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Chair

Mr. Norman Doyle

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• (1530)

[English]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): I think we should begin the meeting, because it is now 3:30. We're going to have a very busy afternoon, as we've got three witnesses today, beginning with the Department of Citizenship and Immigration. They have a presentation to make, which will probably be around 45 minutes.

So let me pass it over to you, Daniel, and you can introduce your people and begin your presentation.

Mr. Daniel Jean (Associate Deputy Minister, Operations, Department of Citizenship and Immigration): Thank you, Mr. Chairman.

With me I have my colleague Janet Siddall, the assistant deputy minister of operations, and she's my associate assistant deputy minister. Also with me is a colleague from a different department, Public Safety and Emergency Preparedness, and that is Claudette Deschênes, vice-president of enforcement at the Canada Border Services Agency.

We're testing a new tool with you. This is a tool that that we developed in the context of the transition to try to provide a broader review of our program. For the new members, I think it will be a very helpful reference tool for the future. I think for the people who have been members on the committee before, they will still probably get some new information out of this, and it may also help them with some of the questions they may have.

I will move right away to page 2. I'm going to try to give you the highlights from the tool, and then we'll go from there.

One of the first things we're tackling there is the impact of the machinery changes of December 2003, because even though it's been two years in the public domain, it's just starting to filter down.

In December 2003 all the intelligence and the enforcement activities on the migration side of the equation were transferred to the public safety department, and particularly to a new entity called the Canada Border Services Agency, which Claudette will talk more about after our presentation on the immigration program.

On the bottom left-hand corner of that second page of the placemat, we are telling you what the critical impacts of that machinery change were. Really, all the intelligence and enforcement functions, both policy and programs, were transferred to that department. It means that you now have an act, the Immigration Act,

that can be amended by two different ministers, and you have two different departments appearing in front of that committee today.

On the right-hand part of the placemat on the first page, we're trying to give you a sense of what our operations are. So if I start with Canada, we have five regions: Atlantic, Quebec, Ontario, Prairies, and B.C. and Yukon. We have post-machinery, post-creation of the Canada Border Services Agency. We have fewer than 50 inland offices remaining in Canada, and we have four centralized operations: the one in Sydney, Cape Breton, deals with citizenship and with our permanent resident card business line; the one in Mississauga deals with all the family class sponsorships; the one in Vegreville, Alberta, deals with all the extensions of temporary resident status and most of the process for permanent resident applications in Canada. As well, we have one integrated call centre, which is located in Montreal.

Overseas we have about 91 points of service, but about 20 of these points of service have a minimal presence to be able to assist clients in getting access to our services. The other ones have more elaborate resources.

It gives you a sense of what the total budget of the department is. It gives you a sense of what the total human resources of the department are. It's important to remember that when we say that CIC has 4,000 FTEs, that it is a department with 4,000 employees, that does not include the roughly 1,250 locally engaged employees who work in our missions overseas. They are in the foreign affairs base, but they're actually doing their...[Inaudible—Editor]...resources for the immigration department and are doing the bulk of the work for overseas operations under the supervision of Canadian officials.

The purpose of the next page is to present to you in one giant image what the immigration program is all about. It starts at the left-hand corner by telling you what our obligations are, to table the annual levels plans once a year before November 1 in Parliament. This is where the government sets its objectives. We've put what that plan is for 2006 in red at the bottom left corner. It tells you what the overall plan is. You can see that the range of landings that we are trying to achieve is 225,000 to 255,000, and it gives you the ranges in the various categories.

At the top of that page, we give you the various categories of the most important classes of immigration. You have the economic class, in which, you can see, we have skilled workers. We have business immigrants, and as part of the skilled workers we have the live-in caregivers, who can adjust to permanent residence in the economic class. In the middle you have the family class, where you have spouses, partners, parents, grandparents, and of course all their eligible dependants.

On the right-hand side you have what we call protected persons categories. These are the government-sponsored refugees and the privately sponsored refugees. You also have the people who are approved, who receive protection in Canada either through the IRB or through a positive PRRA process and ask for protection once they have arrived in Canada. We usually refer to that as the in-Canada refugee system.

In the middle we've given you our preliminary results for 2005. You can see that the upper range of the target last year was 255,000. We went above that and we managed to bring in, based on preliminary figures, a little more than 262,000 landings.

• (1535)

On the bottom right-hand part of this page we're showing what the admissibility regime is; what the categories of risk are that may make somebody inadmissible. They may be inadmissible on medical grounds because they pose a public health risk; the example would be tuberculosis. They may be inadmissible on the excessive demand side on medical grounds because they would put too much of a burden on the medical or social services in Canada. They may be a security risk. They may be a criminality risk.

On the left-hand side of that bottom part, you have the criteria of inadmissibility; on the right-hand side you have the screening measures we're applying to these cases.

I have to say that when we do this screening we are assisted by a number of partners who are critical in our mission, and when considering the risk and the threats associated with security, organized crime, war crimes, and illegal migration, with the machinery changes of 2003 Claudette's agency and its sister agencies and directorates within the public safety department are critical partners for us.

I shall move to the next page. What we try to do here is regroup, in saying.... As you can see, we process cases towards becoming permanent residents within Canada. We process a lot of them in our overseas processes. They are subject to some screening, both on health and also on other statutory grounds, such as security and criminality. That's all well and good, but once we bring them into Canada, we all want to make sure these people do well.

The Chair: Just so our late-arriving members will know, we're working from the booklet we have before us. The pages are not numbered, but we're on—

Mr. Daniel Jean: They're numbered at the top, Mr. Chairman.

The Chair: We're on the top of page 4, for those who want to follow along.

Okay.

Mr. Daniel Jean: As I said, we're using that chart to show that so far we've covered the process in terms of receiving applications and processing them, some of them overseas, some of them in Canada, applying the risk screening that needs to be done, whether it's on medical or the other statutory grounds. But once we've selected these people, we want to make sure they're going to do well, and to do that we have a set of integration programs that we are offering in Canada.

In that continuum, we hope that people come here and do well. We give them the best possible assistance to do so. We hope their welcome in society is part of that, as well. And we have some programs. For instance, we have a buddy program, called the host program, where people who are already residing Canada are helping newcomers who are coming here. Then, for people who choose to do so, after a period of time they are eligible for citizenship.

I talk a little bit on the left-hand corner about our integration programs. Right now, it's primarily language instruction, it's orientation, it's that buddy program we spoke about; but we've also realized in the last few years that in order to lower some of the barriers to labour market integration we need to bring in some new tools. So we've developed a portal to give better information to immigrants before they come here on the issues they may face when they come here, what they may wish to do in terms of trying to get their things recognized.

But we've also seen—and the research has shown us this quite a bit—is that one very important barrier is what we call having the right language skills adapted to the labour market. So we've started to offer what we call enhanced language training. This means that it's language training that is adapted to the particular field of work they're involved in. We've got some projects; we have some in the health care industry, we have some others in other sectors.

Citizenship. You can get citizenship by birth, you can get citizenship by blood if you're born to a Canadian parent, or you can get it through naturalization. So through the normal process, you come here as an immigrant, and after a period of three years normally, in the last four years you are eligible to apply for citizenship. That's what we call the naturalization process. I had colleagues who were here this year to talk about the amendment we want to do on adoption, and what we want to do on adoption is treat the adopted kids in the same way as the kids who are natural kids of parents receive citizenship. So people will be processed receiving citizenship right away, rather than having to come, reside in Canada, and apply for citizenship.

On the next page, page 5, it gives you a good sense of our overall temporary resident program. We have three major business lines on the temporary resident program: visitors, temporary workers, and students. We talk a little bit there about what is known as temporary resident permits. The best way to describe the temporary resident permit is that it's a waiver: somebody who does not qualify in some way and we're issuing them a special permit, a temporary resident permit. It's a waiver of some form in admissibility. It may be because they don't have a passport, so the waiver is in lieu of a passport. It may be because we think they don't meet our criteria, but there are good, valid reasons why we should allow them to travel: they're coming to a funeral or something like that. So the permit is a waiver.

On the visitors front, as you can see, the volumes are quite high, and the volumes in all these business lines have been going up. When you look at the trend, the trend for each of these business lines has been going up.

On the visitors side, we approve in the universal fashion about 82% of people. That ranges from about 35% to 99%, depending on the risk associated with the given countries. Most of the 700,000 people who got visas in 2005 were processed in 48 hours or less. It's a very quick process. For the vast majority, it's a same-day service.

Now, I want to put a caveat there. It's true it's a same-day service for you if you happen to be in a location where we're present, but we're not present in every country. So very often if we have to serve some locations where we don't have the volumes to have a local presence, that processing time, when I'm saying hours or most of them in 48 hours or less, doesn't account for the fact that they may have had to courier their passport to us and we courier it back afterwards.

- (1540)

On the visitors, if you exclude the impact on the travel industry of the crisis we had because of September 11, and of SARS two years later, it is an upward trend, and we constantly try to see what we can do to be more productive.

One of the things we have been doing in the last 20 years is issuing more multiple-entry visas for long duration to people we consider to be low risk. Because they're low risk, it's less inconvenient for them and for us. It means we can use our capacity where it's most needed.

On temporary workers, it's the same thing, an upward trend. Right now, given the situation of the labour market in Canada, we're under a fair amount of pressure. We've made some significant improvements in processing time for temporary workers, to the point that 27%—almost three out of 10—are processed in 48 hours or less, and 50%, if I recall, in about 14 days or less.

These, of course, are people who have either already received an HRDC approval to come—a labour market opinion for them to come and enter the labour market in Canada—or who have met one of our exemptions. It may be NAFTA; it may be GATT. There are a number of categories of people who are not subject to labour market opinion.

Foreign students are people who are coming for more than short-duration courses. People who come for short-duration courses are exempted from the need for student authorization. It used to be that if you came for three months or less, you were exempted; since the report, it is six months or less. It's actually one of the reasons the upward trend has been attenuated a little bit in 2002; we don't have to issue as many student authorizations.

This is also a business line in which we've made a fair amount of progress in the last few years. It is also a business line in which we work very closely with stakeholders to try to make Canada more of a destination of choice, so we are now allowing students to work after graduation. In some locations we're allowing them to work for two years rather than one, and we're now allowing foreign students to work outside campus.

I have two pages on refugees. The first page is just to give you a general overview of the world refugee situation and how our program relates to it. As you can see, what we do around refugees is a combination of our international obligations, our values as a country, and what we want to do on the humanitarian side. What is being done around refugees is humanitarian assistance in refugee situations, the international engagement we may be doing around these issues, and resettlement.

When we talk about possible remedies to refugee situations around the world, the UNHCR and the people who follow these things like to talk about three things. Ideally, if we can eliminate the causes that drove people to flee their country, hopefully we'll be able to do repatriation. For example, in the last couple of years there's been massive repatriation in a country like Afghanistan because the situation has improved to such a degree that a lot of people were willing to go back.

If it's not possible and the situation is prolonged, the second best option is probably to try to integrate them in the region. That's what they call local integration.

Refugee resettlement is probably the most expensive, and you can only help a small number of people, but it is often a really good strategic tool to respond to particular situations. If we take the example in recent years of Bosnia and the Balkan war and mixed marriages, because of the way the peace accord and the return to peace were worked out, it was not necessarily easy for mixed couples to go back to one or the other location. Resettlement was a nice option for these people.

The chart at the right-hand corner gives you a sense of the volumes of refugees around the world. That does not include internally displaced people, as in the civil war in Colombia. Millions and millions of people who are displaced but are within their country are not considered refugees; they are considered internally displaced people, yet they are in a very difficult situation.

We're giving you the historical volumes of asylum claims in Canada to show you the volatility. At the right-hand corner, we're showing you there is very little correlation between the people who are in refugee camps and refugee locations around the world and the people who actually come and claim asylum in Canada.

- (1545)

It's the same thing when you look at the indicators of who these people are. The people we tend to see in Canada are younger males. That may be because it's easier for them to travel, but it's also a reality of our in-Canada refugee system that we have mixed flows—people who are coming and deserve protection, and we must try to help them. There are also people who are trying to use the system as another way in—a form of migration.

On page 7 there is a simple representation of the in-Canada refugee system.

The Chair: I think we have some time, so perhaps you can slow it down a little bit. Some people are finding it a little difficult to keep up and would probably like to examine your charts a little more as you go through this.

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.): In other committees it's usually customary to have a text. Is there no text distributed, other than the flow charts here?

• (1550)

The Chair: That's all we have right now that covers the entire presentation. The department could pretty well get us the text of the remarks.

Hon. Albina Guarnieri: We can read the transcripts later on, but it's customary in committees to have text so you can actually peruse through it. At least that's been the practice in committees I've been involved in.

The Chair: We don't have the text today. This is all we have, and it's very good, I must say. But maybe you can slow it down a little so members can try to absorb this as you go along.

Thank you.

Mr. Daniel Jean: I'd be happy to do so.

In Canada's refugee system, you can present a claim at the port of entry—at the border—when you arrive. Many people also present a claim at one of our inland offices. What that chart tells you is that when that claim is examined up front, before it's referred to the Immigration and Refugee Board, which is the administrative tribunal that examines claims in Canada, there are a limited number of grounds for saying that we're not going to refer you.

If you're what we would refer to as a very bad person, such as a security risk, an organized crime risk—somebody who may pose a threat to Canada—we may be able to exclude you from being referred to the Immigration and Refugee Board. If we have evidence that you received protection in a different country before coming here, we may be able to exclude you and not refer you to the Immigration and Refugee Board and send you directly to a pre-removal risk assessment.

Since the port of entry enforces the Safe Third Country Agreement with the United States, if you're presenting your claim at the land port of entry between Canada and the United States and you don't fall within one of the exceptions, you may be returned to have your claim entertained in the U.S., which is a signatory country to the Geneva Convention.

As you can see, most people—97%—then get referred to the Immigration and Refugee Board. There they will determine whether the person is in need of protection. About 44% of people are approved. They will have an application for permanent residence processed for landing in Canada.

People who are rejected have a couple of more actions of recourse. Most of them will ask at some point for a pre-removal risk assessment, where they will say whether they have a fear of returning to their country of origin and will try to make a case for why they should not be removed. Your initial application for a pre-removal risk assessment stays your removal, so you will not be removed until that assessment has been done.

You can see that in 2005 about 2% were approved at that stage. That figure can be misleading, because it includes all countries. It includes people from the United States and western Europe who have applied for pre-removal risk assessments. If you take some countries that maybe produce more of the kind of protection considerations we have at the time, the PRRA acceptance rate can be as high as 16% or 17%, and that's after a number of people have already been approved for refugee status by the immigration and refugee program.

If you've been rejected by the IRB and you're rejected at the PRRA, and let's say you are in a situation where you think you've created roots in the country, and you think that removing you to your country of origin would create huge compassionate problems, huge hardship problems, you can actually apply on humanitarian and compassionate grounds.

Now, what is important to understand on this chart is that for the people who come in and pursue their claims—because there are a number of people who, after they claim, do not pursue their claims—about seven out of ten will get some form of status: refugee, PRRA, or humanitarian and compassionate status.

The right-hand side shows the situation in 2001, when the asylum system in Canada was under a lot of stress, and what was done under three different sets of measures, some dealing with access, some dealing with processing these refugees, and some dealing with the consequences, which meant trying to give permanent residence to people we approved and trying to assist people who were not approved as refugees to depart.

On access, we've imposed a number of visas since 2001. We've imposed 11 visas and we've tightened the visa that is used by seafarers to come to Canada. We've implemented the Safe Third Country Agreement with the U.S. Under IRPA, we've eliminated what we call multiple repeat claims by people. And that has reduced substantially the volume of claims, and the reduction has really been targeted at the people who are trying to use the system as a way in but are not necessarily in need of protection.

• (1555)

On trying to deal with the process and reduce the inventory, in 2001 there were 52,000 claims in the IRB inventory. That inventory is now around 20,000, and the measures that have been taken there have been measures to streamline the process within the IRB. Some targeted investments and the fact that the intake had gone down has helped to reduce the numbers.

All of these measures also have benefits, because for the people who are need of protection, you can see that in 2005 we landed almost 20,000 approved refugees in Canada compared with a little less than 12,000 in 2001. If we're not directing so much attention to people who try to use the system but are not in need of protection, we can do a better job of trying the help those who are in need of protection.

This gives you a summary of the administrative measures we've taken. You can see that in the same fashion, in our efforts to reach the consequences sooner, the volume of removals or failures of claims has also gone up. Claudette can talk more about that.

The last page on the placemat gives you all our data on one page. In the column on the left you have the levels planned for 2005. You will remember earlier in the presentation that we gave you the plan for 2006. So here we show you what the plan was for 2005, we gave you what was actually achieved in 2005—that's the second column—we're giving you the number of months that the cases have been processed at the 80% median, we're giving you the approval rate, and we give you the state of our inventories at the end of December 2005. The last column is a percentage of the cases that are the in-Canada part of the inventory versus the overseas part of the inventory.

A couple of things are important to note in this table. One is that while we have huge inventories and huge processing challenges, a lot of the time is actually spent in the queue, waiting for your turn to come before you're processed, in some categories such as the skilled workers and the parents and grandparents. In the priority processing lines, like spouses and dependant children or provincially nominated cases and most Quebec cases, we actually have less than a one-year inventory in these cases. Most of them are processed in a year or less. So that's an important consideration.

On the right hand side, we give you our total volumes on the temporary residence business lines, how many visas we issued in these business lines for visitors, students, and temporary workers; we give you what was the approval rate; and we give you a sense, using different medians, of what is the state of our processing time.

The state of our processing time on temporary residence in the three categories is the best it's ever been. I'm not saying it couldn't be better; we certainly always like to improve. But this is an area where we've made a fair amount of improvement, and in some of our immigrant business lines, the processing time for spouses and minor children is also the best it's ever been. We would like to bring it to 80% processed in six months or less. We're getting there, but we're not there yet.

We talked to you about the extensions in Canada, what are the volumes, the time it takes, and the approval rate. When you look at the processing time for these extensions in Canada at CPC Vegreville, it includes mailing times, so there are ten days—five days in, five days out—of mailing time included in this chart.

Then we bring you to some of our other business lines. As you know, in 2002 one of the major document integrity initiatives that were introduced was the permanent residence card. By the end of December 2005, we had issued 1.7 million of these cards and our inventory is almost nil. We're processing them as they come in.

Citizenship also gives you some of our volumes. We've made a tremendous effort on the citizenship front this year to deal with the substantial inventory that we had, and we have made significant progress. I think our clients and the stakeholders will see even more progress this year as this caseload goes through our various field offices.

• (1600)

Then we talk about our call centre. As you can see, there are almost six million calls per year. When we introduced the permanent resident card we were not able to answer even 50% of unique calls. The industry standard is 80%. As you can see, there are now at 89% of unique calls being answered in our call centre, so we've made progress in dealing with access. We know we still have progress to make on the satisfaction front, and we're certainly committed to doing that.

The last chart gives you a sense of the volume of Internet visits we get. It's quite phenomenal. It has forced us to think about how we can use the Web as a better communication tool for our clients. This is another area where we think we have a lot of progress to make. In the service initiative that the minister spoke about, this is an area where we're trying to do some work.

So if you look at pure transactions, not counting call centres and website visits, there are two million transactions annually in the department. When you include the call centre transactions, there are more than eight million transactions per year.

Merci.

The Chair: Thank you. That was very informative indeed.

Before we go to questions, we have the Canada Border Services Agency. This will be part of the departmental overview as well.

I'll pass it to you, Claudette.

Ms. Claudette Deschênes (Vice-President, Enforcement Branch, Canada Border Services Agency): Thank you.

I apologize also, because I don't have a prepared speech to share.

The Canada Border Services Agency is responsible for providing integrated border services that support national security and public safety priorities as well as the prosperity of Canada. This is done by the administration and enforcement of various legislation, including IRPA, to facilitate the free flow of persons and goods.

To effectively manage access to Canada, we use the multiple borders concept, and we work very closely with CIC for that. Our issue is to try to keep people who may be inadmissible to Canada out before they arrive. We are the intelligence support for CIC, and we provide screening assistance to them in all their applications for immigrants, visitors, temporary workers, and students to Canada. We are the key people who work on providing an idea of threats and risks to CIC as they do their work overseas, and we provide support both in Canada and overseas, especially on admissibility involving national security, terrorism, war criminals, and people involved in organized crime.

At ports of entry, we are the service arm of Citizenship and Immigration in terms of ensuring that people who arrive in Canada have the necessary visas or travel documents and that their intent is according to the Immigration and Refugee Protection Act. Within Canada, we are the enforcement arm of the immigration program and we investigate, detain, and remove people who have used up their processes under the Immigration Act. We are also responsible for representing both CIC and CBSA at hearings before the Immigration and Refugee Board.

Daniel spoke about officers overseas. We also have 45 migration integrity officers overseas who report to Canada Border Services Agency. They work very closely with Citizenship and Immigration and in most places report to a Citizenship and Immigration program manager overseas. The reason we have done this is that where CBSA is not represented, CIC represents the aspects of migration integrity work.

The work we do there is to work with airlines to try to ensure that anyone boarding a flight has the documents they need to be able to arrive in Canada. We also work with Citizenship and Immigration in anti-fraud. When there is a fraud pattern organized in either facilitation applications or immigration applications or visitor applications, we are the part of the program that assists CIC in developing tools to deal with it.

In Canada, we are the intelligence directorate for both CBSA and CIC. That involves three major...I'm going to call them three big issues.

We do trends analysis: what are the risks that are coming down the pipe; what are the things Citizenship and Immigration officers need to be aware of as they're making decisions?

We also provide screening assistance in cases where there may be organized crime, war crimes, or terrorism issues, where we can provide more assistance to officers in making the decisions overseas and also in Canada.

Also, we are the migration integrity officer support network. At the port of entry, we ensure that travellers arriving in Canada who are visitors or permanent residents have the documentation they need to be able to arrive in Canada.

We also ensure that if there are any medical issues that may have come up since someone got on a flight and arrived at a port of entry, we support the mandate of the Immigration and Refugee Protection Act on that.

We also do the front-end screening for refugee claimants as they arrive, and then the cases are referred, as has been indicated, to the Immigration and Refugee Board for processing. In the cases that Daniel called our "real bad guys", we would help to identify who these people are and make the case for them to be excluded from the Immigration and Refugee Protection Act.

In the area of detention and removals, we are responsible for detaining people who should be detained under the Immigration and Refugee Protection Act. We have four detention facilities—one in Laval, one in Toronto, one at the Vancouver International Airport, and a new one in Kingston—for our security cases.

●(1605)

Again, just to provide an overview for those of you who are new to the committee, under the legislation we detain basically where we have reasonable grounds to believe someone might be a danger to the public, where someone is unlikely to appear for an examination or hearing or for removal, or where we have not been able to identify who the person is.

We work closely on detention with the Red Cross and other officials to ensure that we live up to our international obligations. For most long-term detainees who may be detained because they are criminally inadmissible or for other reasons, we work with and use provincial facilities. We do not have MOUs with all of them yet, but with most provinces we do. We are continuing to work to ensure that when our detainees are in provincial facilities we also live up to our international obligations.

As I indicated, we are the hearings officials who go before the Immigration and Refugee Board for both the Minister of Citizenship and Immigration and the Minister of Public Safety.

There are a number of reasons we may be going into hearings. In the great majority of cases it is for detention reasons—because we want to keep someone detained—and we will make a case to the refugee board. We will also go in cases of, for example, family class refusals to explain the position of the department on why we believe this person should be not admissible to Canada.

Finally, we do removals. Some people say we do too many; many people say we don't do enough. But we do work on removals. Our priorities of course are to focus on security threats and serious criminality, but we also do failed refugee claimants, which is I guess not overly popular sometimes, and we do that to ensure the integrity of the programs.

As Daniel has pointed out, there are many kicks at the can for people to remain in Canada once people have exhausted their processes. To ensure that the system works, we have to continue removing people who are failed refugee claimants.

We also administer temporary suspension of removals where there are systemic reasons that we think we cannot remove someone for security reasons to certain countries.

I'm just going to leave it at that. I think, then, we can start answering questions.

• (1610)

The Chair: Thank you.

Before I go to my colleagues for questioning, let me say we hear a great deal about the 800,000 backlog every now and then. Maybe you can elaborate on that a little bit.

Do we actually have a backlog of 800,000 persons trying to get into Canada? If we do, how long have we had it and what steps are we taking to reduce it?

Mr. Daniel Jean: If you look at the last page of the presentation in the left-hand corner, you will see that there are two business lines or categories where the inventory is substantial, particularly when you compare it to what the public policy objectives—the objectives in the annual plans that are tabled in Parliament—are. This is in the skilled worker category, where you can see we have more than 500,000 people and our annual objective is between 112,000 and 124,000, and in the parents and grandparents categories, where there was an adjustment of an additional 12,000 last year. The objective was actually 18,000, but we have an inventory of about 108,000.

These are the two categories where you have several years' worth of inventory. The reason for that is that we have been receiving for years more applications as new intake than the objectives set by the government and tabled in Parliament are, in terms of annual levels.

It was particularly true for the skilled workers in the period around 2001. We received a lot more applications in 2000 and 2001 than our objective was as a country for the number of immigrants we can take, so the inventory has accumulated.

In the case of the parents and grandparents, every year we have been receiving a lot more applications than the objectives are set at for annual levels. These are the two categories where the inventories are substantial.

The Chair: So that will continue as long as you have this overabundance of applications, I guess.

We will go for our first round, seven minutes.

Blair, please.

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you very much.

Thank you for your presentation.

I have two quick questions, then we can pass it along for my colleagues here. I noticed on the budget figures—and I wanted to clarify—for 2005 and 2006, the budget was \$833.9 million on page 2, and the budget for 2006 and 2007 is anticipated to be \$1.226.8 million. Is that correct?

Mr. Daniel Jean: That's right. That's primarily because the investment that was announced in the budget of 2005 and some of the incremental investments that were announced in the last budget, start to kick in for those fiscal years.

Mr. Blair Wilson: So that is a 47% increase in our budget of \$392 million, which I'm very happy to see.

That leads me to the question I wanted to ask. Looking at the targets and our increasing inefficiency in the department, combined with a big inventory that we're trying to draw down on, would it be reasonable to assume that with a 47% increase in budget we could have a 47% increase in uptake and have a target of around 385,000 people next year?

Mr. Daniel Jean: Most of the incremental investment—the vast majority of it—is around our integration programs, so they are about improving the outcomes of immigrants who are coming to Canada. It's not about increasing the number of people who are coming, so that would not be a good assumption. It's very much investments that the governments are making, because immigrants have not been doing as well as they had before and we're trying to improve the outcomes.

• (1615)

Mr. Blair Wilson: And how do we measure the success of those outcomes? What targets, benchmarks, or...?

Mr. Daniel Jean: We do studies using census data, where we look at income tax, income reported by immigrants, and see how they are doing over a number of years. We compare it to various courts of immigration. For example, we know that our most recent courts are not doing as well as some of the others that we've done before.

We also know from some of the analysis we've done that people who have studied or worked in Canada do much better and much sooner. So this an illustration that immigrants are facing some barriers into labour market integration and we need to assist them more.

Mr. Blair Wilson: From the documented information you have, is there any information you can glean about the categories of immigrants and say some categories are performing better than others; therefore, we want to increase the number of those people coming into Canada? Have solutions like that been put forward?

Mr. Daniel Jean: I will answer the question in two parts.

The analytical data, yes, we have that, and the department works very closely with Statistics Canada and tries to measure the outcomes of immigrants in different categories.

For the second part of the question, I think we have to bring you back to what the portfolio approach to migration is like. We're bringing immigrants in the economic streams, hoping they will contribute rapidly to the country.

We're bringing people under the family class because there are people here who will be able to assist them. These people may not do as well in the long run as some of the people we accept in the economic stream, but we're doing that because we believe in family reunification.

We're bringing people in the protection stream because we have values of trying to assist people who are in need. When we do that, I think we accept the fact that many of these people will not be able to do so well.

The Chair: Andrew, please.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Jean, there are a couple of questions I would like you to clarify for me.

I really don't know, from the budget, which parts of the previous government's commitment this government is going to meet. Budget 2005 had \$561 million committed to new spending, the fiscal update was \$1.3 billion, and there was a further announcement by the minister of \$947 million. I'm sure you're familiar with those figures.

My question is, which one of those funding announcements is the government not going to meet?

Mr. Daniel Jean: If you want a very precise answer with numbers, we can give that to you in writing. But in general, the new investments announced in the 2005 budget are all in there. The Canada-Ontario is in there as well, and what was announced in terms of supplementary funding in the last budget will come in subsequent years. However, if you want a very precise answer to your question, we would be happy to give that to you in writing.

Hon. Andrew Telegdi: We had a \$1.3-billion announcement, and \$920 million was for the Province of Ontario. An agreement was signed. For the other provinces, the agreement wasn't signed. Is that being acted upon?

Mr. Daniel Jean: In the budget announcement of a few weeks ago—

Hon. Andrew Telegdi: It was in the fiscal update, the \$1.3 billion announcement over five years for Immigration.

Mr. Daniel Jean: Yes, but in the budget announcement a few weeks ago, the rest of it, outside of Ontario...

Hon. Andrew Telegdi: A few weeks ago? No, no.

The Chair: It was last fall.

Hon. Andrew Telegdi: It's the last fiscal update of the Liberal government. I'm not talking about the budget.

Mr. Daniel Jean: What I'm trying to say is that the Canada-Ontario agreement and extra settlement integration funds for services in other provinces were part of the budget last month. Those remain on the books, if you wish.

Hon. Andrew Telegdi: The \$56 million for action against racism, is that on?

Mr. Daniel Jean: Yes, it's still on.

Hon. Andrew Telegdi: The \$72 million for processing parents and grandparents, is that on?

• (1620)

Mr. Daniel Jean: Yes. That was two-year funding, and we are in the second year of that funding.

Hon. Andrew Telegdi: And the \$50 million for international students?

Mr. Daniel Jean: Yes, we're implementing that.

Hon. Andrew Telegdi: And \$69 million over two years to make citizenship application faster?

Mr. Daniel Jean: Yes.

Hon. Andrew Telegdi: And the \$700 million over five years to reduce the applicant inventory?

Mr. Daniel Jean: That one is not there.

Hon. Andrew Telegdi: That's not there, okay. So it's \$700 million that we're.... Okay, it's good to know.

Thank you very much.

The Chair: Madame Faille, please.

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): I wish to thank the officials from the department for their presentation. The document is more interesting than the last time, and I like the layout.

I have a few questions on the refugee section. I do not know if you are able to answer them if you prefer that I address them to the head of the IRBC.

Mr. Daniel Jean: That all depends on your questions, Ms. Faille.

Ms. Meili Faille: I found your explanation of how refugee status is granted in Canada to be very interesting. However, you seem to have disregarded any possibility of an appeal section. From what I've gathered, the whole issue of an appeals section has simply been delayed.

I'm trying to understand what effect the change in government... The last time you made a presentation to this committee, you told us about 22 possible recourses in relation to appeals, and all of a sudden, they have vanished. There is no longer any mention of recourse or appeal. There seems to have been a change in vocabulary.

Mr. Daniel Jean: I heard two questions.

To answer your first question, I believe that it is a reflection of the process that is currently in place. That explains why you do not see any appeals section.

With respect to your second question, you refer to a former minister who said that in one case, there could be up to 22 appeals. There is something that I perhaps failed to mention. With respect to admissibility, our system allows for an appeal to the Federal Court, at any stage, when an applicant is refused. This can be done at each step of the process.

Ms. Meili Faille: Yes, that is how the Federal Court works, given the fact that it is a tribunal. We cannot change that. People have the right to appeal to the Federal Court.

We requested statistics on the number of processed files and the acceptance rate at each one of these steps. We wanted to know the approval rates at the PRRA stage, the pre-removal risk assessment, as well as the acceptance rate of humanitarian applications. We have still yet to receive these statistics.

We also requested information on costs. How much does a system that forces people to appeal to the Federal Court cost? The number of cases heard by the Federal Court is enormous. It is 80% of the cases.

We also asked you to tell us the number of people who have made multiple applications.

Mr. Daniel Jean: I counted at least five questions. I will try to answer each one of them.

Firstly, in the presentation, we have provided the acceptance rates. These are acceptance rates that are published by the IRBC. Out of 100 people who enter the system and are then referred to the IRBC, approximately 15 do not appear before the board. That figure is from last year. Those are people who make claims, but who probably did not need protection.

Approximately 50% of these people were interviewed by the IRBC. We are talking about 44%, because that includes abandoned and withdrawn cases. We gave you the acceptance rate at the PRRA stage, which was 2% last year. As I said earlier, that number covers agents working in all countries, including the United States and Western Europe.

As I was saying, out of 100 refugees who entered the system last year, 15 did not follow up on their application. Approximately half of those who did follow up were accepted at the IRBC stage. At the PRRA stage that follows, approximately 2 or 3% were accepted. After that, a good number of applications were accepted on humanitarian grounds. As well, 7 out of 10 who followed up on their application were granted refugee status.

I must also point out that 80% of the case load of the Federal Court concerns immigration. The cases do not only deal with refugee matters, but immigration generally. That is what is referred to as the case load. The figure does not necessarily reflect the judges' time.

To answer your last question, I would say that even if an appeal based on merit existed, people would still have recourse to the Federal Court at each one of the stages at which they are refused, except for the IRBC stage, and the appeal based on merit stage. Some say that if an appeal based on merit existed, fewer people would be turning to the Federal Court. Most cases are dismissed by the Federal Court of Canada. Only some 10% of the cases are heard on appeal. Those who go to the Federal Court are often trying to buy time.

I have one last point on the subject of the Federal Court. It is true that it is not an appeal that is based on merit, but the reasonable nature of the decision is also assessed. Judges not only make sure that the decision is lawful, but also reasonable.

● (1625)

[English]

The Chair: You have one more minute, Madame Faille. Or shall I go to Mr. Siksay?

Thank you.

Mr. Siksay.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Do I get the extra minute, Chair?

The Chair: No.

Mr. Bill Siksay: Thank you, Chair, and thank you for your presentations this afternoon.

Madame Deschênes, the written statement that was distributed addresses the situation that happened in Toronto recently about

removals of minors from schools. I want to understand what's being written there.

Are you saying that the two incidents fell within established CBSA policies? Is that what I am to understand from reading, that there's been a review and it was determined that these two incidents were in fact in line with the policies of the department?

Ms. Claudette Deschênes: What I would like to say is that there was never any written policy about it. The practice was that we would never go systematically into schools.

There were exceptional cases. We would normally go when a parent or a guardian asked us, in cases where they had been detained and asked us to stop by the school to pick up the children. The other was when we had used up all the possible options for trying to identify where the family were staying—the parents, the adults, because our concern is always the adults. Sometimes in exceptional cases we would go into the school to try to find an address for the parents.

The two cases in Toronto each fell into that category. In one of the cases we picked up the mother, and the mother asked that we stop by to pick up her children. In the other case we had been looking for the family and had not been able to find them. Then we found out that the kids might be at a school, so the officers went into the school.

That is what that statement means. We reviewed the issue and have sent out clear written instructions about the situation. Basically the written instructions are clear: officers are to avoid as much as possible ever going to schools at all. However, there are two situations where they may go to schools: one, if a parent or guardian asks that they go to the school to pick up the children. Again, we try to minimize. We wouldn't go into the classroom; we would go to the principal's office. The other issue would be if there were a national security or serious criminality case and an officer in a region felt there was a reason we had to do this. They need to come to headquarters to seek concurrence and permission to do that.

I appeared a couple of days ago before the Senate committee on human rights and indicated that we believed we would use that option very rarely but felt that as a matter of policy we had to leave it as an option to be considered. It would come either to me or the DG of enforcement to be looked at. At this moment in time I can't really think of a reason for us to use it, but we felt that policy-wise we had to have that option.

Mr. Bill Siksay: I wanted to ask you some questions around detention as well.

You mentioned the opening of the new facility in Kingston. You mentioned three facilities previously—at Vancouver airport, Laval, and Toronto. How does the facility at Kingston differ from what existed previously?

● (1630)

Ms. Claudette Deschênes: In the past we would really detain only very low-risk people, normally for short periods of time. Either we would be looking for when they arrived in Canada—to be able to really determine their identity—or they'd be on their way out, and we'd had trouble in the past, such as flight risk or danger to the security and safety of Canada.

In the case of Kingston, the facility has been built to detain security certificate cases, to ensure they have the best detention facilities possible. They were being detained—

Most of our criminal cases—people who have criminal records and so on—are detained in provincial facilities, but what was happening in these cases is that they didn't have as good a detention environment as we felt they should have, so in Kingston we opened a centre where they can have exercise outside, where they are not commingled with any criminals, where they have access to private rooms for their lawyers and visits, and so on.

Mr. Bill Siksay: What's the capacity of the facility in Kingston?

Ms. Claudette Deschênes: Six people.

Mr. Bill Siksay: So it's almost at capacity at this moment.

Ms. Claudette Deschênes: There are four. I guess it depends on your definition of “almost”.

Mr. Bill Siksay: Right.

Ms. Claudette Deschênes: Again, certificate cases are not used very widely.

Mr. Bill Siksay: Do CBSA employees operate the facility?

Ms. Claudette Deschênes: It is under the responsibility of CBSA, but again, we are not experts in detention, so it is Correctional Service officers who have been seconded to CBSA.

Mr. Bill Siksay: Are they still responsible to Correctional Service, or are they responsible to—

Ms. Claudette Deschênes: They are responsible to CBSA, so in the case of problems, CBSA is held accountable.

Mr. Bill Siksay: Are children still detained by CBSA in Canada?

Ms. Claudette Deschênes: We detain children very rarely. For example, in April 2006, I know there were 10 detentions of children for short periods of time.

The problem with our statistical system is that we're not able to say that this child was detained for two days or this child was detained for four days. The great majority of detentions of children have to do with parents who are being removed from Canada, and the entire family unit is being detained. The number of detentions is very minimal, and the large majority would be for very short periods of time, because our policy is not to detain minors unless we really have to.

Mr. Bill Siksay: You mentioned the question of moratoria countries, although I don't think you used that word. I think that may be the popular term.

Ms. Claudette Deschênes: It is temporary suspension of removals.

Mr. Bill Siksay: How are those decisions made? Are they reviewed regularly? I think eight countries are on that list at present.

Ms. Claudette Deschênes: That's right.

Mr. Bill Siksay: Is that reviewed regularly? How would a country be added? How often is that process considered?

Ms. Claudette Deschênes: Technically, I think we have a commitment to review them every two years.

One way new countries could be put on the list or be reviewed is based on our own intelligence telling us there is a problem here, and we should be working on it. We depend a lot on Citizenship and Immigration officers overseas to say there's a problem with sending people to this place or that place. NGOs can also make a request for us to look at it.

The Chair: You'll have to wait for the next round, Bill.

Mr. Komarnicki.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): I have a couple of quick questions.

In respect to the study of permanent applications and the recently announced initiative relating to off-campus employment of foreign students, do you see that as causing any particular spikes in concerns or increases in applications?

Mr. Daniel Jean: We're starting the implementation, so we've not yet seen....

We're certainly prepared for that. We have funding. We have an operational plan. As we are signing the agreement with the provinces and start implementing, we're probably going to see increased activity. We think that potentially 100,000 people may be able to benefit from that, but right now it's been smooth sailing.

Mr. Ed Komarnicki: In relation to refugee claims, you say there is no correlation between the countries from which the claims are actually made to what you would perceive as actual potential refugee claims that could be made. Do I understand you correctly on that assessment?

Mr. Daniel Jean: I would qualify that it's not “no” correlation, but limited correlation. You have countries where people are making claims in the refugee system but which may not be the countries that necessarily expect claims for protections, versus other countries where it is just easier for some people to have access to Canada rather than going to other countries.

•(1635)

Mr. Ed Komarnicki: When you look at it retroactively, is there a way of looking at it in advance so that when they come to the port of entry or make the application, you would have an objective standard to say in those cases they would not qualify and thereby increase the number of disqualifications and not have to deal with them through the whole system? Has that been a consideration at all?

Mr. Daniel Jean: No, because once they reach Canada, they are entitled to argue their case that they need protection. In some of the measures that have been looked at, when we think there is flagrant abuse of our system, we might try to streamline those cases and deal with them more rapidly. That's what we did after the boat arrivals in 1999, for example. That's what we've done, to some extent, with claims coming from Costa Rica in recent years, before we imposed the visa. We made targeted efforts to try to get those cases through the system faster and to remove them faster, hoping that it was going to be a deterrent or a signal to people in Costa Rica that the likelihood of their being successful would be very low, and hoping that we wouldn't have to impose the visa. In the end, we had no other recourse.

Mr. Ed Komarnicki: I notice from the inventory of about 800,000 we keep talking about, if the quotas given to the department are not increased and if we continue at the same pace, in my estimation that's roughly a four-year backlog to clean up, if you don't have any additional applications. Would you agree with me on that?

Mr. Daniel Jean: As I've described before, the situation is more serious in two particular categories, that of parents and grandparents, and skilled workers. So this is actually not linear. And there's also another element of complexity, as the inventory is also not linear in our locations. So right now, for example, we have tremendous growth in India. In the last years, we've been getting tremendous growth in the volume of applications for permanent residence from India, while our inventory in China is decreasing.

So it's dangerous if you make an assumption that it's linear and think that since we have 800,000 and are bringing in 200,000 a year it will take four years, because in some categories or some locations it may take a bit longer than that.

What we tried to do, for example, with parents and grandparents last year was to assign most of the incremental targets to the locations where the inventory was older in order to bring them all into the same timeframe.

The Chair: Thank you.

Nina, please.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair.

I have a very short question. Yesterday I met with a group of people trying to streamline the system for seasonal temporary workers. In the Lower Mainland and the Fraser Valley of British Columbia, construction sites and farmers find themselves struggling to operate because of labour shortages in their respective trades. Has the department discussed criteria that can be connected with HRDC to make it easier for temporary workers to be brought in?

Mr. Daniel Jean: For labour market assessment needs, as you've pointed out, the lead is really with the human resources and skills development department. We currently have programs for seasonal workers; we bring in about 10,000 people, primarily from Mexico and some Caribbean and Central American countries, who come to work in the seasonal industry.

It's been extended to a couple of sectors as a guest worker program, but not to a large extent. For example, in the service industry and the hospitality industry, we hope that some of the measures we've taken for off-campus students, for example, are going to help relieve some of the pressure there. And on some of the more skilled labour market needs, we're trying to work with HRSD to try to see how we can make our system more responsive. So if I take a practical example, the oilsands in Alberta, we've signed a tripartite agreement between HRSD, CIC, and the Province of Alberta, where we're trying to help the industry or large employers in Fort McMurray to bring in about 11,000 workers over a year in a streamlined way.

So we are taking some small steps, but HRSD has a major role to play there and we need to work very closely with them.

The Chair: Maybe we'll go to our five-minute round now and begin with Don. He wants some time, I'm sure.

• (1640)

Mr. Don Bell (North Vancouver, Lib.): Thank you. I'll try to give these to you rapid-fire. For the first question, concerning adoption of children....

I was trying to find the reference. There was a reference to a tribunal. What page is that on? Family class, dependent children....

Mr. Daniel Jean: Are you referring to the amendment to the Citizenship Act that we want to do?

Mr. Don Bell: Yes.

Mr. Daniel Jean: I don't think we're covering that in there, but I can try to answer your question.

Mr. Don Bell: I made a note somewhere. You were talking about some reference to tribunals, and I didn't know what the tribunals meant. Maybe I'll skip that and come to it later, then, because I saw it and I don't know where it was.

What page was the one on children? Here we go. It's page 4, under citizenship, in the third paragraph.

You say here: "In order to respond to tribunal decisions, children adopted by Canadian citizens...". What tribunal decisions are these?

Mr. Daniel Jean: It was the Human Rights Commission.

Mr. Don Bell: I see. Of the eight countries you have, is Iran one of those countries right now?

Mr. Daniel Jean: Are you talking about suspension of removals? You asked about Iran?

Mr. Don Bell: Yes.

Ms. Claudette Deschênes: I do not believe so. Let me just check that out, if I can.

Mr. Don Bell: It was under consideration at one point because of the volatile political situation there and the persecution, for example, of Christians.

Ms. Claudette Deschênes: Again, the issue is on a case-by-case basis. We would always look at a case and ask whether, given the details of the case, removing that person to a country is something we want to do or not do. In the case of temporary suspension of removals, we're saying that in all cases, except for those of criminals, we will not remove.

Iran is not on the list, and at this moment in time I don't think Iran is necessarily one we would consider seriously as one to look at.

Mr. Don Bell: About a year ago, as I recall, it was getting close to consideration; at least, that was my understanding. So that's changed now, then.

Ms. Claudette Deschênes: I could be wrong on this. I can check and get back to you.

Mr. Don Bell: I would appreciate that.

The other point is about labour market analysis. I'm hearing through my riding and from my staff who are dealing with these cases that it's an onerous process. We talked about trying to improve it. It's generally accepted that we have, as a result of the aging of the baby boomers and people exiting various careers, a shortage overall. Yet we seem to go into these detailed analyses.

There are certain segments in the marketplace in British Columbia that I can refer to in which we know there's a shortage—the Chamber of Commerce came out with a survey—and yet we still say no, you have to have a survey to prove it.

Why don't we do one survey and then say that for everybody in that category we're not going to require them? I'm hearing back from employers that they just can't be bothered; it's too much red tape and cost for them to fill out an application. They just say they won't be bothered.

Mr. Daniel Jean: For the labour market opinion role in IRPA, the authority rests with Human Resources and Skills Development Canada. We try to work very closely with them. I think it's fair to say that they appreciate and we appreciate that there are some sectors with shortages and some local labour shortages. The question is how much. Immigration will never be the panacea for all of that. Some of it requires retraining and retooling people, some of it requires the recruitment of people, and some of it involves bringing people into the labour force.

Where immigration can play a role.... For example, in the Fort McMurray situation we worked out and developed a scheme where we're not doing case-by-case analysis. We appreciate that a lot of people say there's probably a greater need, and we're trying to work very hard to see what's possible.

Mr. Don Bell: So HRSD is really your processing arm for these things, and it's your department that sets the policy. If we want to come in to argue policy with you because of the Chamber of Commerce studies saying there's a problem out there, it's your department that's setting the policy.

Mr. Daniel Jean: HRSD is the one that tells us whether or not there's a labour market need in Canada.

Mr. Don Bell: I see. So we need to argue with them and get them to come forward and say that overall, for all construction workers in B.C., we have a shortage, so that we don't have to go through proving it each time.

Mr. Daniel Jean: We rely on their opinion to process these.

• (1645)

Mr. Don Bell: Is it possible to write into the immigration policy that people involved in serious crimes who come here in the immigration process will in effect be returned—that it nullifies their process? That's a question I've been asked by constituents.

Mr. Daniel Jean: People who are here and in the process of—

Mr. Don Bell: I don't mean a speeding ticket. I mean they are involved in robbery or assault; these are then people we don't want in Canada.

Mr. Daniel Jean: Some legislative measures have been taken. When I was speaking about the refugee protection flow earlier, I said we would be able to exclude a serious criminal from a referral to the Immigration and Refugee Board; they would only be referred for a

pre-removal risk assessment. Even though they are criminals, even though they may pose a risk to Canadians, we still have an obligation to make sure if there is a risk in returning them back to their country of origin. If they claim they're going to be tortured if they are returned to their country of origin, we have international obligations we have to live up to.

The Chair: We will—

Ms. Claudette Deschênes: Could I just add that the act does permit us to act. For example, if someone is a permanent resident, is then involved in serious criminality, and is not a Canadian citizen, we can take enforcement action, but again, all through those steps we have checks and balances. I would say everybody is entitled to one mistake. There are checks and balances to ensure that this person.... A lot of the checks and balances are involved with a removal order and that type of thing, and an independent decision-maker at the IRB will decide if the person should be given another chance.

So there is legislation that permits us to take action; it doesn't mean that as soon as you are a criminal, you are sent back. There are checks and balances if you're a permanent resident.

The Chair: Now we will move along to Ms. Deschamps.

[*Translation*]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Thank you for your presentation and the document you provided. It provides a wealth of information, and I would have liked to become more acquainted with it before asking my questions.

On page 7, in the table entitled “Impact of Administrative Reforms”, in the column called “Measures Applied”, there is a bullet called “Safe Third Country Agreement with the US.” Can you tell us what you have done since this agreement was implemented on December 31, 2004, and when the committee will receive a report on this agreement? What are your thoughts on this agreement, what were the major hurdles, detrimental effects on claims, and so on?

On page 6, the table entitled “Different Populations” provides a country-by-country breakdown of refugee claims in Canada for 2005. Mexico and Columbia are the countries from which the highest number of people are seeking refugee status. I am wondering if the Safe Third Country Agreement with the US does not somehow have an effect on the number of claims coming from these countries.

Mr. Daniel Jean: I will begin with the first question.

The implementation of the Canada-US Safe Third Country Agreement last December caused an approximately 55% decrease in the number of claimants at the Canada-US border. Please note that the agreement applies strictly at the Canada-US border.

We asked the United Nations High Commission for Refugees to do an assessment and follow-up of this agreement, to make sure that good practices in sharing responsibilities were being observed, because this is a shared responsibility agreement.

The report will be published in a few months. Canadian authorities, including the Department of Citizenship and Immigration, the Canadian Border Services Agency, as well as American authorities, have collaborated with the UNHCR as well as other stakeholders to produce the report.

I will now answer your question on the impact of the agreement on countries from which we receive the highest number of refugee status claimants, Mexico and Columbia. Mexican claimants come directly to Canada. They do not arrive from the United States. As for Columbia, a large portion of asylum seekers who come to Canada have already been in the United States for some time.

At the border, the number has dropped, probably because of the agreement. However, there has been a slight increase of claims at domestic offices. These are people who seek refugee status when they arrive in Canada.

Have I forgotten any of your questions?

• (1650)

Ms. Johanne Deschamps: No. I'll move on to another topic, specifically, claims made from abroad.

Certain embassies have been shut down, particularly in Africa. Did these closings have an impact on the applications made from abroad? Claims were sent to other satellite offices. Does the distance one must travel to submit a claim have a deterrent effect on some asylum seekers?

Mr. Daniel Jean: Most of the missions you refer to are ones where we did not have any visa offices. Therefore, there were no major consequences. However, members of the Standing Committee on Citizenship and Immigration as well as other parties have asked a lot of questions concerning our ability to process claims in Abidjan over the last few years, and with good reason.

Given the political situation in Côte d'Ivoire, we closed our embassy three times over the last two years. We were experiencing operational problems as well.

After having studied the problem, we transferred responsibility to the Congo, where there are a lot of refugee camps, and family reunification camps. We also transferred responsibility to our office in Nairobi, which is better equipped and has excellent expertise on refugees. We are currently taking necessary measures to mitigate the problems in Abidjan.

[English]

The Chair: Your five minutes are up with that, and according to my list we move to Mr. Komarnicki, and then over to Albina, Andrew, Madame Faille, and then Bill.

Mr. Komarnicki.

Mr. Ed Komarnicki: I have a couple of questions. First of all, you made a statement that citizenship can be obtained by being born to a Canadian parent, and there is a small stream of individuals, who are commonly referred to as the lost Canadians, who have recently

been concerned about the fact that they are not able to obtain their citizenship easily.

You're probably familiar with the legislation that has been passed. It was a Senate bill that passed on May 5, 2005, and became effective. I understand that category of lost Canadians—children born to Canadian parents—lost their citizenship when the parents took citizenship elsewhere, say the United States, or another country.

Is there a simple procedure in place such that a person can apply, even today as we speak, to gain their citizenship on a more or less automatic basis?

Mr. Daniel Jean: You're correct that there was a private bill, Bill S-2, adopted by Parliament last year that allowed these people to resume citizenship. According to the best information I have, we've a few hundred applications that are in process. We're making tremendous efforts on the citizenship front, shown in facts such as that last year we made 40,000 more citizenship grants to new Canadians than the year before. For this year, I was looking at our data for the first three—

Mr. Ed Komarnicki: Specifically, I just want to refer to the lost Canadians; that's a very narrow issue.

Mr. Daniel Jean: Okay. As we are making tremendous efforts to process these citizenship applications, these people are being processed as well.

Mr. Ed Komarnicki: In that stream?

Mr. Daniel Jean: In the same stream, yes.

Mr. Ed Komarnicki: Is the application something I could find readily available, say, on the website?

Ms. Janet Siddall (Associate Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): Yes, and we actually have the link on the home page of the website. There's a link right there, even making reference to lost Canadians and war brides, that takes them right to the application process, which is specifically tailored for resumption of citizenship for people in that situation. It's an application just for them.

• (1655)

Mr. Ed Komarnicki: Is some of that pursuant to regulation, or is it simply an application that's designed by the department? In terms of its contents, is that application something the department put together, or is it something that was mandated by regulation anywhere?

Mr. Daniel Jean: No. It is something that was put down by the department. We didn't need regulations, simply Bill S-2. We turned it into instructions and made the necessary forms Janet referred to once Bill S-2 was adopted.

Mr. Ed Komarnicki: More specifically, when we look at the adoption bill, we're trying to move it along fairly quickly without the necessity for essentially more than the adoption being completed; assuming some things have happened, you get your citizenship. In this case, would the lost Canadians require anything more than a birth certificate to show that they fall into that category?

Mr. Daniel Jean: What they will require is the evidence that they were Canadian when they were a child, because they lost their citizenship in that time zone between, I think, 1947 and 1977, when their parents took another country's citizenship when they moved somewhere else.

Mr. Ed Komarnicki: So what you're telling me is that there's no prohibition for any of those people in that category applying as we speak?

Mr. Daniel Jean: That's right.

Mr. Ed Komarnicki: And approval would simply be contingent upon their proving they're within those guidelines? Is the form itself a complex one, a long form or a short form? Could you give us some idea?

Mr. Daniel Jean: It's always dangerous when a government person says there's a simple form, right?

Some hon. members: Oh, oh!

Mr. Ed Komarnicki: If it's more than two pages, I think I would call it a long form.

Mr. Daniel Jean: We've tried to make it simple.

Mr. Ed Komarnicki: Is the form still under review?

A witness: No.

Mr. Ed Komarnicki: It's existing, okay.

Mr. Daniel Jean: I visited our operation in Sydney, Cape Breton, a few weeks ago, and they are processing a few dozen of these cases right now.

Mr. Ed Komarnicki: If I were to put one in process today, when might I expect to get confirmation of citizenship?

Mr. Daniel Jean: It's 12 months right now for citizenship processing, but we've not started to see the benefits of all the production that's going on. In the first three months of this year, we made 70,000 grants in three months; we normally do 170,000 grants a year, so we're probably going to do well over 250,000. So I think the processing times are going to start to come down, but it takes a bit of time.

The Chair: We'll now go to Albina Guarnieri.

Hon. Albina Guarnieri: Thank you very much.

Thank you for an excellent presentation—even if we did ask you to slow down so that we could catch up.

Mr. Daniel Jean: It's a big fault that I have.

Hon. Albina Guarnieri: Maybe you are just too knowledgeable, that's the problem.

With all of Canada's net labour force growth coming from immigration over the next 15 years, the government obviously needs to invest in international resources by speeding up the processes by which the full potential of immigrants coming into the country can be put to good use.

The question I have deals with foreign credentials. I noticed in the budget that it was \$18 million. The previous government announced some \$68 million to deal with the issue. Is the \$18 million on top or above the \$68 million, or is this a budget cut when it comes to this program?

Mr. Daniel Jean: No, that's correct, it's incremental funding. The \$68 million was primarily to try to focus on some key occupations, particularly in the health care sector, because the FCR—foreign credential recognition—is also an initiative led by Human Resources and Skills Development. In this particular one, they were also working very closely with Health Canada.

The \$18 million is to try to see how we can streamline, in consultation with stakeholders and provinces, the access of people to recognition.

Hon. Albina Guarnieri: So it is incremental, then.

The previous government had also made a commitment to the \$700 million. Did I understand you correctly in answering my colleague that this no longer...? I believe the previous government had put in \$700 million to tackle the backlog of more than half a million applicants that was keeping families languishing apart. Is that no longer in the budget? It has disappeared. Am I correct in that?

• (1700)

Mr. Daniel Jean: There's no money appropriated for that, no.

What I would offer—

Hon. Albina Guarnieri: So how are you going to deal with this? I presume you had already adopted some sort of work plan to accompany that \$700 million infusion. How are you reconciling—

Mr. Daniel Jean: There had not been any appropriation process for the new funding.

Hon. Albina Guarnieri: So you had not worked on any kind of game plan to absorb that money?

Mr. Daniel Jean: That announcement came in November, right?

Hon. Albina Guarnieri: Okay.

We've all heard of tremendous delays that people experience in spousal reunification and about the family sponsorship backlog. In your estimation, would additional resources actually make a difference when it comes to the fact that our quota is over 260,000? Or has there been a reduction in our quota?

Mr. Daniel Jean: Spouses and minor children are our number one priority. I was looking at some of our data, and Janet can probably pull the exact data, but at the beginning of this current century, in 2001, we were not even processing 40% in six months or less. We're now processing 67% in six months or less. If I take our number one source country, India, we are processing 50% in two months or less, and we're processing 80% in four months or less.

So this is one of the areas where we've made a lot of progress. We would like to get 80% everywhere, and that's what we're aiming for, because we appreciate that if you're married or you're waiting for your minor children, you want that reunification to be quick.

Hon. Albina Guarnieri: It's commendable if you've managed to reduce that substantially.

I was visited recently by a number of refugees who have been in the country for as long as six years, and they can't be landed because their identities and points of origin have yet to be confirmed. I'm just wondering if you have any kind of work plan to deal with these people. It seems to be cruel and inhuman punishment that they are left in limbo indefinitely. How is the department contemplating dealing with this issue?

Mr. Daniel Jean: It's a very difficult issue. For a fact, when we were looking at our administrative measure around refugees, one of the things we wanted to do with those measures was to give status to people sooner, because the sooner they have permanent residency, the sooner we can put them into our integration program. We can then assist them in terms of outcomes.

It's difficult with that particular group, because it's a matter of balancing program integrity. We're trying to put the onus on them to show us who they are or what their identity is; at the same time, we understand that it's not always possible for these people. So it's a matter of finding the right balance. There is some work being done to try to see how we can do better in finding that balance, but it's not an easy situation to resolve.

The Chair: Okay, thank you.

Hon. Albina Guarnieri: If I could just ask him a quick question

The Chair: Okay, go ahead, I'll let you continue your train of thought here.

Hon. Albina Guarnieri: As a very quick footnote, if these people have been here for an extended length of time—six or seven or eight years—and haven't committed any felony, is there any consideration given to having some mercy on or giving some leniency to these individuals?

Mr. Daniel Jean: That's part of the consideration we need to look at, right? Is it just a matter of time, or is it more than that? But at some point you have to find some resolution. We have some people who are examining options, but this is not an easy issue to resolve.

The Chair: Andrew, please.

Hon. Andrew Telegdi: Let me return to the \$700 million, which was essentially to build capacity and to really deal with the issue of the backlog; that's what it was about, to help you speed up the backlog. So if you take the \$700 million out or you don't make the \$700 million available, you're not going to have the extra resources to speed up dealing with the backlog. Am I correct?

Mr. Daniel Jean: The \$700 million was for backlog reduction. It was also for the creation of the in-Canada class, to assist people who have temporary status as students or temporary workers in Canada and who want to adjust their status to permanent residency.

Yes, in the absence of that money and those resources, it's difficult to reduce the backlog, but as I said before, the issue of the backlog is not just an issue of processing capacity. You also need to make sure that the people you bring in will do well. And as a matter of fact, when you look at the cost of bringing immigrants in, the money you need to put into integration programs is much higher than that for processing capacity.

● (1705)

Hon. Andrew Telegdi: Let me put it another way: it would speed up the time it takes for people to get in, by building capacity.

Mr. Daniel Jean: What I am trying to say is that if you were to try to.... What your question leads to is an effort to bring more immigrants to Canada, right? Every year the government needs to set its plan and to table with Parliament how many immigrants there will be. The government does this following consultations and after trying to see what the right numbers are, given how immigrants are doing. Let's make sure our immigrants will do well. So it's not just a matter of bringing in more immigrants, but also a matter of making sure that once they arrive here, they will do well.

Hon. Andrew Telegdi: But one of the issues we have is that in the skilled workers class, it takes us 58 months to have somebody come in—58 months. You're talking about six years.

I had a case when I was over in India. The chap applied when he was 37 years old. He will finally be arriving in the Lower Mainland. He was a lawyer in India. He's going to come and work as a paralegal in the Lower Mainland, and he's going to get here when he's 43 years old. It seems to me it would have been better for Canada to have him here when he was 38 years old than when he's 43 years old. I thought one of the things this \$700 million was going to do was to speed up the processing time.

Ms. Janet Siddall: Perhaps I could address that a little bit, Mr. Telegdi. You have to understand the relationship between speeding up processing and increased landings. If I could wave my magic wand—since I'm responsible for delivering on some of these numbers—and say that everybody who is waiting in our skilled worker inventory, all 500,000 of them, won't have to wait for more than a year to get into Canada, that would be 400,000 more landings in Canada in one year. So instead of having 255,000, we're going to have 655,000.

What we're talking about is that balance between bringing people in and making sure they're successful. And that's done in consultation; the provinces certainly have a lot to say about how many people are coming into their provinces and cities. Of the funding to support those kinds of levels, only 15% is actually required for the processing abroad; the rest of it is required for our partners who do the security clearances, etc. But most of it goes to provinces and service providers who provide the settlement support, to the tune of about \$5,000 per immigrant for settlement services and supports such as language training, housing, infrastructure, and all of the programs we spoke about.

So it's not as much about speeding it up as having to look at that balance between the plan, the numbers, and Canada's capacity to absorb immigrants. We want more successful immigrants; we don't want more immigrants that aren't being successful.

Hon. Andrew Telegdi: What you're telling me is that if I'm a skilled business worker, a skilled worker immigrant looking at places to go, the chances are I could go and pick Australia, given that we're in a competitive situation and their processing time is a lot faster.

But just to close this off, can you give me the actual time for parents and grandparents? You said it does not include processing time at the CPC.

Mr. Daniel Jean: The number, I think, is in the inventory. Right now, the parents' and grandparents' applications we're processing date back to May 2004. Those are the ones we're processing right now; the people who applied in May 2004 are the ones we are processing.

Hon. Andrew Telegdi: So you're talking about a further 24 months, or two more years?

Mr. Daniel Jean: Of course, we continue to receive more applications per year than are set in the level plans, so that's going to go up, unless—

Hon. Andrew Telegdi: So it would be good for the committee if we had the figure of five years, essentially. Is that what you're talking about—over five years, as 37 months plus 24 months is over five years?

Thank you.

The Chair: Thank you, Andrew

Madame Faillie.

[*Translation*]

Ms. Meili Faillie: I would like to ask you a few brief questions on some figures and statistics.

This issue was brought to my attention by people from Eastern Europe, and elsewhere. I would like to know from which countries you require claimants to fill out additional forms. I can point out Croatia as an example. Croatians are asked to fill out an additional form on war crimes. Aside from Croatian nationals, other nationals from this same region also have to fill out a similar type of form. Therefore, I would like to know when you last reviewed the necessity of imposing this form. You can simply send us this information.

Moreover, I find it appalling to ask everyone from the age of 21 to 65 to fill out this form. Given the period when the war took place, some of these applicants were only 7 or 8 years old. Is it appropriate to ask somebody who is 21 years old to fill out this form? It is appalling. I would like an explanation, because I get a lot of questions on this subject.

For each one of these countries, how many visas are requested? What is the acceptance rate? What are the reasons given when an application is refused? In our riding offices, we receive an increasing number of requests to intervene from people who come from certain countries. In some cases, some of the grounds for refusal are not necessarily justified. When we intervene in a case, we usually wind up resolving issues regarding suspensions. However, it is very time-consuming. I always mention this when you talk about the department's resources, because you forget about the 308 people who work in our riding offices. You appreciate what they do, and all the better. I hope the department will transfer part of its budget to us! I would like an answer in writing soon. You do not have to answer immediately.

We adopted certain guidelines concerning temporary workers. I know that Canada is a signatory of an international agreement on immigrants' rights. However, that agreement has not yet been ratified. Given the minister's announcements and interviews with

different newspapers, it would seem that this path will be taken in the future.

What are the main obstacles to Canada's ratifying the agreement on immigrants' rights? Why are there delays? Nonetheless, Canada is a signatory, and several countries have already ratified it.

● (1710)

Mr. Daniel Jean: I am not sure that I understood your question, Madam Faillie. If you are referring to the Convention on the Rights of Migrants, we have not signed it. Over the years, Canada has given its reasons for not ratifying that convention.

However, I believe that the minister's statements you are referring to allude to the work he is doing with his colleague from the Department of Human Resources and Social Development to make sure that our program does more to meet the needs of the labour market as well as other issues that have been raised earlier by this committee.

Ms. Meili Faillie: There have been a few meetings with Mr. Fox in the past, and we have talked about increasing the number of agricultural workers, and therefore increasing the number of programs. Several countries are asking us if we are going to include them. We have not noticed any opposition, or people who do not want Canada to welcome agricultural workers, who are in fact temporary workers.

There is also the domestic worker program. This program is somewhat different, as it allows people to obtain permanent resident status after three years.

There are different classes of temporary workers. What does the department intend to do when they arrive? What rights will they have here?

Mr. Daniel Jean: The policy for agricultural workers and for seasonal workers is established by the Department of Human Resources and Social Development. As I mentioned earlier, there are programs which allow the agricultural sector to hire approximately 10,000 workers. I might add that those workers help meet the need for this type of labour.

There has also been, over the last number of years, a very high demand for what is called "semi-skilled" labour. The needs are more acute in this sector. There is a need in the meat industry and construction industry. The Department of Human Resources and Social Development has established a program for workers who are here for a limited time.

There are a few programs like this, but currently, the crying need for labour is more obvious in certain professions. There is a shortage of tradespersons, especially.

● (1715)

Ms. Meili Faillie: I have a short question. I would like to know if you intend to...

[*English*]

The Chair: Well, that's six minutes.

Ms. Meili Faillie: I have one minute from the last time.

The Chair: Okay. There will be one brief question, and then we'll have to go to Bill, because we need a couple of minutes' break in between.

[*Translation*]

Ms. Meili Faille: Could there be the same type of conditions when people's permits are renewed several times, for example after three years? Could these people be granted permanent resident status so that their claim could be processed in Canada?

Mr. Daniel Jean: At the time, under the Live-in Caregiver Program, that was taken into consideration so that those people could stay until they obtained permanent residency.

Currently, for this type of worker, the Department of Human Resources and Social Development has a policy of keeping workers during the entire duration of their employment, because they work in seasonal industries.

Ms. Meili Faille: Thank you.

[*English*]

The Chair: Mr. Siksay.

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

Continuing on the temporary worker issue, I know the department was undertaking a consultation process, a study process, of the live-in caregiver program. Can you tell me the status of that study at the current time?

Mr. Daniel Jean: We had a process of about a year of consultations. It was the first time we had all the stakeholders in the same room. It was a forum in which we had all the various stakeholders in one room for discussions over about two days about improvements that could be brought to the program. A report on these consultations—a summary of what came out of these consultations—has come up. What we need to do now is examine the improvements we may wish to consider and bring them to the attention of the minister.

Mr. Bill Siksay: Is that an active process? Is there a timetable on it?

Mr. Daniel Jean: We have not attached a timetable to it, Mr. Siksay, because we were preoccupied with things that had been identified as higher priorities. We can't pull the work we did on in-Canada spouses and other social policy issues.

Mr. Bill Siksay: With regard to agricultural workers, does the department's interest end once they arrive in Canada? Who does inspections of the workplaces? There have been lots of reports of difficulties in workplaces for agricultural workers. There have been some recent ones in British Columbia. What is the department's responsibility once these folks arrive in Canada?

Mr. Daniel Jean: There are processes in place between the human resources and skills development department, the provinces, the employers, and the unions, who are involved as well, to make sure there is someone there to ensure that if people are in difficult situations, they can raise their hands and be helped. There will never be a perfect situation, but there certainly are mechanisms in place to try to help people if they fall into a vulnerable situation.

Mr. Bill Siksay: In British Columbia, I think there is one person in the whole province responsible for inspections of workplaces where agricultural workers are employed. Is this something the

department finds acceptable, and is it a factor in your approval of temporary agricultural worker permits for folks coming to work in British Columbia?

Mr. Daniel Jean: I'm not familiar enough with that to give you a reasonable answer.

Mr. Bill Siksay: Okay.

With regard to the list of countries where refugee claims are made to Canada, I notice the United States is on there. Can you characterize those claimants in any way?

Mr. Daniel Jean: While there are a few long-term U.S. citizens, these are primarily the children of the third country nationals who have come to make a claim, as they've been in a difficult situation in the United States for a while and have decided to come and claim refugee status in Canada. Their children were born in the States, so they are U.S. citizens.

Mr. Bill Siksay: Last fall, there were some measures announced by the department and discussed here at committee around refused visitor visas, when the person applying was coming for a family occasion, like a wedding or a funeral. There were some new measures put in place, and a new appeal—or, at least, a new review—of those decisions was made. Is that process in place now? Has it changed the number of successful visa applications by visitors?

● (1720)

Mr. Daniel Jean: Those instructions were put out last summer, if I recall correctly. We're asking our officers, when they face a situation where people are coming for humanitarian reasons, a funeral or something like that, to exercise as much sympathy as they can in considering a visa. If they cannot consider a visa, the instructions also remind them that they have the authority to issue a permit, even though they think they may be taking a risk doing that. Yes, our officers are doing that. I don't have data on it, but I know that officers are exercising more discretion, both in visa issuance and permit issuance.

Mr. Bill Siksay: How is the increase in parental and grandparental applications above the target accomplished? I guess it's almost double the target. Was there a special streamlining of the process within the department? You mentioned that the resources that were dedicated last fall didn't end up going to that kind of process.

Mr. Daniel Jean: Do you remember that the initial levels for 2005 had a target of 6,000 parents and grandparents?

Mr. Bill Siksay: Yes.

Mr. Daniel Jean: Then it was adjusted to 18,000 by adding an incremental 12,000 for two years—last year and this year. So the actual target was 18,000.

The Chair: Thank you, Bill.

I think we'll clew it up here, because we do have a delegation coming.

I want to thank you on behalf of the committee for a great presentation. I don't think you've been too badly bruised by it all. Thank you. We really appreciate it.

While we're waiting for our delegation to come in, we have a request from the Finnish parliamentary foreign affairs committee, who are going to be visiting Ottawa on June 5 and 6. They would like to meet with our committee. The Finnish parliamentary foreign affairs committee want to visit the committee to learn about how Canada has benefited from immigration, and about current trends and development plans.

Are there any opinions on that? Do you want to meet with this particular group? It's the Finnish parliamentary foreign affairs committee.

Ms. Meili Faille: At the last session, the way we normally worked was to organize a dinner at the Parliamentary Restaurant, where we could discuss things, but not during committee work time.

The Chair: It would be after committee work, like today.

Ms. Meili Faille: Yes, it's normally like today, with a dinner. It's informal, as we never had any formal meetings.

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Is there something in particular that they want to try to raise with us, or is it just that they want to come and exchange ideas?

The Chair: The parliamentary delegation are saying they want to meet with our committee. They want to learn about how Canada has benefited from immigration, about current trends and development plans that we have.

Finland is currently in the process of finalizing a new migration policy program, so the issue is very topical for the delegation and they would welcome the opportunity to share experiences with their Canadian colleagues.

It wouldn't really be a committee meeting.

Mr. Bill Siksay: I'm sorry, Chair, I can't hear you with the noise in the room. Can you bring the room to order?

The Chair: Maybe we could take some of the conversations to the back of the room or out of the room so we could deal with this one little request before our next delegation comes. I don't know if you all heard it.

We'll circulate this to all the members so maybe you can have an opinion on it at our next meeting. Do you want to do that?

Okay, Bill?

Mr. Bill Siksay: Chair, I'd be happy to do something informally with them, but I'm loath to take formal committee time to do it at this point as well.

The Chair: This is what we were thinking. Maybe after committee we could have them come in and maybe give half an hour or an hour, have a chat, and open it up for questioning. It's up to you.

• (1725)

Mr. Bill Siksay: Or over dinner.

The Chair: Or over dinner—whatever you want to do.

Okay, leave it with me and I'll see what I can do on it.

We'll adjourn.

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