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Thursday, September 28, 2006

—
Chair

Mr. Norman Doyle

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•(0905)

[English]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): Okay, we're going to get going. I think we have a quorum and then some.

I want to welcome to our committee this morning officials from the Department of Citizenship and Immigration: Mark Davidson, director; Alain Laurencelle, counsel; and Karen Clarke, acting manager. Thank you for coming, and welcome to the committee.

We're going to try to plow our way through the rest of Bill C-14. I guess we'll begin logically where we left off, which was at clause 3. There were no amendments to clause 3, so I think that one was fairly straightforward.

(Clause 3 agreed to)

The Chair: Now we will go to the confusing part of the bill. We've had a number of amendments, and some of these amendments have now been withdrawn. We're proceeding with some new ones, and I think you have copies. You have a package that contains the amendments, but I'm told that's not accurate on 11.1. Since then the parliamentary secretary has distributed Madame Faillle's two amendments. Pull BQ-4.1 and BQ-5.1 out of the package; they're not relevant any more. We have the new ones.

“That Bill C-14 be amended by adding after line 31 on page 2 the following new clause”—this is what Madame Faillle has submitted. Has everyone got that one, for 3.1?

I believe the copy you have is that the act is amended by adding the following after section 27:

The Minister shall cause a copy of each regulation proposed to be made under paragraph 27(d.1) to be laid before each House of Parliament, and each House shall refer the proposed regulation to the appropriate Committee of that House.

Are you going to move the amendment, Madame Faillle?

[Translation]

Ms. Meili Faillle (Vaudreuil-Soulanges, BQ): Yes. The change is in the third paragraph:

(3) The Governor in Council may make the regulation at any time after the proposed regulation has been laid before each House of Parliament under subsection (1).

[English]

The Chair: Is there any debate?

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): What was that point again, Madame Faillle? I didn't catch it.

The Chair: Yes. I think most people were getting their translation on there. I would ask you to repeat it, please.

[Translation]

Ms. Meili Faillle: The change is to the third paragraph. We would replace the words « the Governor in Council may make the regulation within six months after the date on which this Act receives royal assent » by:

(3) The Governor in Council may make the regulation at any time after the proposed regulation has been laid before each House of Parliament under subsection (1).

[English]

The Chair: Okay.

Bill, go ahead, please.

Mr. Bill Siksay (Burnaby—Douglas, NDP): I wonder if Mr. Komarnicki could give the interpreters a copy of the document he circulated, because they don't have that. That's what the confusion is about.

The Chair: Okay. We'll ensure that the interpreters get a copy of it.

Is there any further debate on the amendment submitted by Madame Faillle?

Shall the amendment carry?

(Amendment agreed to) [See *Minutes of Proceedings*]

The Chair: Okay. Thank you.

Now we'll go to clause 4, for which Madame Faillle has proposed another amendment, of which you have a copy.

A point of order, Mr. Siksay.

Mr. Bill Siksay: Don't we have to vote on the clause as amended, or is that not necessary in this case?

The Chair: No, it's a new clause.

Mr. Bill Siksay: So it's done?

Okay.

The Chair: We'll go to clause 4, and you have a copy of it as well.

This Act comes into force on the earlier of (a) a date to be fixed by order of the Governor in Council, and (b) six months after the day on which this Act receives royal assent.

Madame Faillle, would you please move that?

[Translation]

Ms. Meili Faillle: I move that Bill C-14, in clause 4, be amended by replacing lines 32 and 33 on page 2 with the following:

4. This Act comes into force on the earlier of

- (a) the day to be fixed by order of the Governor in Council, and
- (b) six months after the day on which this Act receives royal assent.

● (0910)

[*English*]

The Chair: Thank you, Madame Faïlle.

Do we have any debate on that particular amendment?

Mr. Ed Komarnicki: No. It's one that was obviously worked on by the parties, and an agreement was reached as kind of a compromise to various positions, Mr. Chair.

The Chair: Is there any further debate?

(Amendment agreed to)

(Clause 4 as amended agreed to)

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: The bill was carried. I never thought we'd get through it so easily.

I thank all of you for coming together to make this easier.

The parliamentary secretary, Madame Faïlle, and Mr. Siksay had a couple of meetings on a couple of these amendments. Thank you for that.

Madame Faïlle.

[*Translation*]

Ms. Meili Faïlle: Mr. Chairman, I would like to move that the committee issue a press release stating that Bill C-14 has been approved with amendments.

[*English*]

The Chair: You heard Madame Faïlle. She is recommending that a press release be prepared stating that the bill was carried as amended. How does everybody feel about that?

Mr. Ed Komarnicki: Good. We should obviously try to reach unanimity on the contents of the press release and there should be some exchange of correspondence.

The Chair: Yes. When we get a press release made, we'll bring groups together to have some discussion on it.

Mr. Jaffer.

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): I think probably the department or the minister will send out their own. But if you, as the chair of the committee, want to put something together

announcing that we've done this and any inquiries could come initially to you, I think that would be fine, Mr. Chair.

The Chair: Thank you. I'll consider that to be a directive from the committee, and I'll move on it.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Chair, I only want to draw your attention to the fact that I have a Ukrainian intern in my office, and Ed can go and chat with him in Ukrainian. He heard the basics of the bill, very much liked it, and thought it was fair and just. But he won't be with us any more, as he is leaving soon.

The Chair: I am sorry to hear that.

Hon. Andrew Telegdi: It was a great exchange program.

The Chair: Welcome, and we're sorry to see you go. We're welcoming you and we're saying goodbye to you at the same time. Maybe we'll see you again some time. All the very best to you.

Mr. Ed Komarnicki: Mr. Chair, if I could just direct a comment to him...[*Member speaks in Ukrainian*].

Hon. Andrew Telegdi: My translation wasn't working.

The Chair: That was in Ukrainian. I don't think we have any Ukrainian translators in the booth.

Hon. Andrew Telegdi: If you said that in English, you could get it into the record.

Mr. Ed Komarnicki: Okay. We welcome him here to the committee. It was good to see him here. We hope he had a good stay, had an opportunity to read the bill, and will have a good voyage back to his homeland. We wish him the best.

Hon. Andrew Telegdi: This will be in the minutes.

The Chair: Okay. Let's move on to number two on the agenda, committee business, notice of motions.

The first motion, of course, is from Mr. Siksay and concerns the remaining 118 stateless Vietnamese refugees in the Philippines.

Mr. Siksay, are you moving that motion?

Mr. Bill Siksay: I am, Mr. Chair, but I wonder if I could make an amendment on the numbers. Given the passage of time, there has been some change in the numbers involved, and I wonder if I could change where it says 118; that was a typo we should have corrected in the first place. It was originally 188 when the folks appeared. But it should say 140 now. That's the best information I have from the organization on the ground in the Philippines. So wherever it says 188, it should read 140.

In the fifth "whereas" clause, I think the correct numbers are "23 individuals from seven families," instead of "27 individuals from eight families."

The other changes are all the 118 to 140.

● (0915)

The Chair: Thank you, Mr. Siksay.

You've heard the submission by Mr. Siksay. It doesn't substantially change the motion in any way. So can I take it for granted we will give Mr. Siksay permission to change these numbers?

Okay. So ordered.

Mr. Bill Siksay: Chair, I just wanted to say to the committee that this is something we worked on over the course of two Parliaments. In the last Parliament, a remedy was proposed by the government. Unfortunately, as you can see from that fifth "whereas" clause, it only allowed for the resettlement of 23 individuals. And at the time we discussed this in the last Parliament, around 2,000 people were still in the Philippines. Thanks to the efforts of other countries, that number is down around 140 of the original Vietnamese boat people who didn't have a remedy from the Philippines under the United Nations resettlement plan. And some of those folks have dependants as well. So the actual number of people who may need resettlement is probably slightly higher than 140, but it's around 140 of the original Vietnamese folks.

The Chair: Okay. So we'll consider the 140 to be an approximate number.

Mr. Bill Siksay: Chair, I think we've all heard there isn't a durable solution for these people. They missed out on the United Nations programs. They have no legal status in the Philippines. The Philippines government—and we've heard from a number of Philippine government officials—has no plan to deal with these people. It's not on the agenda. It won't happen in the near future or even in the medium future; it's just not on the agenda.

We've seen other countries take initiatives to resettle this last group of refugees from the war in Vietnam. We've also seen that the Vietnamese community in Canada is most anxious to play a part in the resettlement of these folks. That's a community that understands Canada's hospitality and desire to offer protection to refugees. It was quite moving to see them come and want to play a role in that same kind of resettlement as an indication of how much they've become part of Canadian society, and how much they understand Canadian values when it comes to the protection of people in danger around the world.

This motion asks the government to undertake measures. It mentions two options: the country of asylum class and the minister's prerogative around humanitarian and compassionate consideration. I would hope the committee could pass it so we can encourage the government to move to resettle these last remaining folks.

The Chair: Thank you, Bill.

Andrew, please.

Hon. Andrew Telegdi: Yes, Mr. Chair. I just want to underline the tremendous support from and presentation that was made by the Vietnamese Canadian community. I believe it's on TV.

We had the big meeting at Centre Block. For those of you who weren't there, if you can, imagine a room full of people; the minister got a standing ovation from all the Vietnamese Canadians and dependants. It was very crowded. Certainly all of us who grew up in the shadow of the Vietnam conflict feel this would really be a proper thing for us to do to fulfill our humanitarian obligations and to assist in dealing with a very real problem.

The Chair: Thank you, Andrew.

Madame Faillie.

[*Translation*]

Ms. Meili Faillie: I would like to add that the government had committed to welcome 200 of those refugees and that 23 were able to settle in Canada. If we're now talking of 140, that's less than the number agreed to by the government in its commitment. So, there should be no problem in it welcoming those 140 persons.

At this stage, considering that we have worked very hard on this file, we should remind the government the importance of welcoming those persons.

As Bill and Andrew stated, the local communities are willing and ready to help them. We only want to turn the page on that piece of history.

Thank you.

• (0920)

[*English*]

The Chair: Is there any further debate or submissions?

Mr. Komarnicki.

Mr. Ed Komarnicki: I'd like to make a few points.

Certainly I was present when they made the presentation, and there's no question that the presentation was a compelling one and the number remaining is not huge. As I recall from the presentation, there were two possibilities for them. One was to apply under the country of asylum class, or to have the minister exercise discretion on humanitarian and compassionate grounds under section 25. He would have to require that kind of intervention. And certainly the minister and department have met and heard representation.

In my view, when one is exercising discretion, although it's discretion, it obviously needs to be exercised with compassion, but on an objective basis. It's not meant to be sort of a catch-all phrase that takes everything into account. When you look at where a number of groups are in relation to this particular case, they would either qualify for similar kind of treatment or have a basis for it. When you look at it from that perspective, it becomes problematic for the minister to be exercising that kind of discretion in this case.

For this reason and also for the fact that they can still apply under the country of asylum class, and some of them have married Philippine nationals, there is legislation before the house in the Philippines, I understand, a particular bill to regularize them. It's been approved by the house committee on justice and it's scheduled for plenary debate. The process is there and I think there's potential for amnesty to be gathered there.

Initially when there was a provision made for sponsorship through family class, and they extended the family class, the uptake was not very high, and we find that those who are left don't easily fall into the category that we would like to utilize. For that reason, we would oppose the motion as it is presented. I certainly would be open to have them applying under the existing provisions, other than the section 25 that's referred to in the motion.

Realistically, when we're looking at these cases, I think every time a discretion is utilized in whatever case it might be, it has to be looked at on an objective basis with certain underpinnings, and you have to at least either qualify within that realm or come close to it where that consideration can be given.

I appreciate the circumstance, and hopefully there can be a resolution and outcome that provides some satisfaction. But for those reasons, we must oppose it.

The Chair: Thank you, Parliamentary Secretary.

Andrew, please.

Hon. Andrew Telegdi: I want to point out, Mr. Chair, that we dealt with that. The clerk can check me out, but we had the previous Conservative members on this. The only constant, I think, is that the parliamentary secretary was proposing the same position, essentially making the same kind of argument.

This was something of an extraordinary effort with a number of countries, the United States and Australia. In terms of discretion, the minister always has it under H and C, and it certainly would be nice to wrap this up this year. It's really something that should have been done before.

I simply make that note, as I was sitting in the chair in about the same position. The parliamentary secretary had a position, but the Conservative Party members sitting on this side were very much in favour.

• (0925)

The Chair: So you're saying it just depends on where you're sitting.

Hon. Andrew Telegdi: No—but the only consistent thing is the parliamentary secretary's position.

The Chair: Okay.

Any further debate or submission—

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Excuse me, Mr. Chair, but I raised my hand quite some time ago. I wonder whether you do check your lists of people who are asking to speak.

The Chair: I'm sorry. You were over on that side; I should have been looking.

Ms. Raymonde Folco: Does the clerk not write down the names of the people who want to speak?

The Chair: Generally that happens when we have witnesses and that kind of thing, but this is a fairly informal chat this morning.

Feel free to speak up on this motion.

[*Translation*]

Ms. Raymonde Folco: I want to speak in favor of the NDP motion.

I want to remind the members of this committee that we're talking about human beings, about individuals and their families. We've had a good reputation — it has been dented since then, I admit — about what we did for the Vietnamese refugees.

During any period of major crisis, and especially during that one at the beginning, some people are able to find a solution because

their case meets the exact legal criteria of the welcoming country. So, there are a number of boat people who were able to settle in Canada without any difficulties of a diplomatic nature. However, there are always some people whose case does not meet the exact criteria of existing legislations and who are left in limbo, which is what happened to these people.

If we pass this motion, it would be another recognition by our committee — and, one day I hope, by the Minister — that our refugee policy takes account of the fact that there are some human beings whose situation places them outside any existing legal framework. It would also be a recognition that we can have legislation that is sufficiently flexible to allow us to help a few hundred people whose situation is really dramatic, and that we have the strength, the will and the generosity required to welcome them.

I hope the committee will vote in favor of this motion.

Thank you.

[*English*]

The Chair: Thank you, Madame Folco.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Chair.

I want to come back to something the parliamentary secretary mentioned, about the possibility of a legal remedy in the Philippines. I want to quote from a letter from Loretta Ann Rosales, a representative in the Philippines Parliament, who wrote to Andrew Robb, Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs in Australia, on September 10 of this year. In her letter, Ms. Rosales addresses exactly that issue:

You may be aware that two proposed measures were filed before the Justice Committee of the Philippine House of Representatives during the 12th Congress... Both bills sought the granting of permanent residency to the remaining stateless Vietnamese in the Philippines. Similarly, a bill was introduced by Congressman Roilo Golez in 1998 concerning permanent residency for the stateless Vietnamese.

As you would no doubt appreciate, enactment of a law is not a simple process. Bills such as the permanent residency bills take an average of nine years to pass through the various readings and procedures and then finally take effect as law in the Philippines. The bills granting permanent residency for the stateless Vietnamese in the Philippines were, sad to say, not passed into law.

So that's an update, perhaps, on the information that the parliamentary secretary had here. It doesn't look like that option is in process right now, or if it is, it's a very long-term process.

The Chair: Mr. Komarnicki.

Mr. Ed Komarnicki: I certainly appreciate that, but I want to reiterate that you cannot start preferring one group over another group when you're dealing with humanitarian and compassionate grounds, simply for the reason that it has to be something that's equitable and fair between groups. I think we have in Canada probably as fair and as compassionate a refugee system as you'll find perhaps anywhere in the world, with all of the room in there for exercise of compassion and so on. If one were to utilize discretion, it would have to be principled, but it would also have to be equitable and fair between groups. Otherwise, when you're looking at the greater public good, you potentially have others saying that if you've done that here, then you need to do it there and there as well.

You have to take a reasoned and fair approach. I understand the argument on the other side, but I just wanted to bring up that issue of the public good and the class action. I realize that the process as it is in the Philippines perhaps is not expeditious, but it is headed in the right direction, toward the point of regularization. The uptake has been significant over the years by the other countries, and this is the remaining portion.

So I don't think that changes anything in terms of the position I've taken.

• (0930)

The Chair: Are we ready?

Mr. Bill Siksay: I'll table a copy of the letter I quoted from so it's available.

The Chair: Thank you.

(Motion agreed to) [See *Minutes of Proceedings*]

Ms. Raymonde Folco: Let's congratulate Mr. Siksay for the work he has done on this.

The Chair: Second is a notice of motion from Madam Folco.

[*Translation*]

Ms. Raymonde Folco: Thank you, Mr. Chairman.

This motion brings us back to the period before the summer holidays. You may remember that, at the time, the Auditor General was before the committee and that I had asked her if she had the power to audit some aspects of CSIS activities related to immigration.

She had answered that she could but that it would be preferable for the committee to make that request. My objective is to show the motion to the Auditor General of Canada so that she can begin an analysis of the processes and methods used by CSIS in its investigations of immigration cases, the type of information it gets, the way it gets that information and the way it analyzes it in order to make recommendations.

I believe that most of us around this table receive in our riding offices many requests relating to parents wanting to immigrate in Canada. We know that the investigations carried out by CSIS are long and complex and that the results do not always seem to correspond to what we are told by the families or to what is in the files.

I have raised this matter several times with one minister or another, without success since the investigations of CSIS are confidential. We do not have access to them. In any case, the process is long and the results seem to be biased.

I don't want to go any further with this except to say that the Auditor General told us quite clearly that she could have a look at the methods and results of CSIS but that she would have to have a good reason to do so. This motion would give her that reason. Considering some of the events that happened two years ago, I believe it is high time that we have a closer look at the methods used by CSIS and at its conclusions in immigration cases. The Auditor General of Canada is the only person able to do that.

I very much hope that the committee will vote in favor of this motion so that this mandate can be given to the Auditor General.

Thank you.

• (0935)

[*English*]

The Chair: Thank you, Madam Folco.

You've heard the motion.

Andrew, please.

Hon. Andrew Tegledi: One of the more difficult situations we're faced with as members of Parliament when we're making an inquiry on any client is when we're told that a security investigation is going on. I'm at a loss, most of the time, to figure out what it's about. My experience has been that this just delays the case processing a great deal. I think it would certainly help the many families that are trying to be reunited in Canada to have a process that's much more expedient. Just stamping "security" on something, without any kind of oversight, essentially halts the program.

It so happens that I have a request with the minister right now. There's somebody who was married a year ago in India and is trying to get over here. I had the occasion to meet this person in India. She's a school teacher, and I can't for the life of me, from what I know about the case, figure out what, if anything, it has to do with a security situation. Once the stamp goes on, it becomes very difficult, and it really slows the process down.

So yes, we do need security clearances, but given the hardships they cause the individual and the families over here, I think it's something we'd have to make much more efficient.

The Chair: Thank you.

Is there any further debate?

Mr. Komarnicki.

Mr. Ed Komarnicki: I reviewed the motion, and initially my reaction was, is it our responsibility to tell the Auditor General what to do? But it's in the form of a recommendation. It deals with issues between Citizenship and Immigration Canada and CSIS, and it talks about methods and processes, the type of information used, and how that is working. So I think it has a connection, certainly, to our committee and to our department, and it's something I would be supportive of.

The Chair: Okay, if there is no further debate, we're ready for the question.

(Motion agreed to) [See *Minutes of Proceedings*]

Ms. Raymonde Folco: Thank you, members of the committee.

The Chair: You're welcome, Madam Folco.

Go ahead, Bill.

Mr. Bill Siksay: Mr. Chair, I wonder if a motion to report both these motions to the House separately would be in order. I'd like to move that.

The Chair: Okay. All in favour?

(Motion agreed to)

The Chair: Now for the committee budget. This is the good part of it all. Do all members have a copy of the operational budget request?

I would imagine that this is quite standard, is it, Mr. Clerk?

So you have the budget before you.

Hon. Andrew Telegdi: I so move.

The Chair: Andrew moves the budget.

(Motion agreed to) [See *Minutes of Proceedings*]

● (0940)

The Chair: Now what else do we have here? There is a motion about committee travel to Kingston. Do we have a copy of the motion for committee travel to Kingston?

That the Chair be authorized to seek an Order of Reference from the House of Commons for the Committee's travel to Kingston, Ontario from October 30, 2006 to October 31, 2006 so the Committee can continue their study on Refugee Issues and visit the Kingston Immigration Holding Centre. That the membership be composed of two Conservatives, one Liberal, one Block Quebecois, and one NDP, and the necessary staff accompany the Committee. That the Chair be authorized to plan and finalize the budget and itinerary for the Committee's travel to Kingston, Ontario from October 30 to 31, 2006 and present the budget to the Subcommittee on Committee Budgets of the Liaison Committee.

Madame Faille.

[*Translation*]

Ms. Meili Faille: I only want to correct a typo in the English version where Block should be replaced by Bloc.

[*English*]

The Chair: Okay, thank you. Unless there is some discussion on it—

Mr. Komarnicki.

Mr. Ed Komarnicki: I would like to raise a few points on this issue. I know this was on the agenda that was passed in one big hurry moments before we broke. I have to say we really didn't have the kind of discussion on the agenda that I think we ought to have before the committee. Not to say that the agenda is not in basic good form, but certainly I think we left the meeting with the understanding that we'd come back to the agenda, have a further discussion on it, and maybe revisit it. I'm not so sure that we shouldn't have this motion put forward for another day and discussed in light of the bigger agenda.

Secondly, and I'm a little bit irked by this, when I try to put a motion on procedure I was told you have to have 24 hours' notice or something like that, and then we get a motion that can't be any different from my procedural one, put before you just as you're sitting here, without being given a chance to think upon it.

I feel the motion should be put forward when we have a look at the agenda, which I assume we will at some point, in the sense that we as a committee haven't had an opportunity to express our views whether indeed we want to travel to Kingston.

I know that the subcommittee, at least, felt they should, and my recollection is a one-day visit. And I'm not sure that we won't end up going there, but we as a committee as a whole we haven't discussed whether we want to make that kind of a trip. When it comes to making trips outside of here, we should at least probably discuss it around the table.

Those are my passing thoughts, that it should be combined with the agenda. If indeed we pass the agenda exactly as it is and we're

going to go to Kingston, and that's the decision the committee makes, then we can appropriate the funds to do it.

I would prefer to see it combined together in the motion, to see it moved over to another time when we're dealing with the agenda itself.

The Chair: How does the committee generally feel about the parliamentary secretary's remarks? We could postpone it and have a meeting on it probably after our committee meeting on Tuesday, and sit down in a room close to our committee room and have a discussion on it.

It's a reasonable request, I suppose.

Bill.

I'm sorry. I'm going to have to get a wider vision here. Mrs. Folco is first.

Ms. Raymonde Folco: Thank you very much, Chair.

You're turning to the right too often. You should turn to the left very slightly from time to time. No, I understand.

[*Translation*]

My comments and those of the parliamentary secretary can be summarized in the following manner. When we took a vote on the discussion and on the recommendations of the steering committee, there had been no debate on these matters. Therefore, I had understood, perhaps mistakenly, that next week we would take the time to discuss those recommendations in committee. One of those recommendations relates to the trip to Kingston.

I would move that we take the time to discuss all the recommendations of the steering committee in order to see if the whole committee wants to do all those things. That would include the discussion. It seems to me that we should consider that trip in the context of all the other initiatives that can be taken by the committee and not as something separate.

In conclusion, I recommend that we not vote on this motion. Personally, I do not intend to vote for the motion. I suggest that we wait until we've had a discussion on all the recommendations of the steering committee.

● (0945)

[*English*]

The Chair: Thank you, Madame Folco.

Any further submissions on that?

Mr. Siksay.

Mr. Bill Siksay: Mr. Chair, maybe you can offer some advice. It seems to me that what both the parliamentary secretary and Madame Folco are suggesting is that we reconsider the passage of our motion we passed at the last meeting. We've already done that, and outside of a motion to move back and reconsider, I don't know how we proceed on this.

As a committee we've accepted the work plan that came forward from the agenda and planning committee. The motion was passed, and I think what we have now are administrative motions to put that plan into operation. This is a very important trip that we engage.

I know the parliamentary secretary's been concerned that we hear from the department before we undertake some pieces of the work and in this case we did schedule the department to come to talk to us about the holding centre and the policies that surround it before we go to Kingston. It was one of the issues on our priority list that the whole committee agreed to and voted on back in the spring, and at the agenda committee there was all-party agreement that this was an important trip to take.

I strongly support this motion and would like to proceed.

The Chair: Okay. Our subcommittee recommendations contained a recommendation to go to Kingston, and we've already passed our subcommittee report is what you're saying, which is true.

Parliamentary Secretary.

Mr. Ed Komarnicki: However, Mr. Siksay would agree that what happened at the last meeting was a discussion regarding the agenda, which is the essence of the committee. One minute before break somebody made a motion, and it passed without any discussion about the substantive part of it, without any input from any of us as to whether we agreed or disagreed or had some input, and we had a steering committee composed of a very small group.

To suggest that as a committee we can't revisit it now.... I thought the understanding when we left was let's pass this now, but we can revisit it later if we have some issues with it. At least that's how I understood it. I didn't have an opportunity to even speak to the motion, because everything was closing down.

I say this: It's not so much the subject matter of the agenda that has significant problems, but there are areas that need to be discussed. If we take the approach that we can't have input on how we organize ourselves or add or supplement what you've put together in that motion, what have we done?

If it takes a motion to revisit it, then I would move that we revisit it in the proper fashion where there's give and take and discussion. I don't mind losing on the motion, and I've done that often enough, but I do mind not having the opportunity to speak to it and have my views put forward so somebody can hear them and agree or disagree with them. To suggest that what happened at the last meeting was any kind of discussion at all is not so. It happened on the spur of the moment.

To be fair, this committee should revisit the agenda as a whole and this item as well. Obviously, if we decide we're going to Kingston, that's what we're going to do and we'll need the money to do it, and you'll have my agreement that it should be paid for. But I think it should be dealt with in the context of the whole agenda. Obviously, there are some holes in it.

It's a very sketchy rough particular document and it needs to have some debate. I would ask the committee to reconsider putting this thing to a vote now. I don't disagree with the essence or the content of this particular motion, but just the way it's coming forward. In the end, I may be able to support it, but only after we've had the opportunity to bring this thing back.

The Chair: Yes, and just to add, I did give some indication at our last meeting that the subcommittee agenda—and I had it written on my subcommittee agenda—wasn't written in stone, that we could visit it and talk about any changes we might want to make in the

subcommittee agenda. I remember making that statement last time. In any event, the committee is master of its own affairs.

Andrew is next.

● (0950)

Hon. Andrew Telegdi: We got into this mess because of the timing. We normally always discuss in the greater committee what comes out of the subcommittee, but this didn't come up until very late in the agenda and the motion was put forward: let's move it. I think the motion came from over there.

We should make sure that's what we do in future. In the present circumstances we should spend time discussing it, because otherwise it will seem as if we rushed the motion through. Legitimately the committee members want to have an opportunity to think about it and absorb it, and they didn't get the minutes until the meeting.

The Chair: In any event, we might wind up with the same agenda anyway. That seems to make sense.

Madame Folco, and then you, Bill.

Madame Folco.

[*Translation*]

Ms. Raymonde Folco: I don't know what the right procedure is — you might give me some advice — but I would propose, unofficially for the time being, that the motion be withdrawn. Another motion could be moved stating that, during the next meeting of the committee, there will be a debate on all the recommendations of the steering committee.

I would like it to be very clear that I am not opposed to the motion. As a matter of fact, I am rather in favor of it but I believe, like the parliamentary secretary, that we should take into account the whole of the agenda that has been recommended to the committee.

[*English*]

The Chair: This is a housekeeping motion put forward by the clerk, so we can withdraw that motion. It's not a problem.

Do you want to have a word first, Bill, before we withdraw this motion?

Mr. Bill Siksay: Mr. Chair, on the whole consideration of the overall agenda of the committee, I want to stress that the agenda and planning committee does include representatives of all parties. We did have a thorough discussion of the fall agenda in light of the priorities that the committee established. We only planned half the fall and we're going to have another meeting to plan the remainder of the fall. So anything that's missing from the agenda we'd certainly consider including in that. The parliamentary secretary and I have already discussed some things that he believes were missing and should be included and I agree with him on that.

I also want to say, Mr. Chair, that it did happen quickly at the last meeting. However, no one forced anyone on this committee to vote for that motion, and the motion did pass the committee. I want to hold the committee to the decision that they made. I believe that motion did pass. We all sometimes worry about how quickly things happen and how things develop with the committee, but in that case it was clearly on the agenda; it was clearly moved; there was a vote taken; and it did pass. I think it's a good beginning on the priorities that were established by the committee. I think we should move forward with that and address some of the concerns that are coming up, as we plan the remainder of our work for the fall.

The Chair: I'm in the committee's hands here. The motion has been moved, so we have to vote on the motion. That's this motion here.

Mr. Ed Komarnicki: Why is this motion before the committee if it's not moved?

The Chair: That's the motion from the clerk.

Mr. Ed Komarnicki: The clerk has no authority to move the motion.

The Chair: No, he drafted the motion. So actually no one has possession of this motion.

Hon. Andrew Telegdi: It seems to me that we actually have time. We're fortunate enough that it's 10 o'clock. We're scheduled to sit until 11 o'clock. I think it would be worth while to have the discussion that we should have.

The Chair: So we'll withdraw this motion.

• (0955)

Hon. Andrew Telegdi: It's not there.

The Chair: It's not there.

Is it the will of the committee to have a discussion right now?

Ms. Raymonde Folco: Do we have the papers?

The Chair: We don't have an agenda for that. It's going to be difficult to have a discussion when we don't have the agenda covering that.

I'm a little bit confused about all of this. I really have to pause to find out where I go from here.

Bill, you make a very good point. The agenda did get voted on at the last meeting, albeit in a very hurried fashion. I don't know if I have a right to express an opinion on it. I think the committee members make a very good point that we should have an opportunity to discuss where we go and what the agenda should be for the future. I'd be pleased if we could come to some consensus in that regard. I notice that you're anxious to say something here.

Mr. Bill Siksay: Mr. Chair, I wonder if we could just have a general discussion on people's concerns about the agenda that's been passed and refer that information back to the agenda and planning committee to either make recommendations about how that could be covered later in the fall or to consider possibilities of changes to the agenda.

The Chair: That's an agenda item next time around. Is the committee in favour of doing that right now?

Mr. Ed Komarnicki: If you want to hear from me, obviously I would sooner speak about it somewhat today, rather than not at all. To be frank, I hadn't given it the kind of preparation that should be given to it to make an adequate and proper presentation. In fairness to Mr. Siksay, the subcommittee's authority comes from this committee, so it's here that the decision lies. I can raise some of the immediate concerns that come to mind; if we want to do it for the purpose of highlighting it to the subcommittee, if they want to hear from us just on an off-the-top-of-your-head basis, I think we can do it, but I think we'll need to revisit it when we have the opportunity to think it through and put forward some positions with some reason and logic to them. My sense is we probably should do it at another date.

The Chair: I think we'll go into our meeting on Tuesday. The clerk says we'll set up a meeting for Tuesday after our regular meeting, so come prepared to speak about the agenda and what our future business will be.

Mme Raymonde Folco: When you say "after our regular meeting", do you mean after 11 o'clock?

The Chair: Yes.

Ms. Raymonde Folco: I think we'll have to check to see whether we are available after 11 o'clock.

The Chair: Why don't you just leave it in my hands? I'll try to get an appropriate time that might be good for all committee members.

Mr. Ed Komarnicki: There's one point I want to raise and leave with the committee. We have two days for the Canadian Council for Refugees, which is making the submissions, and I'm sure they have a lot to say, but would it be possible to have our meeting convene half an hour before 11 o'clock? They will be back again on Thursday. Sometimes how much air you want to put in a balloon depends on how much it will contain.

The Chair: Leave it to the chair and the clerk to get a time.

Mr. Ed Komarnicki: Yes; I'm just asking if there's consensus for us to start a little earlier than 11 o'clock—maybe 10:30?

The Chair: There is a suggestion to hear the witnesses from 9 o'clock to 10:30 and then go into some in-camera discussion of committee business. I think that's reasonable, and it seems to serve everyone's needs here. I think it's fair to do it that way, so with your indulgence also, Mr. Siksay, I think we'll do it that way. Is that okay?

Where do we go from here? Is that it? Is that the agenda?

[Translation]

Ms. Meili Faille: Another motion has been distributed. Its aim is to allow Jennifer to take all the testimonies, the documents and the work of the committee during its previous meeting.

[English]

The Chair: Okay; that will be on the next agenda, but we'll need notice of it.

The meeting is adjourned.

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