying that need through our hearings.

I thank you very much for bringing this issue to us. It's something all members around the horseshoe—when we have all 12 members together—have faced on a regular basis in their ridings. Hopefully things will get better once we get our report in, and we will make even greater improvements in the existing policy.

Thank you.

[*Translation*]

The Acting Chair (Mr. Roger Clavet): Do you have a comment to make, Mr. Szilva?

Mr. Stefan Szilva: I am glad to hear that the Committee will look after this. On the other hand, I would like to know what that means in practical terms. Writing reports and submitting them to the government may improve the situation, but as this gentleman was saying, there are more than 5,000 such cases right now; so even though the government is increasing the number of people it takes in from 6,000 to 12,000 or 18,000, that will still mean waiting years.

The Acting Chair (Mr. Roger Clavet): Mr. Szilva, I'm glad you raised that point. The fact is this Committee is not going to resolve each of those individual cases. At the same time, we currently have a minority government. We don't know how long it will last. In any case, the current situation did mean that this Committee, with all its members present, was able to hear from representatives of the Vietnamese community. They strongly urged that the last wave of boat people, who are still in the Philippines, be allowed in.

This Committee, acting in a non-partisan manner, compelled the Minister of Citizenship and Immigration to appear before the Committee. We took the opportunity to ask him why that exercise has never been completed, considering all the people who have settled here all across Quebec, and all over Canada. The Vietnamese community has put down roots here. These people have become prosperous business men and women. They were asking, just as you're asking with respect to your father, that their families be allowed to be reunited. And that has happened.

That means there is no reason not to think we couldn't do the same thing here, when it comes time to submit our report, on the basis of testimony such as yours.

At this point, I would like to leave the Chair and assume my position as Bloc Québécois member of Parliament and member of the Standing Committee on Citizenship and Immigration. There is one point I want to come back to: the application processing centre in Mississauga, Ontario, near Toronto.

Mr. Szilva, does it seem normal to you that the application of a Quebec resident should be processed in Mississauga, Ontario? Also, that application has to be translated, since you clearly do not speak the other official language. That is not a criticism, but a simple observation. Similarly, I could not criticize my Chairman for speaking Hungarian and not speaking French. This is not the place for that kind of thing. It shows a greater openness to other cultures.

I would like to know whether you think it's normal for your application to have been sent to Mississauga. Should it not have been processed at a centre in Quebec, in French? Perhaps by cutting back the bureaucracy, some steps could be eliminated. I'd be interested in your comments on that.

Mr. Stefan Szilva: I, personally, do not have any problem with my application being processed anywhere in Canada. However, if it could mean eliminating certain steps, I obviously would like to see it processed closer to home. Also, the fact that it is processed in English or in French is not a problem, as far as I'm concerned.

• (1110)

The Acting Chair (Mr. Roger Clavet): This morning you described the case of your father who is 77 years of age. Is he sick? Is he not diabetic?

Mr. Stefan Szilva: Yes, he has diabetes. He recently had surgery. And clearly, the medications he has to take can be dangerous. He cannot afford to make a mistake when selecting the medications he has to take, and he has quite a few.

The Acting Chair (Mr. Roger Clavet): What difference would it make for you and your brother to have your father with you for the years—and we hope there are many—he has left to live? What difference would it make for you to know that by bringing your family together, that headache would go away? This has been a worry for you for some time. What would that change in your own mind?

I would like to hear what you have to say, so that it can be transcribed and put on the record of these Committee proceedings. Your testimony could sway people who still have doubts about the need to broaden the definition of family, to include more than just members of the immediate family. In my opinion, a father is part of the immediate family. I would like to hear your testimony in that regard. I'm already convinced of this: you're preaching to the converted here. However, in order for this to go all the way to the top, please tell us what difference it would make in your life and your brother's life to have your father with you.

Mr. Stefan Szilva: It would make a huge difference. Six years ago, after my mother died, we brought our father to Canada as a visitor. He spent an entire year here with us and with his three grandchildren. For him, it was like being in paradise. He didn't have any problems. He told us stories of his childhood that we had never even heard before. He would look at the map and tell us where he was raised: in the Czech Republic and here, and there. He told me a lot of stories. The grandchildren were at least able to take advantage of their grandfather being here, but now, they have no one. Even though I tell them we'll go and see their grandfather in Slovakia, that doesn't help them much. This isn't someone they can talk to. Sometimes they talk to him over the phone, but it's not the same thing at all.

At least we would know that our father is safe. He would be well treated if he were with us. Quite frankly, at his age, he should at least be able to live in dignity—not the way he is living now. We were also told we could put him in a home in Slovakia. But that country has just dismantled its communist system. A home for the elderly there is nothing like one here. Horrible things sometimes happen in homes here, but over there, it's even worse.

The Acting Chair (Mr. Roger Clavet): What do you say to lawmakers who feel that priority should be given to children and spouses, and fathers and mothers only after that?

It would seem that lawmakers have decided that children and spouses will be a priority. What do you say to lawmakers who believe we have to deal with the most urgent cases—in other words, those involving children and spouses, and then possibly, parents?

Mr. Stefan Szilva: It seems logical to me. The immediate family is made up of the parents and children.

But in our case, our father is not well and he is alone. If he were well, we would understand that the process could take some time. But given the current situation, he is truly in danger. In fact, my brother, with whom I made the application, left for Slovakia today. That's why he cannot be here. But when I met with your assistant, he was with me.

He has gone over there for a month to see the kind of conditions our father is living in now and to try and at least help him a little. We are really discouraged about this.

The Acting Chair (Mr. Roger Clavet): Mr. Szilva, thank you very much.

Mr. Telegdi, do you have another question to round off this testimony?

[English]

Hon. Andrew Telegdi: No, that's fine.

[Translation]

The Acting Chair (Mr. Roger Clavet): Thank you very much, Mr. Szilva.

We are now going to hear from another witness. According to the agenda, we are to hear from someone from the Human Rights Action Committee.

While we are waiting for the next witness, we will take a two-minute break.

●(1110) _____ (Pause) _____

●(1115)

The Acting Chair (Mr. Roger Clavet): The Standing Committee on Citizenship and Immigration is resuming its hearings. I want to welcome our next witness, Mr. Inderjeet Singh, who will give his testimony, after which there will be a question period.

Mr. Singh, please proceed.

[English]

Mr. Inderjeet Singh (General Secretary, Human Rights Action Committee): Good morning to everyone.

I'm sorry to declare that our spokesperson, Mr. Sanjiv Kumar, could not be here because he missed his flight. On his behalf, I will present our concerns on the subject of family reunification and related issues.

Honourable Chairman and members of the standing committee, good morning. Thank you for the opportunity and for accommodating the Human Rights Action Committee to allow us to make this presentation today.

My name is Inderjeet Singh. I am the general secretary of the Human Rights Action Committee. We are extremely thankful to the standing committee for giving us the opportunity to make the

submission. Our president, Sanjiv Kumar, requested exclusive time before the standing committee to present our concerns in detail. He had to come from Toronto this morning. Unfortunately, he missed the flight by a minute or two and the next flight was too late for him to reach here at the scheduled time of this meeting. It is my responsibility to present our concerns to the honourable members of this committee. As Mr. Sanjiv Kumar wanted to make this presentation, and since he unfortunately could not be here today, we may not need the full one hour allotted to us.

We appeal to the honourable members of this committee to make strong recommendations to the government that the required changes be made for family reunification. The issue is twofold.

First, we need to cut the waiting time for families of refugees who are accepted in principle and are waiting for years to be reunited in Canada with their spouses and children. Some family members of refugees have to wait for years overseas for their cases to be processed. The delays cause great hardship for the family and, in some cases, have led to the complete breakdown of the family. We support the Canadian Council for Refugees in their recommendation that the spouses and children of people recognized as refugees in Canada be brought immediately to Canada to be processed here. Furthermore, provisions should be made that minor children accepted as refugees be united with their families, as they are vulnerable and need family support.

Secondly, we need to recognize non-status people in Canada who are here for years contributing to Canadian society in different ways. There are more than 100,000 people who need to be reunited with their families. We note the statement of the honourable minister before this standing committee that he intends to recognize these productive and important segments of Canadian society.

We suggest the following principles for any regularization program.

Principle number one, we need a comprehensive, transparent, inclusive regularization program that is both equitable and accessible to all persons living without legal immigration status in Canada. Any such program must not be contingent on a person's participation in the labour force, nor should it exclude particular groups such as the poor, unwaged, unemployed, and those who have ever accessed any government assistance. Likewise, it should not be limited to any group, such as members of a trade or profession, selected sectors, or industries.

Principle number two, any regularization program must provide access to unrestricted and unconditional permanent resident or landed immigrant status in Canada.

●(1120)

Principle number three, any regularization program must be non-discretionary, non-arbitrary, and applied consistently. As well as guaranteeing the right to due process for all applicants, it must include a right to appeal for those whose applications are rejected.

Principle number four, any regularization program must not be discriminatory on such basis as race, colour, national or ethnic origin, faith or religion, gender, mental or physical disability, sexual orientation, family status, and so on.

Principle number five, any regularization program must not be based on length of residency in Canada.

Principle number six, medical inadmissibility is deeply discriminatory, violates fundamental human rights, and is an affront to basic principles of justice and compassion.

The Acting Chair (Mr. Roger Clavet): Mr. Singh, would you please summarize, because if you read the extension of your brief, it will be more than half an hour. So if you would please try to summarize in your own words, I would appreciate that.

Mr. Inderjeet Singh: Principle number seven, any regularization program must respect the principle of family reunification in Canada and respect the right of children to be with their primary caregivers in Canada. It must allow regularized non-status individuals to sponsor their family members here and abroad on an immediate basis. The definition of family must be fully inclusive so as to recognize diverse cultural norms and practices, de facto family arrangements, same-sex relationships, and the evolving realities that characterize people's lives.

Principle number eight, non-status persons must not be penalized for having been forced to live underground in Canada. The regularization program must allow non-status individuals to submit their applications through an anonymous basis or through a third party, without fear of criminalization, detention, deportation, or any other kind of enforcement.

Principle number nine, while any regularization program is in process, all levels of government in Canada must guarantee non-status people full and equal access to health care, social assistance, education, child care, employment, labour protection, housing, legal aid, domestic violence services, and so on, without fear of identification, criminalization, detention, deportation, or any other kind of enforcement.

Principle number ten, anyone with less than full status in Canada, including people on temporary work permits, must be eligible for the regularization program.

• (1125)

[Translation]

The Acting Chair (Mr. Roger Clavet): Mr. Singh, I just want you to know that Committee members do have a copy of your brief and that it will be provided to members who are not here today, in both official languages. For now, I would ask you to simply summarize your points. You have one minute left, after which we will open it up for questions.

[English]

Could you summarize that?

Mr. Inderjeet Singh: Actually, on what we have written, please go through this statement. I am not able to give replies because I have not discussed much of this with our spokesperson. The reason I have been reading this statement is that he could not be here.

[Translation]

The Acting Chair (Mr. Roger Clavet): Mr. Singh, I want to be fair to the other presenters, who had the same amount of time as you to present their briefs. If you don't mind, we will officially acknowledge this document, because Committee members already

have it. I would therefore ask if you could now take questions from the members.

• (1130)

[English]

Mr. Inderjeet Singh: I'm sorry. I cannot supply the answers because I don't know very much English. This is my problem.

[Translation]

The Acting Chair (Mr. Roger Clavet): We can give you a few more minutes, but we cannot allow you to read the entire document. That just isn't possible. Please focus on the most urgent points. I understand that you are a spokesperson, but even with the best will in the world, reading a 20-page document simply isn't possible. I would ask you to go directly to any conclusions you present in your brief. I'm sorry; I am not being authoritarian in making this decision.

[English]

Mr. Inderjeet Singh: That's all right. If you will go through this document, then it's okay. I have no objection if you allow me to read it. Otherwise, it will be distributed to all of you. Please go through the document.

[Translation]

The Acting Chair (Mr. Roger Clavet): Yes, certainly. Mr. Singh, I think that is exactly the avenue we will take, since we already have your brief and you are here only as a spokesperson. We appreciate the fact that you replaced someone who was unavailable at the last moment. The Committee has noted that. We will be reviewing the document; I can assure you of that. We have done it in other cases. We will read your brief, which has been officially tabled with the Committee. I would now ask other Committee members if they have any questions for you.

Mr. Telegdi, do you have a question?

[English]

Hon. Andrew Telegdi: I only want to let you know, Mr. Singh, that the committee has picked this topic of regularization, as to how we're going to deal with undocumented people in Canada.

In terms of your principles, I want to commend you in particular for pointing out that there should be no discrimination on sexual orientation and that same-sex relationships must be recognized. I say that because, to me, Canada is a country that is made up of every ethnic group, every religion, and every race. If we're all going to get along together in this country of ours, then it's very important that we embrace the principles of the Charter of Rights and Freedoms as our secular holy book, if you will, in a secular society.

I commend you on that part of your presentation.

As a committee, we have identified this as an issue. Hopefully, if there's no election right away, we'll be able to come to terms with it. It's something that Canada has to deal with as a matter of public policy.

I thank you very much for your presentation.

Mr. Inderjeet Singh: Thank you. That's so kind of you, sir.

[*Translation*]

The Acting Chair (Mr. Roger Clavet): Mr. Singh, we very much appreciate your participation. I am making a personal commitment to you to ensure that your brief is read, examined and considered by all Committee members. Thank you.

That brings to a close this session of the Citizenship and Immigration Committee's proceedings. I want to thank all participants for being here.

Mr. Telegdi has signalled to me that he wants to make some final comments.

Mr. Telegdi.

[*English*]

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

For the record, I only want to point out that when a committee like ours goes travelling, it takes a lot of hard work by people outside the committee. Certainly, you can see the technical people, the minister's person, and the interpreters in the booth, who get discouraged by BlackBerrys every once in a while. Clearly, our clerk, Mr. Farrell, and Ben, our guru who helps us make sense out of all of the reports that we put together, have to come to some kind of conclusion.

I want to thank them all, and I want to thank all the witnesses who came forward today, because obviously that is what it's all about. Thank you very much.

Thank you very much, Mr. Chair.

[*Translation*]

The Acting Chair (Mr. Roger Clavet): Thank you, Mr. Singh, and thank you to all our witnesses for appearing today.

That brings to an end our hearings here in Quebec City. The meeting is adjourned.

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