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**Chair**

**Mr. Norman Doyle**

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## Standing Committee on Citizenship and Immigration

Tuesday, December 5, 2006

• (0900)

[English]

**The Chair (Mr. Norman Doyle (St. John's East, CPC)):** Good morning, everyone, and welcome.

I think we are all set to go. I believe we have a quorum, so I want to welcome today witnesses from CIC. We have the associate assistant deputy minister of operations, Janet Siddall, and Micheline Aucoin, director general of the refugee branch.

Welcome to the both of you this morning.

I think you're well aware how the committee operates. Generally you have an opening statement, so I'll just pass it over to you, feel free, and we will have discussion afterwards.

**Ms. Janet Siddall (Associate Assistant Deputy Minister, Operations, Department of Citizenship and Immigration):** Thank you, Mr. Chair.

It's a pleasure to meet with you today to discuss Canada's refugee system. I would like to thank the committee for the priority it's giving to refugee issues. Your examination of the issues is most appreciated by the department.

If I may, I will use the time allowed for an opening statement to provide a brief overview of the system and address some of the issues that have been raised by witnesses, after which my colleagues and I would be pleased to take any questions from the committee. I am also tabling fact sheets that address some of these same issues.

I should state at the outset that Canada's refugee system is more than just Citizenship and Immigration Canada. It involves a wide range of activities managed by a host of partners—from the government's diplomatic efforts that can prevent people from becoming refugees in the first place, and the reconstruction of failed states, including peacekeeping and development assistance; to the identification and speedy processing of those in need of protection; to the public, private, and voluntary services that help resettled refugees and asylum seekers integrate into Canadian society.

At CIC we manage two distinct streams of refugees—the domestic asylum system and our resettlement-from-abroad program. The first includes individuals in Canada known as refugee claimants. Refugee claimants who are determined to be in need of Canada's protection are known as protected persons and may apply for permanent residency from within Canada. In 2005 a total of 25,376 protected persons and their dependants obtained permanent residence, accounting for about 71% of all refugees landed last year.

The second refugee program comprises government-assisted refugees and privately sponsored refugees accepted for resettlement in Canada. Canada has one of the largest refugee resettlement programs in the world. Last year we accepted more than 10,000 refugees for resettlement. Resettlement is only one durable solution, though, and can only ever be the answer for a small portion of the world's refugees.

You have heard from others about how the global number of refugees has declined, reaching last year its lowest level in 30 years. This is true. But while refugee numbers are declining globally, the length of time someone is in a refugee-like situation is increasing. Of the 8.2 million refugees in the world, over 6 million have been in a refugee situation for over five years, and in many cases the situation has existed for decades. So the focus of our resettlement program is to try to use it as part of a comprehensive approach to managing down protracted refugee situations.

In addition to our own resettlement program, we are working internationally to build the capacity of other nations. For example, Minister Solberg announced recently that Canada would contribute \$1 million towards the implementation of the Mexico plan of action to assist countries in the region to develop their own resettlement capacity in Latin America.

It must be said that offering protection to those in genuine need while maintaining the integrity of the program and public confidence can be a very difficult balance. We have followed the deliberations of this committee and would like to address a number of issues that were raised by other witnesses. A number of stakeholders who work directly with refugees on a day-to-day basis, such as the Canadian Immigrant Settlement Sector Alliance and the Burnaby School Planning Council, raised several concerns about integration issues. This building of public awareness is both important and welcome.

Witnesses have also raised the issue related to individuals who are out of status and benefit from a temporary suspension of removals stay. And some witnesses have called for a regulatory class providing permanent residence for those who have been in Canada for three years or more. The Government of Canada is sensitive to the circumstances of foreign nationals from those countries that are currently subject to a temporary suspension of removals. Under current provisions of the Immigration and Refugee Protection Act, there are a number of avenues for these individuals to apply for permanent residence in Canada. In all, since the implementation of the stays, more than 16,000 individuals from those countries have been granted permanent residence in Canada through one of these avenues, which represents an acceptance rate of 90%.

First, the majority of these foreign nationals have successfully made refugee claims. Second, the in-Canada spousal public policy allows out-of-status individuals married to or in a common law relationship with a citizen or a permanent resident of Canada to apply for permanent residence.

• (0905)

A third avenue, the humanitarian and compassionate grounds process, exists specifically to address exceptional and compelling situations on a case-by-case basis. In 2005 acceptance rates were quite high for applications in humanitarian and compassionate considerations—high in the average of 85% from foreign nationals who are subject to a temporary suspension of removals.

It is also important to note that prior to receiving permanent residence, foreign nationals benefiting from a temporary stay of removals are entitled to the same employment and social benefits from the Government of Canada as any temporary foreign worker, including NAFTA professionals. They are also entitled to attend school and entitled to health coverage under the interim federal health program.

Witnesses have also raised a number of issues related to the Canada–U.S. Safe Third Country Agreement. The agreement is not unique in the world. Several developed countries, including EU member states, have articulated a safe third country policy. The European experience illustrates similar cooperation through responsibility-sharing arrangements.

The Canada–U.S. agreement acknowledges the international legal obligations of both governments under the principle of *non-refoulement* outlined in the 1951 refugee convention and its 1967 protocol, as well as the 1984 UN Convention Against Torture. The two governments also recognize that the sharing of responsibility for refugee protection must include access to a full and fair refugee status determination in order to guarantee the effective protection under the refugee convention and Convention Against Torture. The United Nations High Commissioner for Refugees has confirmed that the agreement respects international refugee law and Canada's commitments under the convention.

Some witnesses have attributed the declining number of asylum claims in Canada to the safe third country agreement. It is important to note that there has been a decline in refugee claims in industrialized countries of some 50% since 2001. The decline in Canada is consistent with this global trend. It is also worth noting that although the global number of asylum claims in industrialized

countries dropped again in 2006, the number of claims in Canada so far in 2006 is up by some 20% compared to last year.

With respect to criticisms of the U.S. system expressed by some witnesses to the committee, recently released analysis of Professor David A. Martin, professor of law at the University of Virginia and internationally recognized expert on the U.S. refugee determination system, indicates that in the period from 2001 to 2005, out of over 205,000 cases adjudicated, the U.S. granted protection to 45% of the cases. This compares favourably to the Canadian acceptance rate of 43% during the same time period.

The standing committee has heard concerns from witnesses on the decision to delay implementation of the refugee appeal division, known as the RAD. The RAD would provide refugee claimants with the right to a paper-based appeal of a negative decision from the IRB. This appeal would review individual cases for errors of fact, law, and mixed fact and law. It would not allow for an appeal in person, and would not allow for the presentation of new information not submitted at the original hearing.

It should be noted that the current system allows for multiple avenues of review. Unsuccessful refugee claimants have the right to apply for judicial review in the Federal Court, which can and has overturned IRB decisions, based on patently unreasonable errors in finding of fact. In addition, those who feel they will be at risk if they return to their country of origin can apply for a pre-removal risk assessment, where new evidence can be presented. When there are compelling reasons to do so, persons wishing to remain in Canada can also make a separate application to remain in the country on humanitarian and compassionate grounds.

• (0910)

Even without an appeal, Canada continues to meet its international and domestic obligations with respect to refugee protection. The United Nations High Commissioner for Refugees often refers to Canada's as one of the best systems in the world.

Moreover, CIC estimates that the implementation of RAD would have an annual cost of over \$12 million to the federal government and that the implementation of RAD would add a minimum of five months to the refugee determination process. This, in turn, would increase the social assistance costs to the provinces by approximately \$21 million annually.

The committee has heard from witnesses who have suggested allowing family members of protected persons in Canada to travel immediately to Canada and apply for permanent residence from within Canada. Family reunion is the cornerstone of Canada's immigration program. The department's objective is to reunite families as quickly as possible while guarding against potential abuses. Our system has safeguards to balance both interests.

The fact sheet that I've tabled provides some figures on the numbers of family members being granted permanent residence each year. Visa officers overseas make every effort to bring family members of refugees to Canada as quickly as possible. The objective—to quickly reunite families—must, however, be balanced with the government's commitment to protect Canadians' health and security. Public health concerns, particularly tuberculosis transmission, must be managed before allowing family members to travel to Canada. Additionally, family relationship concerns, largely related to trafficking in children, cannot be ignored, as trafficking is a very ugly but very real issue. Allowing persons to travel immediately to Canada before security checks are finalized could place Canadians at very real risk.

Finally, the standing committee has heard testimony related to the private sponsorship refugee program on several occasions since October. Witnesses have called for an increase in targets and an increase in resources allocated to processing these applications. The department highly values the privately sponsored refugee program, which allows Canadians and permanent residents to support resettlement efforts by assuming the responsibility of funding and integrating resettled refugees. That being said, the PSR program is currently facing several challenges, as highlighted before the standing committee.

Canadians and CIC work together to bring between 3,000 to 4,000 privately sponsored refugees to Canada each year. In response to rising demands from the sponsorship community, and in support of Canada's humanitarian efforts, the upper end of this target was raised to 4,500 for the year 2007, as announced by the Minister of Citizenship and Immigration in the 2006 annual report to Parliament on immigration, which was tabled on October 31. This change will give sponsors more flexibility to contribute to Canada's broader efforts to manage down protracted refugee situations.

The long processing times in the PSR program reflect the fact that the number of persons currently referred to the program far exceeds the target range in this category. That has resulted in the buildup of an inventory now reaching above 14,000 persons.

Even with additional resources, the number of resettled refugees entering the country will still be in the target range. A second challenge, however, is that unfortunately many people referred to the program are not genuine refugees under Canadian resettlement criteria. This has resulted in a refusal rate of 52% for the program in 2005, creating a significant diversion of resources that could have been dedicated to processing those in genuine need of protection. To illustrate some of the challenges faced by this program, the fact sheet that I've tabled includes the number of applications received and accepted since 2000.

In conclusion, Mr. Chair, there is no question that we face challenges. Refugee protection has always been a complex and challenging issue, and in today's world, it is even more so. I can say without hesitation that we are looking forward to the committee's report. I am certain that your deliberations will lead to recommendations founded on the best interests of refugees and of Canadians. Canada's refugee system has been recognized as one of the best in the world. With your help, we will keep our commitment to make it even better.

• (0915)

I thank you for giving me this time, and we look forward to your questions.

**The Chair:** Thank you.

I neglected to mention in the beginning that we have about one hour for witnesses. We'll be concluding at 10:15, and of course we'll go into other business.

I have one brief question before I pass it over to committee members. Have the provinces ever been consulted about the implementation of the RAD, given that it will cost about \$21 million to them if RAD is ever implemented? Have there been any talks with the various provinces on RAD? Maybe you can get that information and you can get back to us a little later. I was just wondering about that one point.

Now we will go to our committee members, and the first one is Mr. Telegdi.

**Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.):** Thank you very much, Chair.

Welcome. It's interesting that we're talking about refugee policy. Right about this time 50 years ago, Canada dramatically altered its refugee policies to deal with 38,000 Hungarians, and I imagine at this point in time it was in full flow with Minister Pickersgill, over in Europe, doing something that Canada had never done before in terms of resettlement.

I will take a look at some of the issues here. You mentioned with the backlog—and we always are in a backlog in this department—that you have 15,000 people in line for the PSR program. You also mentioned that any more resources there would take away from the normal running of the program. It seems to me, unless we have some people to fill the vacancies for the refugee board, our backlog is going to get worse and the waiting time is going to get longer.

Would you like to comment on that?

**Ms. Janet Siddall:** Are you referring to the backlog for the privately sponsored refugees?

**Hon. Andrew Telegdi:** No. You were mentioning the privately sponsored refugee, but what I'm saying is now we have a shortage of members on the refugee board, so essentially the processing times that we had speeded up are starting to fall back because we don't have enough people on the refugee board.

**Ms. Janet Siddall:** I'm afraid I can't comment on the appointments to the Immigration and Refugee Board, but the privately sponsored refugee program is administered by CIC and the refugees are selected by visa officers overseas. So we are able, in modest ways, to reallocate resources to those missions that are experiencing the longest and the largest case inventories.

**Hon. Andrew Telegdi:** You say you can't comment on the refugee board. What's our shortage as of this date?

**Ms. Janet Siddall:** That is a question that would have to be put to the Immigration and Refugee Board. We can get that information for you. We'll ask the board.

**Hon. Andrew Telegdi:** Let's just say the shortage is adding to the waiting times and the backlog.

My other comment is that we had before us people from the European Union, and their complaint was on the requirement for visas for particular countries, such as Poland, the Czech Republic, and Hungary. One of our issues is that if we continue demanding visas from those countries, then it's going to impact.... It could be a situation where Canadians could be asked for visas going into the EU, any country in the EU, because they are the European Union and member states are supposed to be treated the same.

One of the issues I raised at the time was this. Given the fact that the European Union has put protections in place for refugees that are at least as good as our own or better, have you in the department ever looked at what would happen if we would eliminate receiving refugee applications from the European Union?

• (0920)

**Ms. Janet Siddall:** If I understand the question, are you talking about the equivalent of a safe third country agreement with the European Union? Something like that...?

**Hon. Andrew Telegdi:** Yes, something similar to that.

**Ms. Janet Siddall:** Well, as we look at the various initiatives to improve our system in general, I think there's always a consideration as to whether or not types of safe third country agreements could be expanded. But at the present time, our commitment is to make the agreement with the United States a successful agreement.

**Hon. Andrew Telegdi:** Have you looked at the impact it would have on Canada if European Union countries were to demand visas from Canadians wishing to travel there?

**Ms. Janet Siddall:** I guess it's a question that isn't directly related to the refugee program. But I can say that we would certainly want to bring other experts to this table, if you wanted to explore the question in more depth.

As part of the visa review policy, where Canada decides whether or not to impose or lift a visa, those kinds of questions and considerations are definitely looked at very carefully.

**Hon. Andrew Telegdi:** Let me suggest to you that the direct relation is that as long as we accept applications for refugees, it drives Canada's policies on visas.

As far as safe third countries, I would feel a lot more comfortable having a safe third country agreement with the European Union than with the United States. I think they have better protection programs in place in the European Union.

**Ms. Micheline Aucoin (Director General, Refugees Branch, Department of Citizenship and Immigration):** I think what you're referring to is not so much a safe third country agreement but a safe country agreement, whereby you would declare that if someone comes from a certain country, we're not even going to entertain that. It's quite different from what we have with the U.S., which is a safe third country agreement.

We do not have that at the moment. It is something we could explore in a broader reform of our refugee asylum system, but it's not something that we explored.

**Hon. Andrew Telegdi:** Have you ever looked at it in the department?

**Ms. Micheline Aucoin:** There are a number of options that can be considered as part of refugee reform, but it is not something that we have at the moment.

**Hon. Andrew Telegdi:** The other issue the committee has dealt with, and you addressed it in your report, is on the sponsorship program, private sponsorship by various groups. We heard a great deal about the frustration on the part of sponsoring groups. By the time they actually get around to getting a sponsor, it simply takes too long.

It would seem to me that it would be in our interest to meet those targets and to meet them more expeditiously. We have the entire voluntary sector coming forward to take up the cause, do the resettlement, and provide the support services. It seems like a real waste that we essentially end up discouraging sponsorship groups. It seems to me that it's something the department would want to strengthen.

**Ms. Janet Siddall:** Yes, I absolutely agree. We agree that it takes too long. I think we have to find a better match for the number of individuals being referred to the program, the capacity, and our targets to process them.

For example, this year to date visa offices have assessed over 7,600 applications for privately sponsored refugees and have issued 3,200 visas. But as I mentioned, many of the referrals, more than half of them, do not meet the criteria. They have all been folks who are in genuine need of protection. We could have had many more refugees in Canada today.

We work very closely with the sponsorship agreement holders and meet to talk on a regular basis. We provide training to work towards a better match between the people they can support and those who are in genuine need of protection. We can then organize ourselves overseas to make it happen more quickly.

**The Chair:** Thank you, Mr. Telegdi.

We'll go to Madam Faille.

[Translation]

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Thank you, Mr. Chairman.

I would like to thank you for your attendance here this morning. It is unfortunate, because you have given us a lot of information this morning which we would have preferred receiving in advance, but I have a few questions for you all the same.

The last time that the chair of the IRB, the Immigration and Refugee Board, appeared before our committee, he indicated that the department was responsible for the pre-removal risk assessment process. You had provided us with statistics in that regard. I would like to know what progress has been achieved since 2004 with regard to eliminating the pre-removal risk assessment backlog. How long does it take to study a PRRA application? What kind of financial efforts were made by the department?

• (0925)

[English]

**Ms. Janet Siddall:** I didn't bring all those statistics for you, but we could certainly get them for you. I think in terms of under the budget allocation with refugee reform, we added PRA officers to the system to respond to the expectation of increased referrals to PRA because of the work of the Immigration and Refugee Board. So in terms of the statistics from 2004 onward, and the actual amount of funds, we will research that for you and bring it back to you.

[Translation]

**Ms. Meili Faille:** Very well. We are still awaiting the list of Citizenship and Immigration Canada employees, the number of hours of training they received and their experience. I do not know when you will provide us with that information, but I was expecting you to bring it with you this morning.

[English]

**Ms. Janet Siddall:** We're aware of that. It will be coming shortly. It's currently being reviewed in the department.

[Translation]

**Ms. Meili Faille:** Given that this is your responsibility, how do you assess the work done by PRRA officers, and what criteria do you use?

[English]

**Ms. Janet Siddall:** In terms of the management of any of our programs, there's the ongoing review by supervisors of performance. In the PRA process we use a case-management process. We have ongoing training. We do case studies and best practices. So through that process we are continually evaluating the decisions that have been taken.

[Translation]

**Ms. Meili Faille:** Very well. Is it true that the training manual of PRRA decision-makers contains only examples of negative PRRA cases, and that there are no examples that could lead to positive decisions?

In the latest training manual that I saw, there were only negative cases and examples. Could you talk to us about the kind of information that those people receive?

[English]

**Ms. Janet Siddall:** I don't have that level of detail of information with me this morning. But again, we'd be happy to research that for you and get back to you.

[Translation]

**Ms. Meili Faille:** The statistics that I have show that, out of all PRRA applications, approximately 500 were approved over the past

year, whereas 15,000 were refused. The approval rate therefore is about 3%. Is that correct?

[English]

**Ms. Janet Siddall:** In terms of the general consultations with the provinces on our immigration program writ large, this is raised. I don't believe—I will certainly ask the question—that there has been a discussion such as who's in favour, who is opposed. There are discussions about making the refugee determination process more effective. And certainly the provinces are equally concerned, as we are, and as this committee is, in making it the most effective program possible.

[Translation]

**Ms. Meili Faille:** Quebec is in favour of the Refugee Appeal Division. Would you agree to funding to establish a Refugee Appeal Division for Quebec?

• (0930)

[English]

**Ms. Janet Siddall:** That's an interesting question, which I'm not able to answer. It's a policy question.

**The Chair:** That's a policy question, and you probably wouldn't be able to comment on that.

You do have two minutes left, Madame Faille, if you want to pursue it.

[Translation]

**Ms. Meili Faille:** How come you are here to talk about the Refugee Appeal Division? Is it because the IRB recommended that you do not establish the Refugee Appeal Division?

**Mme Micheline Aucoin:** The refugee claim policy is set by Citizenship and Immigration Canada, in consultation, of course, with —

**Ms. Meili Faille:** I will rephrase my question. Did the IRB recommend that you delay or put off the establishment of the Refugee Appeal Division?

Ms. Micheline Aucoin: No.

**Ms. Meili Faille:** I have one more brief question. With regard to decisions made on humanitarian grounds, what importance is given, in the application, to the presence of Canadian children?

[English]

**Ms. Janet Siddall:** Again, I don't have that level of detail available. I'm not sure it would be available in the way that our systems capture the agency applications.

[Translation]

**Ms. Meili Faille:** Are you aware that Canada is currently removing Canadian children and sending them to countries where their parents are threatened?

[English]

**Ms. Janet Siddall:** An applicant has the pre-removal risk assessment. If it is determined that the applicant would not be at risk from being returned to their home country and they have exhausted all the legal avenues and due processes available to them, then Canada would remove them.

[Translation]

**Mme Meili Faille:** You are therefore removing Canadian children. That is what you're saying.

[English]

**Ms. Janet Siddall:** No, you cannot remove Canadian citizens; it's the parents' choice. The children can accompany their parents or the children have a right to remain in Canada because they're Canadian citizens.

**The Chair:** Mr. Siksay is next.

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

Thank you for being with us this morning. I appreciate your coming.

I want to come back to the question of the RAD. On page 5 of your presentation this morning you talked about the cost of the RAD. The figures you have today are different from the ones presented in the past. Is it correct to assume that the department has reviewed the cost of the RAD recently?

**Ms. Micheline Aucoin:** Yes. We have looked at the cost, especially, for example, the cost to the provinces, because social assistance rates have increased since the last time we presented here. But by and large they are similar issues in terms of the federal level—the cost remaining at the IRB, but there were also costs of the CIC for the interim federal health, for example.

**Mr. Bill Siksay:** In the past, ministers have told us it would be \$2 million to establish it and \$8 million a year to run it. The figure here is now \$12 million a year—that's a 50% increase. Can you explain the reason for the increase in the annual operation for the RAD?

**Ms. Micheline Aucoin:** The \$2 million start-up cost is the start-up cost of the IRB and the \$8 million a year is the yearly operations at the IRB. The \$2 million and the \$8 million only include the IRB; there are other federal costs, mainly to CIC for the IFH, the interim federal health program.

**Mr. Bill Siksay:** Is that what's now been added to get this \$12 million figure?

**Ms. Micheline Aucoin:** Yes, and there are also some costs to the CBSA, because they would also participate in some of the diversion of these to the RAD.

**Mr. Bill Siksay:** So those extra costs added a 50% increase to the \$8 million figure we were quoted before?

**Ms. Micheline Aucoin:** That adds up, yes.

**Mr. Bill Siksay:** It adds up to the \$12 million; okay.

Have any of the provinces expressed concern about the increase in social assistance costs?

**Ms. Micheline Aucoin:** I don't think they have done so publicly. Provinces have approached us about the asylum system generally. They would like a much speedier process for the asylum system because of the cost of social assistance.

**Mr. Bill Siksay:** Have any of them that you're aware of expressed that concern specifically with regard to implementing the RAD?

**Ms. Micheline Aucoin:** No.

**Mr. Bill Siksay:** Is there a plan within the department to implement the RAD? Does an implementation plan developed for the RAD exist in the department?

• (0935)

**Ms. Janet Siddall:** I think, again, that's a policy question. When the minister appeared before this committee last month, I believe he said deliberations on the implementation of the RAD should be taken within the context of the overall review of the immigration asylum system.

We're not able to respond to that question; I'm sorry.

**Mr. Bill Siksay:** Curiosity, though, leads me to ask this question: when new legislation comes through any department, do you not work on a plan for implementing that legislation? Would that not have been done when IRPA was passed by Parliament back in 2001? In that case, wouldn't there be an implementation plan for those sections of IRPA that deal with the RAD?

**Ms. Janet Siddall:** That would make sense to me. I wasn't around at the time; I'd have to go back and actually take a look—but yes, of course we prepare for the implementation of new legislation.

**Mr. Bill Siksay:** So that plan may exist somewhere in the department—you might just not be aware of it.

**Ms. Micheline Aucoin:** It may also be at the IRB.

**Mr. Bill Siksay:** I'm glad my question made sense.

I want to go to the private sponsorship program. In the fact sheet you distributed, you talked about the sponsorship agreement holders who have voluntarily reduced the number of applications this year. Can you tell me a bit about that agreement and how it was reached?

**Ms. Micheline Aucoin:** We had, for example, a full day of discussion with some of the representatives of the sponsorship agreement holder community. We discussed the challenges facing the program and how we could collectively work together to address some of these challenges. Certainly in terms of addressing the inventories, we thought that it would be helpful if, for a couple of years, CIC would commit to process more applications abroad, and the sponsorship agreement holders would reduce the number of undertakings they present to the program so that collectively, then, we could reduce the inventories and be able to start fresh and have a program that is more responsible and flexible.



**Mr. Bill Siksay:** Often ministers and the department have said that the private sponsorship program is in jeopardy because there are too many non-eligible people applying, with the implication that somehow people are using it as a back door for family sponsorship. In fact, there's a discussion document that I think the refugee branch of the department produced that identifies what the department thinks are some of the problems, such as sponsors not being aligned to comprehensive solutions of the international community; attempts to use the private sponsorship for refugee programs to address non-refugee humanitarian issues like poverty, lack of economic or educational opportunities; that sponsors lack expertise in refugee identification.

Are any of those three issues addressed in training or meetings with the sponsorship agreement holders? If so, and we still get this increasing number of ineligible people, does that indicate a lack of training, a lack of comprehension of the program, or is it just wilful on the part of sponsors to flood the system?

**Ms. Micheline Aucoin:** Certainly not, I think that the sponsors want to participate in a program that is focused on protection. Certainly the vast majority of them are trying to screen their application and so on. Obviously our visa officers are abroad and are on the spot, and really, it's only at the interview stage that they can determine whether the application is a genuine application or not. So it is difficult for—

**Mr. Bill Siksay:** Has the department done any analysis of the 48% of the applications that were rejected, and can you share that with us?

**Ms. Janet Siddall:** I'm not aware of anything like a report that we could share, but we do have the comprehensive report. Our missions abroad do report on their selection interviews and the types of cases they are seeing. There could be some punctual, if you will, reporting that comes in from time to time. I'm not aware that we've done—

• (0940)

**Ms. Micheline Aucoin:** This is shared also with the sponsorship agreement holder.

**Mr. Bill Siksay:** But there's no actual report. So how can you be aware of the issues if there's no actual report?

**Ms. Micheline Aucoin:** There are certain issues that certain missions—

**The Chair:** The chair will have to intervene, because I have a number of people who wish to get a question in, and we only have about 20 minutes left.

I have to go to Mr. Komarnicki.

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Thank you, Mr. Chair.

I have a few questions with respect to RAD. One of the witnesses earlier had indicated that there used to be two-member panels and now they're one-member panels in the IRB, and somehow the decisions might be inferior or might be affected.

Have you any research or study to see the impact of one-member or two-member panels, or can you comment on the difference between the results or decisions or the numbers, in effect, of those one-member or two-member panels?

**Ms. Micheline Aucoin:** Actually, when the IRB had two-member panels, there were a very limited number of split decisions. Most decisions were unanimous. In fact, it was less than 1% of the decisions that were split decisions. So there were very few split decisions.

Also, when we went from two-member panels to one-member panels, we certainly did not see, let's say, a sudden increase in refusal rates at the IRB.

**Mr. Ed Komarnicki:** Or any impact with respect to the numbers of applications to the Federal Court of Appeal for leave to appeal or actually appeal?

**Ms. Micheline Aucoin:** No.

**Mr. Ed Komarnicki:** It would seem from what you're saying that an additional minimum of five months would be added to the general processing of refugees if RAD were implemented, and of course obviously it could be significantly more with the attendant costs. RAD would be an additional layer of review, in addition to what presently exists. Would that be a fair way to describe it?

**Ms. Micheline Aucoin:** Correct, yes.

**Mr. Ed Komarnicki:** If we were to say that there is, as I understand it, pre-removal risk assessment that could occur, there could be an appeal to the Federal Court for leave to appeal, an actual hearing or review of the case itself, and then we could make a humanitarian and compassionate grounds application. In respect to the humanitarian and compassionate grounds application, is that limited, a one-time application in a refugee situation, or can it be any number of applications and any number of times?

**Ms. Micheline Aucoin:** No, it can be any number of applications, any number of times. The refugee claim you can make only once, but with respect to PRA, with respect to H and C applications, you can make as many as you want, yes.

**Mr. Ed Komarnicki:** So we have part of the issue that there are a number of processes that can maybe be made a number of times and just the question of length of time that a determination takes to get made may involve intents and purposes and other grounds for say humanitarian and compassionate reasons to have the applicant succeed. Would that be fair?

**Ms. Micheline Aucoin:** Yes.

**Mr. Ed Komarnicki:** So if we added another five months or one year to the system, that in itself may increase the grounds for applications for humanitarian and compassionate reasons. Is that correct?

**Ms. Micheline Aucoin:** Yes, it could.

**Mr. Ed Komarnicki:** So it's a piecemeal approach to process.

Let me ask you this. Are you able to determine any significant differences between the grounds of appeal in the Federal Court as compared to the grounds of appeal that are suggested in the Refugee Appeal Division? Have you looked at the differences between the two?

**Ms. Micheline Aucoin:** Yes, I can respond to that generally. If you want to get more technical, maybe Luke Morton should take that question.

In fact, do you want to take it, Luke?

**The Chair:** Mr. Morton, feel free to answer the question.

**Mr. Luke Morton (Senior Counsel, Legal Services, Department of Citizenship and Immigration):** Good morning. My name is Luke Morton, and I am senior counsel with legal services for CIC.

It's important, as a starting point, to always look at the statute, because some appeals are what are called appeals *de novo* and they're set up like that in the statute, whereas section 110(1) of IRPA sets out the three grounds for review; they are question of law, mixed fact and law, and fact. To compare that to the Federal Courts Act, section 18.1(4), these are the grounds for judicial review and it sets out six grounds, including erroneous finding of fact.

• (0945)

**Mr. Ed Komarnicki:** Just to carry on in that vein and light, the provision that RAD is talking about terms of appeal does not provide for *de novo* evidence, or the calling or hearing of further witnesses, or providing additional information. It's basically an appeal on what's already there in the case. Is that correct?

**Mr. Luke Morton:** That's correct. Under section 110(3), it spells out that the RAD proceeds without a hearing on the basis of the record of the proceedings. It's not an appeal *de novo*.

**Mr. Ed Komarnicki:** When the Federal Court is making its determination of the six factors that you list, which may be somewhat different from the RAD, they also look at the paper evidence or what was already heard and not new evidence.

**Mr. Luke Morton:** That's correct. Initially, there is a lead provision, which is a very low test. It's the test in a case called *Bains v. Canada* in the Federal Court of Appeal, which is set out as the test for an arguable case. So the applicant seeking judicial review has to make an arguable case, and then that goes to judicial review. To get an indication of a much higher test, in IRPA section 73, I believe it is, it sets out the grounds to take a case to the Federal Court of Appeal. A much higher test is there where the judge must certify a serious question of general importance. So the lead test is quite low. It's an arguable case to get it to judicial review in the Federal Court.

**Mr. Ed Komarnicki:** Is the Federal Court able to send a case back for re-hearing by an IRB member in the same way that the Refugee Appeal Division would be able to send a case back for re-hearing by the trier of fact, the IRB?

**Mr. Luke Morton:** Absolutely. The Federal Court does that every day. They send it back for a redetermination.

**Mr. Ed Komarnicki:** When you look at those two issues, it seems like you'd now have two separate systems working side by side, at what would appear to be considerable cost, doing similar kinds of things and just providing another avenue, another layer, to a system that already is somewhat difficult to manage. Is that correct?

**The Chair:** We're now at 7:20, so give a brief response, please.

**Mr. Luke Morton:** Mr. Chair, I'd prefer not to comment on that. I believe that it's more in the domain of the minister.

**The Chair:** Thank you.

Thank you, Mr. Komarnicki.

We have Mr. Wilson. We're at five-minute rounds now.

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

Thank you for your presentation.

I must say that this was one of the most comprehensive and detailed presentations we've had at the committee, given the number of issues dealt with and your analysis. I don't necessarily agree with some of your conclusions, but I must commend you on the level of the analysis you brought forward here today.

I also want to comment that it seems quite humorous that when the Conservatives were in opposition on this side, their discussions during this committee were very much for the RAD, and now that they are on the government side, they seem to be seeing the light and realizing that the RAD may not be such a good thing after all. We'll make sure that in the future we use testimony of what's been said on the other side at these meetings.

The question I have for you is one about analyzing the cost of the RAD. You have \$21 million in additional costs to the provinces. Do you have a breakdown of what that would be provincially? What would the cost be for the provinces of British Columbia, Ontario, and Quebec?

**Ms. Micheline Aucoin:** No, we don't have that. That was basically just the social assistance cost. We made some assumptions about how many of the claimants would receive social assistance and what the average social assistance payments would be.

**Mr. Blair Wilson:** Could I ask for a breakdown of what it is on a province-by-province basis?

**Ms. Micheline Aucoin:** We would have to make assumptions, of course, about how many claimants would enter which province. Obviously, that would have to be a rough estimate.

**Mr. Blair Wilson:** It would be a rough estimate of how the \$21 million breaks down and what the costs are going to be for each province.

Have the provinces been consulted as to the implementation of the RAD and on their thoughts with respect to these additional costs that they may or may not have to assume?

**Ms. Janet Siddall:** I think I'd go back to the earlier answer. We do consult with the provinces. We have ongoing consultations at the officials level and at the ministerial level, and the overall program is discussed. The concern the provinces have raised is the social services cost to them of the refugee determination program because of the length of time it takes, because they pick up some of those costs until such time as someone is granted permanent residence status or is removed from the country. So in general terms, yes, those discussions have taken place with the provinces.

**Mr. Blair Wilson:** If I understand it correctly, the implementation of the RAD is to deal with two problems. First is whether there is adequate review of the cases and second is if there is an appeal process. We've previously discussed the difference between the judicial review's six factors versus the RAD paper review, for which they're just going to be looking at three factors.

The other problem we're trying to solve is the backlog of refugees trying to get into Canada. If the RAD isn't going to address either of those two solutions, do you have other recommendations as to how we could adequately deal with the problem at hand?

• (0950)

**Ms. Micheline Aucoin:** If we had three hours, maybe we could. This is the broader issue of a review of the full system, the full asylum system. It is certainly something we always look at. We always discuss with stakeholders and partners within government what the perfect system would look like. We don't have a proposal to put on the table today, that's for sure.

**Mr. Blair Wilson:** While I have you here, and if I have a few more minutes, the entire backlog for immigration is estimated to be something like 800,000 people who are trying to come into Canada, 500,000 of whom are in the skilled-worker category. In previous years we've had a target of accepting 225,000 to 250,000 people into Canada. The current minister of the department is setting a new target of close to 250,000 people. Last year we let in 262,000. The demand for workers in western Canada is significant.

Given that the last budget for Citizenship and Immigration has been increased by, I believe, around 40%—you have the numbers— if we've increased the budget for the department, should we not be able to increase the number of new Canadians coming into the country?

**Ms. Janet Siddall:** Again, this is not really a refugee issue, but I believe this was discussed with the minister when he was before you.

A very general high-level response is that most of the increase in the budgets of the department has been for settlement programs to improve the services to those immigrants who are already coming to Canada, to help them succeed better, because we're concerned about their outcome.

**The Chair:** Thank you, Mr. Wilson.

Mr. Jaffer, please.

**Mr. Rahim Jaffer (Edmonton—Strathcona, CPC):** Thank you, Mr. Chair.

It seems my colleague Mr. Blair has a selective memory when it comes to some of the positions the Liberals have had, especially when it comes to RAD, especially when you see that the IRPA was in fact passed in 2001, and for some reason the RAD part was never implemented.

At least now they're being consistent. Maybe it's a thing in government they have some concerns about implementing RAD now. I'm sure they'll continue to support us in our concerns with the implementation of RAD—

**Mr. Blair Wilson:** Go right ahead.

**Mr. Rahim Jaffer:** —just to be consistent, I'm sure, because I know he's very concerned about being consistent.

**The Chair:** Would you direct all comments through the chair?

**Mr. Rahim Jaffer:** We had some presentations here about sanctuary and about some of the failed claimants taking sanctuary if in fact their appeals were not accepted. One of their thoughts was that if RAD is implemented, it would limit or stop the cases of sanctuary that are taking place in this country.

I don't know if you want to comment on that, or whether you have any thoughts on that. Many of the churches said that they don't really agree with the idea of sanctuary, but often they have no other

recourse, especially because RAD is not in place. I don't know if you'd like to comment on that in particular.

**Ms. Micheline Aucoin:** This is not a CIC program, so I don't think we can comment on what churches would do if there were an appeal division.

I do believe that when I read the transcripts of that session, though, some of them said that it would not eliminate the need, or it would not eliminate sanctuaries. So I don't know. We cannot talk for the churches.

• (0955)

**Mr. Rahim Jaffer:** Okay.

Yes, I guess it was just something they said. They said that if RAD were implemented, they felt that the number of cases of sanctuary would disappear, but I guess it's a question of how effective we think RAD would be in dealing with those particular failed cases. I don't know.

**Ms. Micheline Aucoin:** We already have a judicial review at the Federal Court, and we know that the number of decisions that are overturned by the Federal Court is not that high. Of course we don't have a crystal ball, but I think it would be surprising if the number of cases overturned by the RAD were very high. So most failed refugee claimants under the current system would probably still be failed refugee claimants at the end of the process.

**Mr. Rahim Jaffer:** Even though it seems the costs have increased—and Mr. Siksay identified in his questions what sorts of costs there are and why they've increased to the levels they have—from your overall evaluation of the system and given your experience, is it your advice to the minister that implementing RAD is a good thing to do? Is it something that you advise considering, or is it something you think would just create another level of—

**Ms. Janet Siddall:** That's really another policy question that we're not able to answer. Sorry, but it's a question you could certainly put to the minister.

**Mr. Rahim Jaffer:** But you provide advice.

**Mr. Blair Wilson:** The minister makes the decisions.

**Mr. Rahim Jaffer:** Oh, thank you, Mr. Wilson, but I think they usually ask for advice first before they make a decision, so I'm just asking if there was any advice given.

We've heard some different things. The previous government obviously entered into the safe third country agreement. What were the reasons that were given in the past, by the previous government, to enter into that? What was the reason for entering into that agreement to begin with?

**Ms. Micheline Aucoin:** The main reason is responsibility sharing in the handling and the hearing of refugee claims. The idea is to have a more orderly handling of refugee claimants and also to reduce potential abuses of both systems, and to strengthen public confidence in the system.

**Mr. Rahim Jaffer:** It's also why the additional costs from RAD would have to be implemented. You have to work with border services and you also have to work with immigration officials across the board to coordinate not only on the security side but in the event there are concerns about certain appeals that may happen. Is it safe to say there would be some costs related to that as well?

**Ms. Micheline Aucoin:** Yes. The CBSA sometimes intervenes at the IRB. In cases where they have intervened in the first decision, they would probably intervene at the RAD as well. There would be some costs to the CBSA on that.

**Mr. Rahim Jaffer:** Thank you.

**The Chair:** Thank you, Mr. Jaffer.

Madame Faillie or Ms. Deschamps.

[*Translation*]

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

I am wondering why, again today, we are arguing over the creation of the Refugee Appeal Division. The legislation was adopted in the House, not without difficulty. The process to implement the bill has not been easy.

There is one thing I find inconceivable. Despite the fact that the Canadian system of determining refugee status is a good one, we are less generous than the United States. That is quite hard to understand.

The committee heard from representatives of the Canadian Bar Association as well as retired judges, who claimed that the establishment of the Appeal Division would reduce the number of applications to the Federal Court to review claims that were rejected. Under the current process of determining refugee status, applicants who are turned down can ask the Federal Court to authorize a request for a judicial review. This authorization is granted in a proportionally small number of cases. That is why I would like you to give me that statistic.

In the event that such an authorization is granted, the judicial review of an IRB decision is more limited in scope than an appeal considered by the Appeal Division. I know that work was carried out to establish the Appeal Division. I would like to know how the process would unfold at the IRB.

It is important to know that an applicant did not need an authorization from the court to apply to the Appeal Division. Applicants who sent their requests to the Appeal Division had their cases reviewed. Of course, they could not submit new pieces of evidence, but their requests could be reviewed in-depth.

I did some research on the establishment of an appeal division at the Criminal Court, and the rationale is basically the same. However, I think that the basic principle of natural justice should be applied. It is quite normal to have an appeal division for decisions as important as whether to return an individual to another country.

Can you provide us with the costs of the Appeal Division? I have already requested those figures, but the request for distribution to the committee is probably still in the minister's office. I had asked for the current cost of the refugee determination process, from the moment an individual's application is rejected. What I basically want to know

is how much it costs the Federal Court to review an application by a refugee who was turned down. I was expecting you to have those statistics, because we have asked for them on a number of occasions.

I have heard that the Appeal Division would cost \$12 million to establish. That is a lot of money. Would the Appeal Division lead to savings elsewhere in the system?

• (1000)

[*English*]

**Ms. Janet Siddall:** We certainly don't have that level of analysis here. In looking at the costs, it's very difficult to parse out the costs when they're shared across a system, but we'll certainly go back and take a look at the work that has been done.

As you mentioned, you've submitted a request for information. If that information is available, we'll do our best to provide it.

But one of the challenges in managing a portfolio is that parsing out the costs across many organizations, which have other mandates as well, is often quite challenging.

**The Chair:** I have three people on the list who I want to get in before 10:15, so we'll go to Mr. Komarnicki, Mr. Siksay, and Ms. Fry.

**Mr. Ed Komarnicki:** I'll share my time with Nina Grewal. She'll lead off and then I will follow up.

**The Chair:** Okay, I had you down here. I didn't see Ms. Grewal. Sorry about that.

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

Thank you for your time and your presentation.

One witness said, and I quote, "An increasing percentage of refugees are having their claims denied." Is that true?

**Ms. Micheline Aucoin:** No. At the IRB, if you look at the last few years, the acceptance rate has been relatively constant, in the forties. Last year it was 44%, this year so far it was up to 47%. Small variations are normal, because it's dealing with different populations. Each claim is assessed on a case-by-case basis.

**Mrs. Nina Grewal:** The same witness suggested that the acceptance rate differed significantly, depending on which city the claimant was living in, and that this is evidence of the arbitrariness of the determination system. Is that true?

**Ms. Micheline Aucoin:** No. At any given point in time there are differences in acceptance rates, but again, it depends on the population. If you look at an office of the IRB, yes, over time there will be some variation of their acceptance rates, so sometimes one office will have higher or lower...depending on the types of claims they get.

• (1005)

**Mrs. Nina Grewal:** Would implementing RAD streamline the refugee determination process? Does RAD replace any of these processes?

**Ms. Micheline Aucoin:** No, it would not streamline it. On the contrary, it adds a process to the current system. All of the processes that are available in the current system would still be available. So you would add one more step in the overall process.

**The Chair:** You have three minutes.

**Mr. Ed Komarnicki:** I have three short questions.

We've heard from witnesses who have argued for a client-centred approach, an increased attention to refugee youth and the health needs of refugees. Can you speak to some of these challenges your department is facing with regard to integration needs specific to refugees, and with those two issues in mind, refugee youth and the health needs of refugees?

Then I'll come back to two more questions, if I can.

**Ms. Janet Siddall:** Well, I'll do an overview, and if there's more detail perhaps Micheline can jump in.

Yes, because we've been focusing on refugees who are in most need of protection, we certainly have found that their needs are higher than in the past, and that's both on health and integration needs.

With new money that is flowing into the integration programs, we're working with stakeholders on trying to design better programs that will address the actual needs of specific groups such as refugee youth.

**Mr. Ed Komarnicki:** All right.

Another question is in respect to the number of refugees in the world. You mention that numbers have fallen, yet there are many refugees who have been in a refugee situation for many years. Are there any new approaches the department is considering to manage down refugee numbers in the world, or are there new initiatives that you are considering?

**Ms. Janet Siddall:** I think one of the most successful new initiatives we've undertaken in recent years is working with UNHCR on group processing. So they identify vulnerable groups that have fairly similar characteristics and instead of having to do an in-depth, case-by-case review, we're able to look at them as a group. This is how we managed to move and resettle a large number of Karens, who you've been reading about.

**Mr. Ed Komarnicki:** Yes, it's a group approach to known refugees. I suppose, again, you mentioned earlier that some 50% aren't actually refugees. When you look at the group refugees, is that where it eliminates some of that issue?

**Ms. Janet Siddall:** That's my reference to how we can assist with our resettlement from abroad program to help address, as part of the international community, protracted refugee situations.

**Mr. Ed Komarnicki:** I had three questions, Mr. Chair.

**The Chair:** Okay, I'll allow the other short one.

**Mr. Ed Komarnicki:** No, that's fine.

**The Chair:** Are you sure?

Okay, Mr. Siksay and Ms. Fry.

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

It's nice to see Dr. Fry and Mr. Temelkovski, some alumni of the committee, joining us this morning.

I want to come back to the analysis of the 48% of private sponsorships that are deemed ineligible, and the analysis of those. I think you said there was no specific report, but I wonder if you could just expand on where the information comes from.

**Ms. Janet Siddall:** The information comes from our missions abroad, which are processing these applications. They report on their acceptance and refusal rates, the characteristics of the cases they're able to accept, and the cases that do not qualify. It also comes from our discussions with the sponsorship agreement holders, who freely admit that they are responding to people in their community who are asking them to help them bring their family members from abroad. We know from the outset that there is a family connection in Canada, but one can't assume that just because there's a family connection the relative living abroad was also a refugee in need of protection.

So it's through those two things: what we learned from our sponsorship agreement holders and other private sponsorship groups, and the analysis that's provided by our visa offices abroad when they interview and process the privately sponsored refugees.

**Mr. Bill Siksay:** But has nothing been put together as a comprehensive analysis of that? I want to characterize it as anecdotal, but is there anything that says this is the long-term analysis of that refusal rate?

My concern is that we're making a judgment on the success or failure of a program. We've cast it and we've seen a number of ministers raise questions about the program, which has been a very key program in our refugee regime in Canada, and one that's internationally respected. Yet there are questions that are picking away at the credibility of the program.

What I'm trying to get to is whether there has been a significant piece of analysis done, or if these are just not necessarily random but occasional reports from overseas or anecdotal reports from conversations with sponsors.

• (1010)

**Ms. Micheline Aucoin:** The refusal rates are different from mission to mission. At our mission in Nairobi, they will see specific patterns for why they would have to refuse cases. That information we want to pass on to the sponsorship agreement holders, to look for these trends that are happening. Our missions in other places will have completely other issues that they would deal with in terms of—

**Mr. Bill Siksay:** Can you provide us with any of those kinds of reports that show the analyses that have been done at missions overseas?

**Ms. Micheline Aucoin:** Sure we can, yes.

**Mr. Bill Siksay:** That would be helpful.

Do we have any sense of how many of the failed people in this program, the failed applications, are actually resident in refugee camps or how many of them have relatives in Canada?

**Ms. Micheline Aucoin:** Most of them, and often this is why they're refused. For example, when they're in refugee camps, it's a lot easier to verify their bona fides—

**Mr. Bill Siksay:** But we don't know what percentage of that 48% who fail in the private sponsorship program are resident in refugee camps.

**Ms. Micheline Aucoin:** I don't know if we have that information, but we can—

**Mr. Bill Siksay:** If you do, I'd appreciate receiving it.

**Ms. Janet Siddall:** I've certainly seen reporting from our missions abroad—and I'm thinking of Nairobi, for example—stating that in their government-sponsoreds, most of the applications are coming from the camps and they're referred by the UNHCR. In the privately sponsored ones, no, they're living outside the camps.

**The Chair:** Thank you, Mr. Siksay.

Ms. Fry.

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Thank you very much, Mr. Chair.

I want to ask you two questions. One of them has to do with refugees.

Given what is happening in Iran right now, we still don't have Iran as a country from which we consider bringing in refugees in large numbers. I want to know why not. Why has this not happened?

The second question I want to ask is with regard to something Mr. Wilson brought up. It has to do with the fact that if you look at Canada in terms of our population growth, our population growth in the next twenty years is going to come nowhere near meeting our requirements for the workforce. In the next five years or the next two years, it's not going to meet our workforce demand. There had been a great deal of work done over the last three years by the last government—I was the person in charge of it—where we had developed, with fourteen departments, an internationally trained worker initiative. There had been money put through Citizenship and Immigration in order to facilitate this, including a portal that was eventually going to allow people to be able to be assessed before they got here, so that when they got here, they would be able to go straight into a job.

I just want to know whatever happened to that. I hear nothing more about it. I hear about kiosks being put up all over the place, which really doesn't resolve the problem. This is a huge problem. If we're going to be at all productive and competitive in the 21st century in a global economy, we need to do this not only today, but yesterday, because we know we will be dependent on immigration for 100% of our net labour market by 2011.

What are we doing with that program, and what are we doing to encourage not just immigration, but immigration based on the types of people we see ourselves needing here, going all the way from trained construction workers to physicians? Could someone tell me what happened to that program?

**Ms. Micheline Aucoin:** On your first question, I'm not exactly sure what your question is. We have a global resettlement program, so certainly we would take Iranians from outside of their country.

Are you asking specifically if Iran should be put on the source country list?

**Hon. Hedy Fry:** Yes. I've been asking this for the last three years. I want to know why not, given that every day we can see what's happening in Iran.

**Ms. Micheline Aucoin:** The “source country” definition is in subsection 148(2) of the IRPA regulations. Certainly Iran would meet some of those criteria. But there's a criterion by which we say it has to be a country where an immigration officer works or makes routine working visits and is able to process visa applications without endangering their own safety, the safety of applicants, or the safety of Canadian embassy staff. So it is difficult for some countries to be put on the source country list, but we do recognize that the source country list has not been as flexible as we would have liked.

● (1015)

**Hon. Hedy Fry:** The very fact that we cannot have our own immigration officials in Iran tells us how very unsafe it is.

**Ms. Micheline Aucoin:** Or getting permits or visas if they were to —

**Hon. Hedy Fry:** Exactly, but we still return failed refugee claimants to Iran, which is something we should not be doing.

Anyway, can we move on to the internationally trained worker initiative?

**Ms. Janet Siddall:** I can give you a fairly high-level overview again, but we didn't come prepared to answer questions on that aspect of the program.

You are aware that Minister Finley leads an initiative on foreign credentials recognition, with the support of Minister Solberg. That work is progressing.

The work on the portal is also progressing. The portal exists. It is being expanded, and we have provided funding to the provinces to also feed into that.

For a status update on initiatives that are underway to support the entry of foreign workers into Canada, we could provide a briefing, or perhaps it could be dealt with in another committee meeting.

**The Chair:** You have 45 seconds if you wish to comment.

**Hon. Hedy Fry:** I am not a permanent member of the committee, but I would like to request a special briefing on that, because it is my information and sense that this has ground to a halt. All of the fourteen departments that were necessary to make this whole initiative occur have been taken off, and that fourteen-department meeting is no longer there.

**Ms. Janet Siddall:** What I would propose is that perhaps CIC officials could organize a technical briefing for the opposition parties on what we're doing on temporary foreign worker initiatives.

**The Chair:** Yes, that would be appreciated.

Thank you, Ms. Fry.

To the witnesses, on behalf of the committee, I would like to thank you for coming here this morning. I realize that you're going to be getting back to the committee on a number of the issues raised that you didn't have answers for. Thank you for that.

We will suspend for about two minutes while our witnesses leave the room.

- \_\_\_\_\_ (Pause) \_\_\_\_\_
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**The Chair:** I call our meeting back to order.

We will move to the second item of business, a notice of motion from Mr. Wilson.

Mr. Wilson, I'll recognize you now.

**Mr. Blair Wilson:** Thank you, Mr. Chair.

I would request that the discussion of the committee be in camera; we can have a full and frank discussion of the merits of the motion.

**The Chair:** Is everyone in favour of the committee going in camera right now?

**Some hon. members:** Agreed.

*[Proceedings continue in camera]*

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