



House of Commons
CANADA

Standing Committee on Citizenship and Immigration

CIMM • NUMBER 004 • 2nd SESSION • 40th PARLIAMENT

EVIDENCE

Tuesday, March 3, 2009

—
Chair

Mr. David Tilson

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•(0940)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Ladies and gentlemen, this is the Standing Committee on Citizenship and Immigration, meeting number four, Tuesday, March 3, 2009.

The orders of the day are committee business, and there are some motions. Although the agenda lists Mr. Karygiannis, we also have Mr. Bevilacqua, and then if we get that far, we have the study on undocumented and temporary foreign workers to look at.

We will proceed. Mr. Bevilacqua, you're first on the list.

Hon. Maurizio Bevilacqua (Vaughan, Lib.): Thank you, Mr. Chairman.

I want to bring to the attention of the committee that in reference to one of the motions, that the Standing Committee on Citizenship and Immigration recommend the government immediately implement measures to extend citizenship by descent to second-generation children, I've had conversations with the parliamentary secretary and the government on this particular issue, and they stated they will provide me with an answer to the content of this particular motion. So I will wait for the answer and the notes on that particular one.

The Chair: Stand that one down to a future time.

Hon. Maurizio Bevilacqua: That's exactly what I'm saying.

The Chair: Let's move on to your second motion.

Hon. Maurizio Bevilacqua: The second motion—

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Chair, if I may—

The Chair: Mr. Karygiannis.

Hon. Jim Karygiannis: —when the department does provide us its answer, is there any possibility that they can also provide us facts and figures on how many children were born abroad, first generation?

The Chair: Mr. Karygiannis, I suppose if that information you're requesting is relevant to this request of Mr. Bevilacqua—it may be relevant, but we're now dealing with a notice of motion, which has been set aside—you can discuss privately with the parliamentary secretary and Mr. Bevilacqua on that issue. I'd rather we get into Mr. Bevilacqua's second motion.

Mr. Bevilacqua.

Hon. Maurizio Bevilacqua: Mr. Chairman, you'll find that there's support for this second motion.

The Chair: Perhaps you could formally move it, Mr. Bevilacqua.

Hon. Maurizio Bevilacqua: I move that the Standing Committee on Citizenship and Immigration recommend that the government immediately speed up the process that allows for the granting of citizenship to non-Canadian children adopted abroad by Canadian parents without requiring that such children first become permanent residents.

It's something that I think you'll find is supported right across the board.

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): I'll second it.

The Chair: That's your presentation?

Hon. Maurizio Bevilacqua: That's it.

The Chair: Debate?

(Motion agreed to)

The Chair: Mr. Karygiannis, your turn.

You have several here, and you'll have to tell me which one you're going to proceed with.

Hon. Jim Karygiannis: I'd like to deal with number one, sir, with Bill C-37, An Act to amend the Citizenship Act. It was in the last Parliament, and this is about the lost Canadians—

The Chair: Perhaps you could formally move the motion, Mr. Karygiannis.

Hon. Jim Karygiannis: I move that this committee review the subject matter of Bill C-37, An Act to amend the Citizenship Act, enacted in the second session of the 39th Parliament, and the process of granting Canadian citizenship to the “lost Canadians”; and that pursuant to Standing Order 108(1), any findings and recommendations based thereon be reported to the House.

Thank you, Mr. Chair.

The Chair: You have the floor to provide your rationale, Mr. Karygiannis.

Hon. Jim Karygiannis: Last year at about this time we wrapped up Bill C-37, the granting of citizenship to lost Canadians, the granting of citizenship to war brides and children of war brides. We heard testimony in this room from people who thought they were Canadians but who had lost their citizenship, and the department moved very quickly, and we had a unanimous report from this committee in order to move it ahead.

One of the recommendations made was that a year from then we come back and look at it. So in that view, Chair, I would like to move this motion and suggest that we also get stakeholders, a couple of people who were here, to testify and to give us their good news stories of how they got their citizenship, of how things are moving along, and to see if there's any glitches along the way that we might want to fix. For example, Mr. Don Chapman was among us last year, and he led the procession of people, so maybe we could start by inviting him to come back and have department officials give us an overview of what's happened in the last year.

The Chair: Ms. Chow.

Ms. Olivia Chow (Trinity—Spadina, NDP): As of April 1, for the second generation, if they have adopted children outside of Canada, those Canadian children will not be seen as Canadians. There were two bills in front of us, both the lost Canadians bill that deals with citizenship—

An hon. member: Does it have to do with Bill C-37?

Ms. Olivia Chow: Bill C-37 is what we're talking about. Bill C-37 talks about granting of citizenship, and I remember Mr. Karygiannis—

• (0945)

The Chair: Okay. I'm just making sure we're on the same page, Ms. Chow. Thank you.

Ms. Olivia Chow: Mr. Karygiannis said at that time that there would be third-generation children, and if they were born abroad, they would have difficulty with citizenship.

Hon. Jim Karygiannis: Well—

The Chair: Mr. Karygiannis, let her finish, please. We have a list.

Ms. Olivia Chow: So it's the adoption situation, which is a separate bill, I understand. I think it was Bill C-14. I don't remember precisely what bill number it was. Mr. Bevilacqua's motion originally dealt with that one.

My question really is to Mr. Karygiannis. In reviewing the lost Canadians, is that an issue we would revisit? As of April 1, the bill will come into effect.

Hon. Jim Karygiannis: Mr. Chair?

The Chair: Go ahead, sir.

Hon. Jim Karygiannis: Thank you.

If I remember correctly, there was a motion on the floor before mine, regarding adopted children. We talked about it few minutes ago.

Last year, I strongly argued that a Canadian is a Canadian regardless of generation. I understand from Mr. Dykstra and our critic, Mr. Bevilacqua, that as far as the second generation is concerned, there are some negotiations and some figures. If you want to enlarge on this and propose a friendly amendment to include that...or when people are coming here, maybe we can certainly include that. But I'm trying to grasp where you want to go. I think maybe I haven't caught on. Are we talking about the second generation or the third generation?

Ms. Olivia Chow: I think it's important for those adopted kids or for expats working outside Canada who have an adopted child or

who have kids outside the country, that the third generation would be....

We knew that was going to be a problem. You warned us about that. At that time, we wanted to deal with the lost Canadians issue, the war brides, and we didn't want to wait. Is that something that would come back to this committee?

I assume there would be discussions between Mr. Dykstra and Mr. Bevilacqua, but would those materials also be tabled here with the committee and be part of this study? I'm just trying to get clarification.

The Chair: Is that a question to Mr. Karygiannis or are you just talking?

Ms. Olivia Chow: Well, it's to both the parliamentary secretary and—

The Chair: All right. Let's see how it unfolds.

Mr. Calandra, Mr. Bevilacqua, and then Mr. Karygiannis.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Thank you, Mr. Chair.

I'm sorry, but I'm just a bit confused. I know this bill apparently doesn't come into effect until April 17, 2009, so I did avail myself of some of the committee Hansard from the last time this came up, which was last year. It seems like we've gone down this road before with the member. It was passed unanimously at this committee. Many of the members opposite actually praised Bill C-37. I believe that at the time Mr. Telegdi discussed a whole litany of previous Liberal ministers who hadn't done anything with respect to addressing the lost Canadians issue.

More importantly, I know we also talked about this, and Mr. Karygiannis did bring forward a number of recommendations at the time with respect to review, which were actually turned down by the committee. They've truly been all over the map on this one.

If you'll just indulge me, in the committee Hansard of last year, he asked, "Can we have a parliamentary review of the bill in four years...?" I believe it was turned down. He then asked for a review in three years. He didn't get that. Then he changed his mind again and put forward a motion that a parliamentary review happen within five years of the adoption of the bill, which was turned down. Then there was a motion for a parliamentary review of this legislation, again within five years, and also for a sunset clause to be added, which again was turned down.

• (0950)

Hon. Jim Karygiannis: Mr. Chair, I fail to see where we're going with this.

The Chair: I don't know, but we'll see how he does.

Hon. Jim Karygiannis: I'm just wondering if he's read the whole thing, because he was—

The Chair: He has the floor, Mr. Karygiannis. I'm sure he'll reveal to us where he's going.

Mr. Paul Calandra: I will in the fullness of time, Mr. Chair. Thank you.

Then back again, once five years didn't happen, four years didn't happen, three years didn't happen, and 180 days didn't happen, he actually went to two years again. And in his words, "Therefore, I would like to move that we enclose in here a parliamentary review... to come back to committee two years from today". Again, the committee turned you down at that time.

Here is something I thought was important, because as I was reading some of the Hansard of this and familiarizing myself with Bill C-37—and again, Mr. Chair, if you'll indulge me—I'll quote from the Hon. Andrew Telegdi:

I have listened to Lucienne Robillard, and she was committed. I have listened to Elinor Caplan, who sat on this committee, and she was committed. I listened to Denis Coderre; he was on this committee and he was committed. I listened to Judy Sgro; she was on this committee, she was a minister, and she was committed. I listened to Mr. Volpe, and he was a minister, and he was committed.

But nobody ever got the job done. Apparently it was our government and our ministers who actually got the job done on Bill C-37, with the unanimous support of the members who sat on this committee last year. It seemed to have proceeded through Parliament very quickly, I noted, in trying to reference some of the information, some of the debates back at that time. It sailed through Parliament quite quickly.

So I'm confused as to why we would review a bill that hasn't even come into effect and is not scheduled to come into effect until April 17. Now you're asking the committee to review something before it has come into effect. You've been all over the map with respect to when you want it reviewed. You've gone from 180 days to five years to three years to two years to now, wanting it done before we've even had a chance to see the bill come into effect.

What I'm suggesting is that with all the evidence and all the good work that was done—and it was done by many of the same members who sat on this committee the last time—I noted that many of the members, who were actually the members opposite, particularly those who served on this committee at the time, were very congratulatory of all the hard work they had done to bring this bill forward. And the representatives from the department also were extraordinarily complimentary to the members who had worked so hard in crafting a bill that was so good, in bringing forward something that was unanimously supported by all the members, including Mr. Karygiannis.

I would suggest, Mr. Chair, that we might want to have the bill come into effect first. We might want to give it some time, and then from there.... And I'm not suggesting anything, because I may not be on this committee in the years ahead and I won't suggest what the committee works on two, three, four, or five years from now. But perhaps we should give it some time so the committee can digest what has happened after the bill comes into effect. I think that would be a better use of the committee's time as opposed to undertaking a review of what was a superb piece of legislation spearheaded by the former Minister Finley and unanimously supported by the members opposite and brought through the House of Commons and through the Senate very quickly. I think that after the 17th, when this comes into effect and people have the opportunity to see how this legislation will help many Canadians, we could at that point, four years from now but certainly not at this time, undertake a review then, Mr. Chair.

•(0955)

The Chair: Thank you, Mr. Calandra.

Mr. Bevilacqua, and then Mr. Karygiannis.

Hon. Maurizio Bevilacqua: In reference to the commitment made by the parliamentary secretary, Mr. Chair, of course I take it that the information would be distributed to every member of the committee. Can that be clarified?

The Chair: Mr. Dykstra, could you respond just so that everybody is happy here.

Mr. Rick Dykstra (St. Catharines, CPC): It's pretty early to say in what form that information is going to be provided, but yes, certainly when a response is put together, it will be available to each member of the committee.

Ms. Olivia Chow: Before April 17?

Mr. Rick Dykstra: No, there's no agreement on the timeframe.

The Chair: Okay.

Mr. Karygiannis.

Hon. Jim Karygiannis: Chair, I want to thank Mr. Calandra for going over the minutes of the committee and, certainly, for trying to go through all of that; but unfortunately, he wasn't here and didn't see the passion of the people we heard from. Certainly it's been a year since this bill passed this committee. It was in the House. The department has done some work on it. Some people have already received their citizenship.

What I'm specifically asking for is to get an overview of the work that has been done in the last year, with departmental officials coming in to tell us their success stories and certainly to hear from some of the stakeholders. I don't see this as a problem, unless the department and the members of the government know something else that we don't know and they want to hide something. This is a clear case where we should be asking people to come in, be it for a day, a day and a half, or two days. We would invite two or three stakeholders to come in and we would invite government officials and get an update as to what's happening. This is not something that is extraordinary; I don't see the controversy in this. There was an agreement that we review it in a year's time. It's here.

So what is the problem with listening to a success story that the government should claim, and maybe step forward for, unless there's something hidden, unless the facts and the figures are not all there, and we're hiding something?

So you can go back to Hansard until the cows come home, but this is very simple. Let's get an overview of what has happened from the department, and let's hear from a couple of stakeholders; and if everybody's happy, we will move on and congratulate the government and pat them on the back for what they have done—unless you're hiding something and you don't want us to hear about it. The work you've done on subsection 5(2), and whatever else, certainly has nothing to do with getting an update on something that is crucial and affects the lives of thousands of people. If your government has done this and it has done it correctly, then fine, congratulations. Or are you hiding something? What is the difficulty here of getting the departmental officials to give us an overview of what has happened? Unfortunately, they couldn't do it today. And what is the difficulty with getting stakeholders to see how the department has worked with them? Is that a problem, or are you hiding something? If you are, I think we should put it on the table. If you are not, it's clear-cut: congratulations for doing it and for maybe being the first people to have done it. If you want to hear that, then support this. If you don't want to hear that and you're hiding something, don't support it.

The Chair: Monsieur St-Cyr, and then Ms. Mendes.

[Translation]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Thank you, Mr. Chair.

Time is the key factor here. It's important for us to manage the committee's agenda. During the previous Parliament, the committee adopted a substantial number of motions of this nature relating to studies and reports that were never started because there was no time for this. We can always pull the figures.

I don't know if it's possible to move a motion of this nature or how we could go about it, but perhaps this motion should be referred to the subcommittee for review along with all of the other items it might want to consider. The same goes for motions 1 and 4 from Mr. Karygiannis that deal with some interesting topics. If the committee sat 24 hours a day, seven days a week, it might then have enough time to deal with everything. But eventually, we will need to make some choices or, at the very least, set some priorities.

As far as the committee is concerned, it would make more sense and it would be more efficient for us to refer all of these motions to the subcommittee, along with all of the other priorities that have been set and the other items selected by each party for discussion. We could combine all of these elements and move a motion as to what we plan to study, and when, and then adopt the motions. We could adopt hundreds of motions, but it wouldn't get us anywhere.

I'd like Mr. Karygiannis to agree either to wait until the committee has spoken, or to refer the motion to the subcommittee. Perhaps the clerk could help us out with that.

• (1000)

[English]

The Chair: The chair agrees with your comments. I'm having a hard time following the committee's plan because the plan seems to change from day to day. But I'm just up here trying to keep order, and it's up to the committee, really, and we have some motions. Mr. Karygiannis is quite within his rights to bring motions, as is any

other member, and before it gets to the subcommittee it seems to me the motion has to be voted on.

Have you finished, Monsieur St-Cyr?

[Translation]

Mr. Thierry St-Cyr: I disagree that it needs to be voted on first. Once the motion has passed and the decision has been made to examine the issue, we will not have any kind of leeway as to which issue we would like to examine first.

[English]

The Chair: We have a report here that we have to deal with. It's on the agenda to be dealt with. That has priority. The minister is coming next Tuesday. We're already completely out of whack, but I don't want to get into a debate with you. I'm trying to agree with you that there should be some process here and we seem to have veered from it.

[Translation]

Mr. Thierry St-Cyr: May I move that motions 1, 4 and 5 be referred to the subcommittee for consideration?

[English]

Hon. Jim Karygiannis: On a point of order, Chair, we're dealing with this particular motion.

The Chair: We are indeed. And his motion is out of order, you're absolutely right.

Hon. Jim Karygiannis: This is the motion, and for anything to do—

[Translation]

Mr. Thierry St-Cyr: Then, quite simply, we will defeat it.

[English]

Hon. Jim Karygiannis: —with this subcommittee, it has to pass through this.

Mr. Rick Dykstra: I just want to ask the chair to seek a little leave on his decision. A motion to defer supersedes the motion on the table.

The Chair: I guess he's right.

Mr. Rick Dykstra: So if Mr. St-Cyr is asking or requesting for this motion to be deferred to committee—

An hon. member: Not defer, refer.

Mr. Rick Dykstra: You'd rather have a “refer” than a “defer”. That's fine. Either one, it actually does supersede.

So I don't understand why, Mr. Chair. I'd just ask you to reconsider this.

The Chair: You're assumption is correct and you're absolutely right.

Mr. Rick Dykstra: Thank you.

The Chair: Monsieur St-Cyr, a motion to refer is in order. Are you moving that?

[Translation]

Mr. Thierry St-Cyr: Yes.

[English]

The Chair: To the subcommittee, a motion that this motion, or all of Mr. Karygiannis' motions.... It's unclear what your motion is.

[Translation]

Mr. Thierry St-Cyr: Motions 1, 4 and 5 should, in my opinion, be referred to the subcommittee. Since we are considering motion 5, I don't know if I can request that motions 1, 4 and 5 be referred, or whether I need to move separate motions to that effect.

[English]

The Chair: Okay.

Mr. Thierry St-Cyr: One at a time.

Let's do it for

[Translation]

motion 5 only. Then we can do it for the other motions.

[English]

The Chair: So this is not debatable.

All those in favour of Monsieur St-Cyr's motion, as I understand it, to refer Mr. Karygiannis' motion to the subcommittee?

Hon. Jim Karygiannis: Mr. Chair, when was the last time we referred anything to a subcommittee?

The Chair: I don't know. It doesn't matter. He's doing it.

An hon. member: It's in order.

An hon. member: We're being innovative.

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

The Chair: Mr. Karygiannis, we move on to the next motion of yours. Could you tell us which one that is?

Hon. Jim Karygiannis: I would like to bring to the table number four, if I can. This is an agenda that should Mr. St-Cyr decide to refer it—he seems to be the hit man today for the work of the Conservatives—

The Chair: Try not to bait the members, Mr. Karygiannis.

● (1005)

Hon. Jim Karygiannis: I move that this committee undertake a study of the criteria used when awarding funding to community organizations that assist new Canadians as they make Canada their new home; and that pursuant to Standing Order 108(1), any findings and recommendations based thereupon be reported to the House.

We have had a flurry of activity, Mr. Chair, on how certain organizations get funding. We have people using adjectives, and the minister is certainly responding by threatening to cut their funding. We've clearly heard from the department this morning that there is a procedure and there are ways of doing this. I would like to put this on the table and certainly look for the support of the members to examine how an organization gets funding. We should examine the criteria used for the funding, and we should also call upon the minister to tell us the criteria he uses—be that a knee-jerk reaction or whatever—in order to cut funding from an organization when its president or vice-president might use some adjectives he doesn't like.

Certainly, that's not the mandate of the minister. That is certainly not the mandate he got from the Prime Minister, and on that, sir, I'd like to find out what mandates the department has and where the minister intervenes. How does he go about intervening in funding, and what criteria do we use in order to cut funding from an organization that's been getting funding for a long time?

I'm seeking support. Should Mr. St-Cyr want to defer that, you might want to go to the organization and say, look, I deferred it because I thought we wouldn't like to study this. This is an item *du jour*, if you want to call it that. This is something for which we need to find the criteria and that we need to discuss thoroughly.

The Chair: Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Chair, as I have, Mr. Karygiannis has been a member on this committee for a number of years, so I believe he should therefore understand that there is a time-honoured procedure for bringing forward proposals for study topics. The subcommittee on agenda and procedure recommends how the committee should proceed to consider its orders and references and advice on such topics, and to select witnesses and schedule meetings. This is a venue for discussing the future business of this committee.

I don't know how his party works, but I know how mine works. If I think there is an important matter that needs the consideration of this committee, I approach my colleagues on the steering committee and make my case. By doing so, I do not take up the precious time of this committee. We meet for only four hours in a week, and we have a lot of work to get through, and we have a lot of issues to consider, so we owe it to our fellow committee members not to waste their time with unnecessary business.

The motion in question reads:

That this committee undertake a study of the criteria used when awarding funding to community organizations

Who are they? We don't know.

assist new Canadians as they make Canada their new home; and, that pursuant to Standing Order 108(1), any findings and recommendations based thereon be reported to the House.

Maybe there is some merit to this topic, and maybe there is not, but really, Mr. Chair, I believe that rather than considering the funding criteria, maybe it would be more useful to consider how the money is being used and whether new immigrants are receiving the help they need from these organizations and whether the government is getting good value for the money.

Mr. Karygiannis feels this funding offers greater relevance. As with the previous motion from Mr. Karygiannis, I suggest that this motion would be better left to the steering committee.

The Chair: Is there a motion to refer?

● (1010)

Mrs. Nina Grewal: Yes, Mr. Chair.

The Chair: All those in favour?

Well, I understand there's no debate. She's made a motion to refer, and there's no debate, right?

The Clerk of the Committee (Mr. Andrew Chaplin): No, there's no debate.

The Chair: There's no debate. All those in favour of Mrs. Grewal's motion?

(Motion agreed to)

The Chair: Mr. Karygiannis, you still have the floor for another motion.

Hon. Jim Karygiannis: Mr. Chair, I find it very interesting that we're referring motions that are of importance. I see what Mrs. Grewal is doing—

The Chair: Mr. Karygiannis, perhaps you could move your motion before you get into debate on your motion.

Hon. Jim Karygiannis: Yes, I am thinking about it. I would like to go to number one.

I move that, pursuant to Standing Order 108(2), this committee hear the respective ministers and officials from the Department of Citizenship and Immigration and the Canadian Border Services Agency, and other relevant witnesses, to inquire into ever-increasing processing times related to immigration timelines from posts around the world; and that pursuant to Standing Order 108(1), any findings and recommendations based thereupon be reported to the House before any amendment is made to the Immigration and Refugee Protection Act.

Chair, we've seen the minister make remarks as to the length of time, that it's shortened. It is certainly not the case. I've given the minister and this committee ample suggestions and ample paperwork in front of you that this is not the case. I would like that we not only look at the length of time it takes, but that we also examine it and also try to assist the department by recommendations that we move and deal with this backlog we have, that we make suggestions to the department and the minister as to how we can expedite things, and that we find out what is the case as far as timelines are concerned around the world and why it's taking so long to bring people into Canada.

The Chair: Thank you, Mr. Karygiannis.

Is there debate?

Ms. Chow.

Ms. Olivia Chow: Mr. Chair, I'm particularly interested in the family reunification wait times. I have heard it's three years, five years, eight years to bring a mother or a father into the country, so I'm very interested in this study. The minister tells me that the family reunification wait times have been dropping for the first time ever. That's what I heard in the House of Commons when I asked last Thursday, I believe. So I do want to know, whether from Beijing in China or from India, whether it is a fact that wait times have been dropping.

We do need to deal with the temporary foreign workers report. That report, hopefully, will be done maybe in March or April, and we would be looking at something beyond, starting in the spring. This is an issue that I think will have a lot of impact on our constituents. Most often when people come to our office, they say, "Help. My parents were very healthy, but now they are getting a bit sick; they're getting a bit old. They've been waiting for years."

I understand the backlog didn't start from the Conservative side; it started during the years when the Liberals were in power. At this

point, whether it's Liberal or Conservative doesn't matter anymore. The backlog is a big problem, especially wait times for parents. I do hope that, whether this motion is referred or not referred, the subcommittee will see this as a priority, because it is really hard for new immigrants to wait all these years for their parents to come to Canada.

The Chair: Mr. Bevilacqua.

Hon. Maurizio Bevilacqua: Yes, Mr. Chairman, you will find that this motion presented by Mr. Jim Karygiannis enjoys the support of the committee—not only do we support this, we won't refer this to the subcommittee—that the steering committee incorporate this in its work schedule.

The Chair: Ms. Wong.

Mrs. Alice Wong (Richmond, CPC): First of all, I had some concern about the wording in the motion itself. You say in line 3, if I read correctly, "and other relevant witnesses to inquire into ever-increasing processing times related to immigration timelines from posts around the world". Before you have done any studies, you have already presumed they are ever-increasing. Coming from the research world, I think you don't fix your conclusion first before you go to find out whether it's true or not. So that alone has already created some challenges from me. If you want to find out something, you don't pre-assume it's ever-increasing.

•(1015)

Hon. Maurizio Bevilacqua: Get rid of "ever-increasing"; change it to "into processing times".

Mrs. Alice Wong: That's one challenge.

Hon. Maurizio Bevilacqua: Okay, we have that out of the way.

The Chair: Mr. Karygiannis, are you okay with that?

Hon. Jim Karygiannis: No.

The Chair: He's not okay with that.

Carry on with your debate, Ms. Wong.

Mrs. Alice Wong: How can you say that it's ever-increasing when we do have proof that in some areas it has already been improving? You have already ruled out the possibility that your statements are not true and your data are drawn from the wrong time or the wrong place.

I'm sorry, Mr. Chair, it really doesn't make sense to me when you have already pre-assumed certain findings before you even go out to find something.

The second question is that the data he was using in here actually were old data. When you compare, you have to have a reason to compare the time—what time versus what time—and so the data are misleading.

Another thing is that I think this is not the proper venue to raise study ideas. He has already asked many questions in the first informal meeting about processing time. I think that has been answered.

I propose that this be referred to the subcommittee on agenda and procedure. This committee is not the place to do this very important study.

The Chair: We have a motion to refer—no debate. We'll go to the question.

(Motion agreed to)

The Chair: This motion is referred with the others.

We're working our way through, Mr. Karygiannis. I wish you luck on the last two.

Hon. Jim Karygiannis: I am going to withdraw the other ones.

Ms. Olivia Chow: That's not a study.

The Chair: The other motions, two and three, are withdrawn.

Excuse me, is there something happening here?

Hon. Jim Karygiannis: Yes, there is something happening, and I think I'd like a point of order, if I can.

These motions were duly brought to the committee, and for a member to say that one, three, and four, or one, four, and five, and automatically make up his mind and signal it... Well, if that individual wants to signal that, it's fine by him. But it's also my privilege, if I want to withdraw the motion, to do so.

The Chair: Sir, I have agreed with you. You have withdrawn those motions. If someone else wants to serve notice of motion, the same ones, they're free to do that.

Do you have a point of order, Mr. Dykstra?

Mr. Rick Dykstra: No.

Hon. Maurizio Bevilacqua: On a point of order, Mr. Chairman, I'd like to ask for unanimous consent to reintroduce motion number three, presented by Mr. Jim Karygiannis.

The Chair: Perhaps I can confer with the clerk.

Mr. Bevilacqua, you have the floor.

Hon. Maurizio Bevilacqua: Basically, I'm reintroducing the same motion.

Hon. Jim Karygiannis: Chair, just allow me to say this. Unfortunately sometimes motions run a bit, so I'd like to take my withdrawal back.

The Chair: I'm sorry, what would you like to take back?

Hon. Jim Karygiannis: The motion to kill the motions. I made a statement that I didn't want to deal....

The Chair: I'm just trying to figure out what's going on.

So you're going to consent that motion number three is going to proceed.

It's Mr. Bevilacqua's paper, so we'll let him do that.

Are you okay with that? Okay.

• (1020)

Hon. Jim Karygiannis: I'd like to move the motion right away, if I can.

The Chair: Sure. Perhaps you could read that, please.

Hon. Jim Karygiannis: I'd like to move motion two. It reads:

That, in the opinion of the Committee, the government should deport no one to Sri Lanka until a safe environment exists there, and that it should expedite any family class sponsorships from the danger zone; that the Committee adopt these

recommendations as a report to the House and that, pursuant to Standing Order 108(1), the Chair present it to the House.

The Chair: We're overlooking some rules, but the chair rules that is in order.

Do you have some comments to make on your motion, Mr. Karygiannis?

Hon. Jim Karygiannis: We've seen clearly that the turmoil in Sri Lanka is accelerating. For the last thirty years, people have come from Sri Lanka to make this country a home, either emigrating to Canada or seeking refuge in this country. We've heard that the family class sponsorships are taking a long time, especially from the area in the danger zone. I have cases in my office that are taking two and three years, and keeping a family apart—husband and wife and children—for two or three years is too long. This committee and the House and consecutive governments have moved to expedite sponsorships, especially family class, from areas of danger, be it Iraq, which this government did, be it when we had the earthquake in Muzaffarabad, be it when we had the tsunami, and so on.

So with that in view I'm presenting that we move it quickly and report it to the House.

The Chair: Mr. Dykstra and then Ms. Chow.

Mr. Rick Dykstra: While I appreciate where Mr. Karygiannis is trying to go here in terms of assisting those in another country in a very unstable and insecure environment, at the same time, if you look at his motion, "the government should deport no one to Sri Lanka until a safe environment exists there", we have no determination as to what "safe environment" means. We don't know whether that would be tomorrow, we don't know whether that would be in a year, we don't know whether that would be in fifty years. There's no determination and qualification or quantification, quite frankly, of what that actually means.

Certainly we want to make sure we reiterate our concerns for the victims and the families that have been involved in the conflict that has arisen there. When we have these issues, they aren't just with one country and one country alone. They deal with a number of countries. When a serious conflict is occurring that directly affects or impacts Canadian citizens or permanent residents or their relatives, the ministry responds with a very humane and flexible approach. They have, within the existing IRPA and regulations, the ability to take family reunification, for one. They're able to ensure that is put forward in a much quicker manner and that families are reunited quickly.

We don't need special measures to deal with this conflict, because in fact we already have appropriate legislation, the regulatory authority, to deal with these, because it is an exceptional circumstance. This country is in exceptional circumstance in terms of what's happening there. We can process applications on humanitarian and compassionate grounds. We're well equipped to operate within the existing operations to process priority cases that we see and hear about. We have visa officers who will continue to issue temporary resident visas to any applicant who meets requirements of the IRPA.

Whether this committee wants to pass a motion that suggests this, we cannot, as a committee, act outside of the legislation. We cannot act outside of the regulations. We can pass motions that suggest we do that, but the motion in itself is not going to be able to allow the minister or, quite frankly, ministry officials to act outside of the current legislation within the Immigration and Refugee Protection Act.

Ms. Chow was wondering about numbers. As of September 2008, Colombo issued over 3,200 permanent resident visas in all categories, including approximately 1,200 visas to persons in the family class, which included spouses, children, and parents. The approval rate for family class cases is 91%, so we are certainly ensuring that in this case we are doing everything we can with respect to family reunification.

As of the end of September 2008, the mission in Colombo had processed 80% of its spousal cases within 13 months.

• (1025)

Hon. Jim Karygiannis: On a point of order, Mr. Chair, would the parliamentary secretary like to table that?

Mr. Rick Dykstra: I'm reading them right into the record, so they are being tabled, Mr. Karygiannis.

Hon. Jim Karygiannis: After you read them, would you table that?

Mr. Rick Dykstra: These are my own notes; these are not notes—

Hon. Jim Karygiannis: These are notes you got from the department?

Mr. Rick Dykstra: If you want me to enter my notes, I'm happy to do that.

The Chair: Speak through the chair, folks, please. We have a point of order.

Mr. Dykstra has said they're his own personal notes, and so I don't think he has to table them. He's reading information into the record.

Carry on.

Mr. Rick Dykstra: While I do understand the intent of the motion in terms of trying to help those who are in need, there are Canadian citizens who would say they have relatives in other countries who are in like situations and would like the same kind of treatment or the same kind of motion to come forward. It's why we have the act. It's why we leave within the act itself the ability for the ministry to act quickly, to act appropriately, and where possible, to act in a way that shows we are trying to bring families back together.

I would simply suggest to you, through you, Mr. Chair, that this motion not carry. Quite frankly, the ministry is in a position to deal with the issues at hand, is working to do that; and thirdly, there's no definition within the motion that suggests what a safe environment would be and when we could actually return.

So I would simply say to the member that we should not support the motion and we should continue to work with the families who have relatives who want to come to this country.

The Chair: Okay.

Ms. Chow, Mr. Karygiannis, and then Ms. Mendes.

Ms. Olivia Chow: Mr. Chair, I'm amending it by adding three words. So it would say “and that it should expedite any family class”—

The Chair: Sorry, where is that?

Ms. Olivia Chow: I'm just about to say that.

The three words are “and refugee claimants”. So look at the second line: “and that it should expedite any family class sponsorships and refugee claimants from the danger zones”. Okay? So I'm just adding three words.

The Chair: So it would be “and refugee claimants”. Thank you, Ms. Chow.

That's an amendment to the motion.

Ms. Olivia Chow: Yes. The reason I'm moving that amendment is that there's a civil war going on. There are anywhere up to...it depends on the figure; it could be 70,000, 30,000, 300,000 Tamils trapped in the war zone. There are conflicting reports. There's a desperate situation. Whether it's medical supplies or humanitarian aid, it is a very dire situation there.

Canada has committed some money, has called for a ceasefire. We had an emergency debate, and it was a good debate, but a lot more needs to be done, especially from the immigration department. I don't doubt that the visa office is doing what it can, but I think we, as the immigration committee, have a responsibility to express our opinion as to why we need to expedite sponsorships and refugee claimants from the danger zone. It is dangerous there, and we all admit that, so I see no reason for us not to approve this motion in front of us.

The Chair: Mr. Karygiannis, and then Madam Mendes.

Hon. Jim Karygiannis: Mr. Chair, for the parliamentary—

Mrs. Alexandra Mendes: Do we have to vote on the amendment?

The Chair: No, no, we'll just go on for a little bit longer here.

Hon. Jim Karygiannis: For the parliamentary secretary to say this is not needed, for the parliamentary secretary to come in front of this committee and say it's working and it's fine and dandy and it is not the place of this committee to do so... I'd like to remind the parliamentary secretary that it was a motion put forward through this committee dealing on Iraq that got the government of the day moving and saying we're going to go to 1,000 people, then another 1,000, and expedited what is happening in Iraq. It was a motion from this chair.

Therefore, Chair, I would like to move—

• (1030)

The Chair: Before you do that, Ms. Mendes was actually correct. Technically, we should be debating the amendment, although I'm just letting it all flow. So if we're going to get technical—

Hon. Jim Karygiannis: I'd like to move on the amendment.

The Chair: You want to move on the amendment? What do you mean “move on the amendment”?

Hon. Jim Karygiannis: I would like to move on the subamendment and call for a vote.

The Chair: Oh well, there's a list here. You can't do that.

Ms. Mendes.

Mrs. Alexandra Mendes: I have a further amendment to perhaps address Dykstra's concerns.

Ms. Olivia Chow: No, you can't.

Mrs. Alexandra Mendes: Can I?

The Chair: Sure, you can do it.

Mr. Karygiannis, you have a point of order.

Hon. Jim Karygiannis: I was wondering about your comment that you have a list and that you cannot call—

The Chair: No, there's a list here. You can't do that if there's a list.

Hon. Jim Karygiannis: Can you check with your clerk if that's the procedure?

The Chair: Thank you, sir. I will do that.

Your motion is out of order.

Ms. Mendes.

Mrs. Alexandra Mendes: Okay, but it's another subamendment. So I don't know if I can proceed with this or not.

The Chair: Sure. Go ahead.

Mrs. Alexandra Mendes: I would change the wording after “the government should”. Instead of putting “deport no one”, I would say, “declare a moratorium on deportations to Sri Lanka”.

The Chair: Ms. Mendes, I've been advised that if you wish to make such an amendment, it would be appropriate to do it after we vote on Ms. Chow's amendment.

Mrs. Alexandra Mendes: That's exactly what my point was. Thank you, Mr. Chair.

The Chair: Thank you.

I have Mr. Calandra, on the amendment.

Mr. Paul Calandra: Oh, we're speaking to Ms. Chow's amendment. I'm more concerned with the actual main motion.

The Chair: Okay, then we'll put that aside.

Is there any further debate on the amendment?

Hon. Jim Karygiannis: On the motion as amended by Ms. Chow.

The Chair: The motion as amended by Ms. Chow, which is adding the words—

The Clerk: The motion hasn't been amended yet; we're just on the amendment.

The Chair: We're voting on the amendment. I'm just trying to make everybody happy.

All those in favour of Ms. Chow's amendment?

Hon. Jim Karygiannis: Could we have a recorded vote, please, Mr. Chair?

The Chair: A recorded vote, yes.

(Amendment agreed to: yeas 6 ; nays 5)

The Chair: Madam Mendes has the floor.

Mrs. Alexandra Mendes: I have a further amendment, where I would replace the wording “deport no one” with “declare a

moratorium on deportations to Sri Lanka”. It's the first sentence, the first line.

The Chair: The words “deport no one” would be deleted, and the words “declare a moratorium on deportations” would be inserted.

Mrs. Alexandra Mendes: Exactly.

The Chair: Do you wish to comment on that, Madam Mendes?

Mrs. Alexandra Mendes: It's just that it makes it—

A voice: Stronger.

Mrs. Alexandra Mendes: Not just stronger, but time limited, if you wish. A moratorium can be one year, two years, or three years. I would leave that open to whoever is going to work on this.

The Chair: On the amendment, Mr. Karygiannis.

• (1035)

Hon. Jim Karygiannis: I'd like to move the amendment and call for a vote.

The Chair: You can do that.

Hon. Jim Karygiannis: A recorded vote, Mr. Chair.

The Chair: Yes, here we go.

(Amendment agreed to: yeas 6 ; nays 5)

The Chair: Well, we have a list now for the motion as amended.

I have Mr. Calandra, and then Mr. Karygiannis.

Mr. Paul Calandra: Thank you, Mr. Chair.

I'm concerned. I have a large Tamil population in my riding, and I hosted a town hall meeting recently in my riding to get some of their feelings as to what's happening back home. One of the things that happened at the town hall meeting, unfortunately...and to truly understand the conflict.... But I'm certainly not going to get into that. But there were obviously Tamils, and there were some Sinhalese who showed up, and it became a very difficult and hostile environment. One of the dilemmas with a motion like this is that it makes no differentiation as to what's happening there.

Now that a moratorium is being proposed, how do we deal with people who may be seeking refugee status in this country who are clearly people we do not want to have in this country? We now no longer can deport them. What if there are individuals—and I'm not making any suggestion that there might be—who we then come to discover have committed horrible atrocities back in Sri Lanka in this conflict? They're going to stay here and live within the same community as the people we're trying to protect. It's one of the things that just completely astound me.

I understand the intention of this motion, because many of us who have large Tamil populations in our ridings, in particular, have been listening to the stories of what is happening back home, and they are terrible stories. We've seen videos. We've had letters as to the situation. For me to now go back into my community and meet with the Tamil people, who have been so hurt and are so confused and upset by what's happening in their homeland, and tell them that....

I know Mr. Karygiannis doesn't really truly care about the Tamil people, as he would suggest, because if he did, Mr. Chair—

Hon. Jim Karygiannis: I have a point of order, Mr. Chair.

The Chair: On a point of order, Mr. Karygiannis.

Hon. Jim Karygiannis: For Mr. Calandra to judge if I care or I don't care is beyond him. For Mr. Calandra to make any suggestions as such—

Mr. Rick Dykstra: It's a matter of opinion. That's not a point of order.

Hon. Jim Karygiannis: —maybe he should look at himself in the mirror before he even speaks.

Mr. Rick Dykstra: That's not a point of order.

The Chair: Mr. Calandra, carry on.

Let's try not to—

Mr. Paul Calandra: Please, Mr. Chair, this is a very important—

The Chair: The chair would like to say a few words.

Mr. Paul Calandra: Go ahead. I'm sorry, Mr. Chairman.

The Chair: It's not a point of order, but I ask that all members act as honourable ladies and gentlemen and try not to bait each other.

Mr. Calandra.

Mr. Paul Calandra: Thank you, Mr. Chair.

I'm wondering, with this motion now, and especially the motion that we completely stop all deportations, how it is that we will then address individuals who may have committed unbearable atrocities back home? How do I go back to my Tamil community and say to them that it doesn't matter what you may have done back home, Canada is going to protect either side in this conflict?

We don't know when there will be a safe environment. This is a conflict that has been going on for 60 years. Are we going to allow another 60 years' worth of zero deportations to that area? Are we going to drop any pretence that we are going to look at individuals who may be in this country who are actually responsible for acts of terrorism? Are we going to overlook anybody who has committed an atrocity back home? How are we going to address people who are in the conflict zone? How are we going to get them to Colombo so that we can actually bring them back to Canada? These are the issues.

I understand what the member opposite is trying to do in this, but I think the motion itself lacks the comprehensive nature that we as a committee need to truly understand what is happening in the conflict zone and how we can actually make a proper impact. It would be very easy to say, "Just have a moratorium. Forget about it." I certainly am not looking forward to going back into my community and telling people who have come to me in my riding office and suggested that there are individuals who are living in this country now who shouldn't be here, whom they are frightened of, who need to go back to their homeland.... I now have to go back and tell them that a committee of Parliament has decided that it doesn't matter what happened, they're going to be staying here.

I think we really need to take a look at this motion. We need to take a look at what it is we want to accomplish with this motion, and we have to do a lot more work than what we can do in the context of 10 minutes in front of a committee with a motion that has been amended a number of times already, Mr. Chair.

Again, I think it's something we should take off the table for now and research properly to see if we can't come back with something that would be more appropriate and that would truly help the people we're trying to protect here.

● (1040)

The Chair: Are you making a motion to refer?

Mr. Paul Calandra: No, I'm finished.

The Chair: Mr. Karygiannis and then Ms. Wong.

Hon. Jim Karygiannis: Chair, I'd like to move the motion and I would like to ask for a recorded vote.

The Chair: We have Ms. Wong on the list and I'm going to let her speak first.

Hon. Jim Karygiannis: Mr. Chair, I moved it.

The Chair: I know, and I'm going to say Ms. Wong can speak.

Hon. Jim Karygiannis: I called the question.

The Chair: Thank you.

Ms. Wong.

Hon. Jim Karygiannis: Chair, I called the question.

Ms. Olivia Chow: It's not debatable. It's in order.

Hon. Jim Karygiannis: I already did it twice and you accepted it. Therefore I'm calling the question, calling the motion; I'm calling for a recorded vote.

Mr. Rick Dykstra: I have a point of order.

The Chair: The difference with before was that I did not have a list and I now have a list.

Hon. Jim Karygiannis: Sir, you also had a list—

The Chair: I'm ruling that Ms. Wong has the floor. If you want to challenge me, go ahead. We'll have a vote.

Hon. Jim Karygiannis: I'd like to challenge the chair.

The Chair: Thank you, Mr. Karygiannis.

[Translation]

Mr. Thierry St-Cyr: I am prepared to vote on the Chair's ruling, but I would still like to see the relevant passage in the Standing Orders to understand what exactly I'm voting on.

Quite frankly, it seems to me that...

[English]

The Chair: The chair has been challenged. We have a member who has asked for some clarification on that issue, if the clerk can find it. Mr. St-Cyr has asked a question on the chair being challenged. I think that's a fair question before we vote on that.

We are suspending for a few moments.

● _____ (Pause) _____
●

The Chair: Could I have order, please. We will reconvene.

I have been drawn to page 456 in the book, with respect to the chair being challenged on the motion. The issue of why the chair ruled the way he did was not to curtail debate. The quote is, “The previous question cannot be moved in a Committee of the Whole nor in any committee of the House.” That’s what the book says, Mr. St-Cyr, but the chair has been challenged—

• (1045)

Ms. Olivia Chow: Could you read that again, please?

The Chair: Are we all happy? We’re not all happy, but we’re going to vote. The chair has been challenged.

Mr. Clerk.

Mr. Rick Dykstra: Can you read the question on the challenge?

The Chair: Shall the chair’s ruling be sustained? I ruled that Ms. Wong would have the floor. Mr. Karygiannis wants to vote on the issue. The chair has ruled no, the debate is still on and Ms. Wong will have the floor.

Hon. Jim Karygiannis: Mr. Chair, can I ask a question? Before the challenge and all that stuff, I’d like us to deal with this motion today. I see the clock moving. So if the chair would like to give a couple of minutes to Ms. Wong, and then come back to the vote—

The Chair: It doesn’t work that way. Either the committee is in agreement with you or the committee isn’t.

Mr. Clerk, I’m sorry, I keep jumping in.

Mrs. Alexandra Mendes: We’re voting on what?

Mr. David Tilson: The chair has been challenged.

Mrs. Alexandra Mendes: Oh, we’re voting on that. Okay.

(Ruling of the chair sustained: yeas 7; nays 4)

The Chair: Ms. Wong.

Mrs. Alice Wong: First of all, I do see a big problem in giving a blanket statement, and given the way it is stated in the present amended motion. Yes, we feel sorry for the Sri Lankan people who are in such a dangerous position, and the government has done its best to assist those who are there.

I do echo Mr. Paul Calandra’s concern that there are already people who are here and, for good reasons, these people need to be deported. If we give a blanket consent that these people should not go back, it will endanger those from the same community who are already here. For the benefit of those who are already here and who really fear the people from their own community who should actually be deported, I think this will create challenges for them. That’s number one.

Number two, I’m glad that Mr. Paul Calandra, because of his collegial manner, has withdrawn his comment.

Mr. Chair, I want to draw your attention to our Honourable Mr. Jim Karygiannis. Whenever people do not agree with what he says, then he starts to give comments, critiques, which are not relevant. For example, like Mr. Thierry—

• (1050)

The Chair: Ms. Wong, I’d like you to stick to the debate, please.

Mrs. Alice Wong: My debate is that I do not think this is a safe—

Some hon. members: [*Inaudible—Editor*]

The Chair: I’m having trouble hearing Ms. Wong. Could I have some order, please?

Go ahead.

Mrs. Alice Wong: My point is that I do not see this as a good way to protect the people who are already here in the Tamil community, because of the fact that some people—

The Chair: We have a point of order, Ms. Wong.

Mr. Karygiannis.

Hon. Jim Karygiannis: What does that have to do with the price of apples? She asked to speak to this motion—

Mrs. Alice Wong: I am speaking to this motion, and I have the floor, Mr. Jim Karygiannis.

Hon. Jim Karygiannis: Mr. Chair, she’s also making some personal remarks.

The Chair: We got off that, Mr. Karygiannis.

Ms. Wong, carry on.

Mrs. Alice Wong: All right. My point is that with respect to protecting those who are already here against those who should have been deported, I don’t think this is the right move, so I’m speaking against this.

The Chair: Is there any further debate?

Seeing none, then we shall vote on this motion as amended.

Ms. Olivia Chow: I’d like a recorded vote.

An hon. member: Could you read the motion, please?

The Chair: I don’t know whether I can read my writing, but I’ll try:

That in the opinion of the Committee, the government should declare a moratorium on deportations to Sri Lanka until a safe environment exists there, and that it should expedite any family class sponsorships and refugee claimants from the danger zone; and that the Committee adopt these recommendations as a report to the House; and that pursuant to Standing Order 108(1), the Chair present it to the House.

Mrs. Alexandra Mendes: If I may, Mr. Chair, I have a question of grammar, period.

I would say “refugee claims”, not “refugee claimants”, because if we go back to family class sponsorships.... That’s the only correction.

The Chair: Are you happy with that, Ms. Chow?

Ms. Olivia Chow: That’s friendly.

Mrs. Alexandra Mendes: Very friendly.

The Chair: It’s refugee claims.

Okay, Mr. Clerk, we’re going to have a vote.

(Motion as amended agreed to: yeas 6; nays 5)

The Chair: The motion as amended carries. That concludes the motions.

It's five minutes to eleven.

Hon. Jim Karygiannis: I have another one.

The Chair: You withdrew that, so we're not going to hear that today.

Do you have a point of order, Mr. Dykstra?

Mr. Rick Dykstra: No, it's not a point of order. I want to seek unanimous consent to move the following motion.

Ms. Olivia Chow: It depends what it is.

The Chair: Let's hear it and see if they give it you.

●(1055)

Mr. Rick Dykstra: All right. It is that the chair report to the House at the earliest opportunity that this committee condemns in the strongest language the breach of trust in parliamentary privilege that occurred on Thursday, February 26, with the leaking of a clearly marked confidential report of the committee on citizenship and immigration; and that this committee further expresses its dismay that the spirit of cooperation, which has characterized proceedings in the preceding several meetings, has been poisoned by an attempt to unilaterally influence the committee's action through the leaking of this report.

I refer directly to a press release that was issued by IWA, the Independent Workers Association, the home worker section, which issued a news release. It's very clear that the release was issued based on this report that we received Thursday obviously being made available to someone in the press or someone in the media.

Some hon. members: Oh, oh!

The Chair: There's no unanimous consent, Mr. Dykstra.

Mr. Rick Dykstra: All right. I'll then issue my motion to be dealt with at our next session.

Mrs. Alexandra Mendes: Mr. Chair, what report did we receive on Thursday?

The Chair: I don't know.

Mrs. Alexandra Mendes: We have the public servants here—

The Chair: I don't know about this.

Mrs. Alexandra Mendes: We didn't receive any report. I didn't receive that. I don't have it.

Hon. Jim Karygiannis: On a point of clarification, could the parliamentary secretary read—

Mrs. Alexandra Mendes: Would you mind waiting two seconds?

I don't have this report. Where is it?

The Chair: This report?

A voice: You received it by mail.

The Chair: It came on e-mail.

Mr. Rick Dykstra: If you don't have it, I... We all did. It was sent to us.

Hon. Jim Karygiannis: Chair, could the parliamentary secretary read to us the press release that he was referring to?

Could you please read that into the Hansard, because some of us—

The Chair: You know what? We don't have unanimous consent to debate this one way or the other.

Hon. Jim Karygiannis: But before we have unanimous consent or not, I'd like—

The Chair: Well, I don't know—

A voice: There's no motion.

The Chair: No. So we have two minutes left, and I guess the next question is whether there is unanimous consent that he can read this press release.

Some hon. members: Agreed.

The Chair: Go ahead, Mr. Dykstra.

Mr. Rick Dykstra: iWorkers, the Independent Workers Association-Home-workers Section, has welcomed the start of deliberation on changes to the Temporary Foreign Workers Program...

The changes, put forward by NDP MP Olivia Chow, will among other things ensure a fair immigration process to workers seeking permanent residence under the Live-in Caregiver Program (LCP). An amendment to section 38(2) of the Immigration and Refugee Protection Act (IRPA) would include members of the Live-in Caregivers Class on the list of foreign nationals exempted from the "excessive demand" ground of inadmissibility.

The proposed amendment is known as the Juana Tejada Law after the case of a live-in caregiver who came to Canada after passing a rigorous medical exam but was refused permanent residence and ordered deported after contracting a serious illness. Juana Tejada developed colon cancer and was denied twice by Canadian immigration authorities before finally being allowed to stay permanently following a vigorous public campaign on her behalf.

The proposed amendment would recognize that, if a caregiver has done her work and paid her taxes, she should be entitled to permanent resident status under the Live-in Caregiver Class after at least two years of working here, no matter what her medical condition is. The current immigration laws must be changed so that they do not disqualify hardworking caregivers from becoming permanent residents only because they develop a medical condition that is clearly beyond her, or anyone's, control.

Other proposed changes include:

Make LCP participants eligible for the Interim Federal Health program, to ensure that they receive adequate health coverage from the day they arrive in Canada to work, until the day they are granted permanent residence, with no gaps in coverage at any time. Currently, LCP participants who are in the process of applying for permanent residence are denied extensions to their health coverage in Ontario. This lack of coverage could last for many months, notwithstanding the fact that they continue to be legally working in Canada, and continue to pay their taxes.

Significantly reduce current processing times for work permits for new entrants to the LCP, and for permanent residence to those who are eligible, including their family members. Canadian families cannot continue to wait the 12-18 months that it takes to process work permits at the Canadian Embassy in the Philippines, where most caregivers originate. Through the embassy in India, the wait is even longer, about 30 months. Similarly, LCP participants who are eligible to apply for permanent residence should not be forced to be apart from their families for an additional 15-22 months that it takes for the Canadian Embassy in the Philippines to grant visas to overseas family members. In all, caregivers and their families could be forced apart for at least four years due to processing delays. Continuing to work under current processing times can be devastating to caregivers and their families, and goes against IRPA's objective of reuniting families in Canada.

Review how reasonable wages and benefits are determined for LCP participants. Of all temporary foreign workers under the TFWP, only the wages of live-in caregivers are set according to the prevailing minimum wage amounts in each province. These workers provide a significant benefit to Canadians who are in need of child care, elder care, and care for disabled family members. It is grossly unfair and exploitative that the value of these workers' services is set against minimum wage levels.

The Standing Committee on Citizenship and Immigration is scheduled to consider the changes from now until March 12.

● (1100)

The Chair: This motion will be dealt with first on Thursday, followed by a study of the undocumented and temporary foreign workers.

iWorkers is a collaborative effort of the United Steelworkers union (USW) and community-based Migrant Ontario.

This meeting is adjourned until Thursday.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

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