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Chair

Mr. David Tilson

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• (1535)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good afternoon.

This is the Standing Committee on Citizenship and Immigration, meeting 36. Our orders of the day, pursuant to Standing Order 81(5), are to examine supplementary estimates (B) 2010-11, votes 1b, 5b, and 10b under Citizenship and Immigration, referred to the committee on Thursday, November 4, 2010.

We have with us, as our guest today, the Honourable Jason Kenney, the Minister of Citizenship, Immigration and Multiculturalism.

I won't introduce your colleagues, because I think we've met them all many times. If you have them speaking, you can introduce them, Minister.

Please go ahead.

[Translation]

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism): Thank you, Mr. Chair and colleagues.

I am pleased today to present to the Committee my department's supplementary estimates (B) for fiscal year 2010-2011.

I think the supplementary estimates are self-explanatory, but if you have questions, of course, we are here to answer them. Perhaps in my opening remarks I can provide a brief summary of new developments within the Department, our operations and our policies.

Last March, as you all know, we introduced Bill C-11, An Act to amend the Immigration and Refugee Protection Act and the Federal Courts Act, which received Royal Assent on June 29, 2010, of course after receiving the unanimous approval of both Houses of Parliament.

I would again like to thank my colleagues from all parties who worked on this.

[English]

This act will make Canada's refugee system more balanced, ensuring quicker protection for those who need it and quicker removals of those who don't. It will help deter those who would seek to abuse our immigration and refugee protection systems.

As part of these changes, Canada will also increase the number of resettled refugees by 20%, or 2,500 refugees per year. This includes

2,000 more spots in the private sponsorship program and 500 more government-assisted refugees. In addition, we will increase funding to the refugee assistance program. We've already started that work. This will give the refugees we resettle the support they need to begin their lives in Canada.

To promote these increases, I travelled across the country this summer to encourage individuals and organizations to become private sponsors, to become more involved in a revitalization of the private sponsorship refugee program. In particular, I urged them to become part of our humanitarian tradition by helping to provide a new beginning for victims of violence and persecution around the world, such as those forced to flee the cruelty and brutality of the Ahmadinejad regime in Iran and religious persecution in Iraq.

I should also mention that we've begun—or more than begun, we're well into—the hard work of implementation of the Balanced Refugee Reform Act. In fact, I've appointed, I believe, all of the additional IRB decision-makers for the refugee protection division who are necessary as part of our commitment to begin the process of backlog reduction.

[Translation]

Canada remains committed to protecting those who are most vulnerable. The Government of Canada is equally committed to upholding our laws and to protecting the integrity of our immigration and refugee systems.

[English]

That's why we've introduced legislation to crack down on crooked immigration consultants who promote fraud in our immigration program and victimize those who dream of immigrating to this great country.

I'd like to acknowledge Ms. Chow's advocacy that this initiative had to be twinned with our efforts on refugee reform.

As was the case with Bill C-11, this spirit of compromise and cooperation surrounding Bill C-35 has spoken, I think, very well to all parliamentarians on this committee.

We also introduced legislation that would strengthen the value of Canadian citizenship by making it easier to lose citizenship if it is improperly obtained, and we hope to begin debate upon second reading in the House in the near future.

But for Canadian citizenship to be meaningful, it also is essential that new and established Canadians alike share a common understanding of our rights and responsibilities, our institutions, our democratic traditions, and our history. That's why, just over a year ago, I was proud to launch *Discover Canada: The Rights and Responsibilities of Citizenship*, our popular new citizenship study guide, which is required reading for anyone seeking to become a Canadian citizen. In fact, the demands for the publication and tens of thousands of downloads from the website, as well as the very positive feedback, have been extraordinary.

This past March, my department began administering a new citizenship test based on *Discover Canada*. We expect new citizens to know about our country, so we've made the material and guide more comprehensive in scope. We strongly encourage citizenship applicants who want to do well on the test to study the new guide and familiarize themselves with their new country's history, symbols, values, and institutions.

[Translation]

To become a Canadian citizen, you also need to have knowledge of English or French. That obligation is set out in the Citizenship Act. *Discover Canada* is available as an audio version to help applicants who are still learning English or French study.

And since 2006, we have tripled funding to settlement services, including free language classes, after it had been previously frozen for years. That's meant an additional \$1.4 billion over five years to enhance services that help newcomers integrate into Canadian society.

[English]

While the government helps immigrants integrate into our society, including through the provision of language training, we expect newcomers to take advantage of this support. What concerns me is that only about 25% of newcomers who qualify for free language classes have enrolled in federally funded classes. To ensure that all immigrants are able to fully integrate and participate in society, this is a number that we would like to see increase.

I'm very pleased to report today that we are well on our way to achieving this goal, as a result, in part, of a pilot project that we launched last fall, where we mailed language training vouchers to 2,000 randomly selected permanent residents. The preliminary results of the vouchers show that more than twice the number of immigrants who received vouchers enrolled in language classes than those who did not. We'll be seeing the final results of our assessment in the spring, and if they continue to be positive, we'll look at options to expand this approach.

We've also updated the multiculturalism program's objectives, placing a much greater emphasis on integration. Through its new objectives, the program will help build an integrated, socially cohesive society, and improve the responsiveness of institutions to the needs of a diverse population.

● (1540)

[Translation]

The Government is committed to improving the Temporary Foreign Worker Program to protect foreign workers and live-in caregivers from potential abuse and exploitation.

To this end, we proposed improvements to the Temporary Foreign Worker Program, including penalties for employers who fail in their commitments to their employees.

[English]

We also made changes to the live-in caregiver program to better protect these workers and make it easier and faster for them and their families to obtain permanent residency in Canada.

In addition, Mr. Chair, we have introduced important legislative amendments to Canada's immigration laws, which would help protect vulnerable foreign workers, such as exotic dancers, who could be victims of exploitation or human trafficking.

The government is committed to maintaining our tradition of welcoming newcomers from around the world, Mr. Chairman. In fact, it's likely that this year, we will see the largest number of newcomers landing in Canada as permanent residents in more than five decades. In 2011 we intend to welcome between 240,000 and 265,000 permanent residents. I understand my officials were before you last week to discuss the planned levels.

[Translation]

The Government of Canada also remains committed to using immigration in a way that best serves our economic needs.

[English]

That's why I'm pleased that Canada was able to lift the visa requirement for travellers with ordinary Taiwan passports. This is something we announced, I believe, just a week ago. This is the eighth visa that we've lifted since 2006.

As you know, I spent time in September visiting our principal immigration source countries—India, China, and the Philippines—as well as having discussions with my colleagues in Europe and Australia. We focused on working together to combat abuse of our immigration system, and human smuggling and trafficking.

We are taking steps to address this challenge. Regulatory changes have been introduced to clarify the authority of the government to refuse applicants on the basis of marriages of convenience. The changes provide visa officers with a better tool to prevent people who have entered into phony marriages from undermining the integrity of our system.

This fall I also held a series of cross-country town hall meetings on the issue of phony marriages. I want to personally hear people's stories, as well as their opinions and ideas about how to best address the issue. While we obviously want to keep the doors open for legitimate spouses, we also want to make sure the doors are not open for those who would break our laws and exploit Canadians.

Mr. Chair, in closing, let me just address human smuggling. This represents an assault on our country's borders and generosity. It clogs our immigration system by diverting resources away from other areas where they ought to be focused. That's why our law enforcement agencies need the tools to be able to combat human smuggling, whether on a small or large scale. Bill C-49, an act Preventing Human Smugglers from Abusing Canada's Immigration System, will enable us to crack down on the despicable human smugglers who prey on vulnerable migrants.

Canadians expect strong actions, but actions that are also balanced with our humanitarian and legal obligations. We believe Bill C-49 achieves that objective.

[Translation]

In closing, these are just some of the ways we are working to make immigration more responsive to our economy, and make our refugee programs more fair and efficient.

Thank you for this opportunity to address the Committee, and I would be happy to respond to your questions.

[English]

The Chair: Thank you.

Mr. Trudeau.

Mr. Justin Trudeau (Papineau, Lib.): Thank you, Chair.

Minister, I think I'd like to start with some questions around the language instruction for newcomers to Canada, the LINC program. In 2008-09 we had roughly \$274 million planned, authority for \$254 million, but the government only spent \$172 million; so a third of the funding actually lapsed during the 2008-09 year. However, this year, the only reference—because you're no longer detailing spending for LINC specifically—we're showing an increase in newcomers receiving language training of 792 people, up 1.04%.

My question is how much did you plan to spend this year on the LINC program and how much was actually spent, if it's up 1.04% but we had a third funding lapse last time?

• (1545)

Hon. Jason Kenney: First of all, Mr. Chairman, when our government came to office the total funding for settlement services in Canada was about \$180 million per year. We've seen that more than triple to over \$650 million. Most of that is dedicated to language instruction for newcomers to Canada. The increase in funding was so steep that we found an inability to enter into contribution agreements that met the legal criteria of the terms and conditions of the program.

Mr. Trudeau, you may recall that about 10 years ago there was a report from the Auditor General about tens of millions of dollars in grants and contributions from HRSDC to service delivery organizations, including some that deliver LINC, and it was found there was

a lack of accountability, transparency, reporting, and outcome measurement. It caused quite a brouhaha and the previous Liberal government at the time cracked down with tighter regulations on grants and contributions.

Those regulations, in a sense, handcuffed the department so that we were limited in entering into contribution agreements unless we were absolutely certain that the terms and conditions would be met. So quite frankly, it was an administrative problem. Put it this way: so much money surged into the system that there was not a capacity to be able to deliver the services in accordance with the Gs and the Cs.

But I do share your concern. You're quite right to point out that there was only a very modest increase in enrolment in LINC classes. I think from 2006 to 2008 we went from about 48,000 to 52,000 enrollees in LINC classes. So for me, if you triple funding and you see only about a 10% increase, there's a problem. We're trying to address that through more innovative ways of delivering the service, such as the voucher program.

Mr. Justin Trudeau: My question then is why are you no longer letting Canadians see how much is being spent on language training? You mentioned a number of times throughout your presentation how important language training was for passing the tests, for integration, for success. We're no longer seeing exactly what the expenditure is on the LINC program; it's lumped into settlement in general.

I was wondering if you would agree to table with the committee the planned spending for LINC in 2009-10 and what was the actual money spent on LINC.

Hon. Jason Kenney: Absolutely...[Inaudible—Editor]...with just one point of explanation. Our experience with this huge increase in funding was that it didn't make a lot of sense to be parcelling it out into silos, the different settlement programs, since most of the service provider organizations are delivering a bundle of services. Often the same staff will be working on Host and LINC and job search skills and so forth.

What we've done in modernizing the delivery of settlement services is to bundle them together. So it's a little more difficult to dig out exactly how much is allocated to LINC, but we'll give you those numbers.

Mr. Justin Trudeau: As you pointed out, language is so important in terms of learning that it would be important information for us to have, please. Could we get an idea of when? Would you table that for us fairly shortly?

Within a week?

Thank you very much.

My other question is something you referred to as one of the hot buttons these days around Bill C-49. Is there a difference for you between our refugee process and our immigration system?

• (1550)

Hon. Jason Kenney: Yes.

Mr. Justin Trudeau: Perhaps you could explain to why, or in which way human smugglers....

Look at the short title of Bill C-49, which talks about human smugglers abusing our immigration system; I think the concern is that they're abusing our refugee process. Human smugglers don't actually smuggle immigrants, in any way, shape, or form. They're asylum seekers.

So why the short title, Preventing Human Smugglers from Abusing Canada's Immigration System Act, which is patently false?

Hon. Jason Kenney: I would not accept the premise of your question, Mr. Trudeau. I would contend that smugglers provide an illegal service for a fee, as opposed to traffickers, who bring people against their will. Yes, some of their customers may be asylum seekers, some of whom will presumably be false asylum seekers and some of whom will be bona fide refugees, but some may also be economic migrants.

I bring you the example of the Fujian vessels, five vessels that arrived in Canada in 1999 and 2000. All evidence is they were intending to transit through Canada to work illegally in the United States and weren't terribly interested in making asylum claims. The proof of that is as soon as they lost at first instance at the IRB, they all willingly got on planes and went back home rather than appealing.

I would point out, with respect to Tamil customers for the smuggling syndicates, CBC did a report about a month ago in Chennai, India, where Tamils had paid smuggling syndicates thousands of dollars to come to Canada illegally and they said that it was for economic reasons.

So there's a mix of motives for customers.

The Chair: Thank you.

Monsieur St-Cyr.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Before moving on to my questions, I am just going to add an aside, so as not to break the rhythm of what Mr. Trudeau has just said.

Will you admit, though, that in Bill C-49, all the measures proposed relate to refugees; there isn't a single one that relates to immigration?

Hon. Jason Kenney: I think that in the human smuggling industry we have a mix of...

Mr. Thierry St-Cyr: In Bill C-49, [*Inaudible—Editor*].

Hon. Jason Kenney: We are proposing tools for police and border security agencies to combat human smugglers, whether their passengers be *bona fide* refugees, bogus refugees or illegal economic immigrants. I think there is a mix.

[*English*]

The Chair: The meeting is suspended for 30 seconds.

• _____ (Pause) _____

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• (1555)

The Chair: There are still problems. We'll have to muddle through it.

After each person speaks, you have to wait. There's going to have to be a pause, or else it just won't work.

That's going to be challenging for these guys, because they'll want to get....

Mr. St-Cyr, you're back on.

[*Translation*]

Hon. Jason Kenney: Mr. Chair, the problem with smugglers has been more serious since the arrival of the MV *Sun Sea* last August. Obviously, the human smugglers problem has always been there in the background of immigration policies in Canada. However, it is clear to the government, and clearer still to the general public in Canada, that we have to have the tools to combat the threats presented by human smuggling rings because they are a threat to the integrity of our system.

I would remind you that as Minister of Immigration, I have responsibility for maintaining public support for our immigration and refugee protection systems. Since the arrival of the MV *Sun Sea*, we have seen a decline of about 20% in support for legal immigration in public opinion surveys. That is why I think we have to protect public confidence in our system. We therefore have to take action, and that is what we have done in Bill C-49.

Mr. Thierry St-Cyr: You say it took the arrival of a boat this summer for you, the four dedicated and highly competent people with you and the entire Department to realize that the balanced reform of this spring was insufficient to meet the demand. And yet there is currently a problem with that reform. It will take another two years for it to be implemented, to be applied.

It seems to me that you have all the tools you need there to handle this problem. It is somewhat paradoxical to note that four months later, because of the arrival of one boat, you are suddenly saying that everything you've done isn't sufficient.

Hon. Jason Kenney: I think that Bill C-11 was a good comprehensive reform for the problems associated with the refugee protection system, but it was not sufficient to deal with the particular threats from the big human smuggling rings.

We need to have access to various tools. For example, in the area of visas, there has been a decline since 2008 in the number of refugee protection claims filed in Canada: from 38,000 to about 19,000, this year, and that is largely because of the visa requirement instituted in June 2008.

So there is not just one solution to the problems we're facing. Yes, a more efficient, speedier system, like the one we adopted in one sitting, is useful, as a general rule. But I don't think it is necessarily useful for the people who are prepared to pay \$50,000 to come to Canada illegally.

• (1600)

[*Inaudible—Editor*] that these people are necessarily going to claim refugee protection.

As I said, in terms of the arrival of the Fujian vessels 10 years ago, they weren't really people looking for refugee protection, they were clearly actually people looking for jobs.

Mr. Thierry St-Cyr: We could debate that at length. There is one thing I don't understand. If you are not even persuaded that the problem is refugees, why has your colleague at Public Safety only included measures relating to the part of the IRPA dealing with refugees? Clearly it is refugees who are targeted; it isn't even the smugglers? There are a few provisions at the end, maybe three, maybe fewer, that relate to minimum sentences. We could debate it at length. Nonetheless, the nub of Bill C-49 does not target smugglers or immigrants, it clearly targets refugees who might arrive in these boats.

The human smuggler who is paid to do the job, who brings people to Canada illegally, as you contend, how does it punish them, for the person they bring to Canada to be imprisoned for no reason and with no review of their case for a year? That doesn't take anything away from that person.

Hon. Jason Kenney: First, immigration detention is not imprisonment. In fact, it was the person's choice to settle in Canada and it is also their choice to leave the country, if they want, during the time they are in detention.

Second, in nearly all liberal democracies there is an immigration detention system that is much more stringent than what we are proposing in this bill. In the United States, the United Kingdom, Australia and a number of countries in Western Europe, they have to be kept in an immigration detention centre until final determination of their case.

We are proposing this kind of tool solely for people who arrive in big waves. There are certain practical realities in that case. For example, when 500 people arrive, the border and police agencies have to be able to identify the passengers. When immigrants arrive in large numbers it is very difficult in practical terms. That is why we need a longer detention period. It allows the officers to identify who has arrived illegally.

[*English*]

The Chair: Thank you.

We'll go to Ms. Chow.

Ms. Olivia Chow (Trinity—Spadina, NDP): Holiday season: families want to be together, especially parents with their grandkids, and new immigrants get lonely; they want their parents here.

I saw the backlog list. I think Mr. Yeates told me, and I confirmed the number, that there are 145,000 parents waiting. For Beijing, you have to wait at least five years for parents to come. There are 7,000 from Beijing who are waiting. From New Delhi it is 13,000, and that's a six- or seven-year wait. This is from the various papers that have been given to us in the past.

So if you're looking at applying to sponsor your parents, it's five to eight years before they can come to Canada. The target is only about 13,000 a year. That means the backlog will just grow.

I've met with some of those sponsoring Canadians here, and they've said, "You know, if my parents were from Paris, it would take about a year at most, but they're from Beijing, so it will take about five to six years. That's just not fair." That is the queue, if you're talking about queue: people are really desperate in terms of the number of years they have to wait for their parents to come.

Is there any way to increase the targets for both Beijing and New Delhi—because that is mostly where the backlog is—and the overall targets in your annual plan for parents? I know you increased it for spouses, which is good, but what about parents?

• (1605)

Hon. Jason Kenney: Well, there's a legal distinction here. The spousal reunification is an automatic fast-track program under IRPA, whereas for parents and grandparents, it is discretionary, and for obvious reasons. People obviously have a greater need to be reunited with their immediate family members than with members of the more extended family.

First of all, I would point out that, frankly, this may be a reflection of the fact that we have the most generous family reunification policies of any developed country's immigration system that I'm aware of. Consequently, the demands are greater than our ability to welcome people here in a reasonable period of time. I agree with you that five years is a long time to wait.

The problem is, Ms. Chow, how to manage this pressure within the context of all the other pressures. We increased our resettlement targets for refugees. Everyone loves that idea, but it has to come out of somewhere. We responded to the NDP government of Manitoba and other provincial governments in increasing the PN targets, but Ontario is demanding higher federal skilled-worker targets. Quebec, under the Canada-Quebec accord, gets to virtually pick its number.

Then we have the autopilot programs, as I call them, such as FC1, family class one, spouses and independent children. That goes up or down, depending not on our discretion but on the number of applications we expect to be filed.

You look at all of these things and it becomes impossible, frankly, to meet everyone's hopes and expectations.

In terms of the specific question about allocations for particular missions, do you mind if I...?

Go ahead.

Ms. Olivia Chow: [*Inaudible—Editor*]...before. I think I know how it's allocated. I got the question in last time.

It really is an overall vision of who can come to Canada. I mean, 10 to 15 years ago, half of the immigrants coming to Canada were from family class. Now it's about one-quarter. So we have fewer family reunifications and more from the economic class. We have far more temporary foreign workers coming in. You know that I think we have too many temporary foreign workers. They are subject to exploitation. Their wages are not paid sometimes, and they get deported immediately, even though their wages haven't been paid. There's just been a recent case.

In terms of the vision, isn't family reunification more important than, or at least as important as, trying to get cheap labour into Canada?

Hon. Jason Kenney: I think that's a false choice, a false dichotomy, Mr. Chairman.

Obviously family reunification is an important principle of immigration, as underscored in IRPA, but in my judgment, for us to maintain the world's highest relative levels of immigration, we have to maintain a public consensus in favour of those levels. In order to do so, I think we need to demonstrate to Canadians on an ongoing basis that Canada benefits economically from immigration. And that's why I think our number one focus has to be on economic immigration.

Now, having said that, the government is actually being criticized, quite broadly, I might add, for the fact that only about 20% of the permanent residents whom we welcome to Canada are actually assessed for their human capital according to economic criteria.

Yes, 60% of our permanent residents come through economic streams, but two-thirds of them are dependants or family members of the primary economic immigrants. So 80% of immigrants coming to Canada are either dependants, spouses, parents, grandparents, or refugees. Only 20% are primarily workers.

I don't think there are trade-offs with the temporary streams. You do know that highly skilled temporary foreign workers have access to PR through the Canadian experience class, and that's growing and it's good news. Secondly, the largest pressure that we now have, I think, in the system is permanent residency landings for live-in caregivers who come here as temporary foreign workers.

So we're actually expanding opportunities for certain temporary workers to transition into PR, but there's not a saw-off. We're not taking away resources from processing family sponsorship PR applications in order to do temporary foreign workers. Those are separate streams. They're not in competition for the same resources.

• (1610)

Ms. Olivia Chow: I asked a question in the House of Commons, and your parliamentary secretary said that if we had a specific example of labour law being violated, then the minister would look at it and make sure labour law was not being violated.

In Ontario and in Alberta, farm workers are not allowed to join a union. First, I think the right to join a union should be a given human right, and they really shouldn't be barred—

The Chair: Ms. Chow, you are well over time.

Ms. Olivia Chow: Second, should we say to Ontario and Alberta that if they're denying the right of collective bargaining, then they really can't participate in this program, because it's not fair and is violating the UN charter?

Hon. Jason Kenney: Provincial labour law is a provincial responsibility, and it's not for our government to dictate to Ontario, or any other province, what labour laws they adopt. That's up to their legislatures.

I will say that as a result of the regulatory changes we are making, there is much better information sharing between the provincial labour ministries responsible for the oversight of working conditions for most temporary foreign workers and our ministry. As you know, the objective will be that when abuses are reported to the provincial labour ministries, they in turn will be reported to us and we will put bad employers on a blacklist, so they don't have the same access to temporary foreign workers.

So we are taking action on that, and if you have issues with respect to provincial labour market regulation, I invite you to take that up with the respective provincial labour ministers.

The Chair: Mr. Dykstra.

Mr. Rick Dykstra (St. Catharines, CPC): Thank you, Mr. Chair.

Thank you, Minister, for being here yet again at our committee. I appreciate that you are always able to make time to be here. It's much appreciated by all of us on all sides of the House.

One of the things you briefly mentioned in your remarks was the whole issue of the imposition of the visa on Taiwan for the last number of years and the decision made a couple of weeks ago, as announced by the ministry, that we were in fact removing it. That was obviously appreciated by the Government of Taiwan and visitors from there, who won't now face the imposition of having to acquire a visa before coming here.

It's interesting, though, that the decision was a little while in the making. I wondered if you could comment on and let the committee know why Taiwan meets the criteria for the visa exemption, and what were the reasons leading up to it.

Hon. Jason Kenney: Periodically, Mr. Chairman, we do review the visa status of various countries. We have visa requirements. IRPA's default position is that all foreign nationals require visas to come to Canada, unless we grant nationals from a particular country with a special exemption based on certain objective criteria that we use to assess the prospect of a visa exemption, such as the refusal rate in applications for temporary resident visas; the rate of immigration violations; the number of asylum claims filed in Canada; security of that country's passports; bilateral cooperation on returns and removals of people subject to deportation; information on lost and stolen passports, the sharing of that information; national security issues generally speaking; as well as bilateral cooperation between the authority that issues the travel documents in Canada, in this case TECO, I suppose, the Taiwanese Economic Cultural Office, and passport production, issuance, and distribution processes.

We looked at the criteria, and Taiwan passed with flying colours. They had a very low visa rejection rate. I think it was in the range of 1% or 2%, which means that 98% were being accepted. So we felt it was a very low risk, and frankly, we believe the change will increase travel and tourism.

I would note that the United Kingdom granted Taiwan a visa exemption two years ago, and there have been little or no problems.

Mr. Rick Dykstra: [*Inaudible—Editor*]...caught my ear on the second part of what I was wondering about, and that's the whole issue of how this is going to benefit Canada, how this is going to obviously benefit the Taiwanese-Canadian community. You mentioned tourism. What are the benefits that are going to extend to Canada, based on the decision made by the ministry?

•(1615)

Hon. Jason Kenney: There are, I think, about a quarter of a million Canadians of Taiwanese origin, so it's a very substantial community. Obviously they all have relatives and prospective business partners in Taiwan.

It wasn't difficult for Taiwanese nationals to obtain a Canadian visa, but, like everywhere, it's an administrative burden. So we would anticipate that there will be more tourism, and particularly promotion of large-group tourism. We think that will be positive for the tourism industry.

In general, I think we'll see an increase in bilateral travel, so I think that will be good for both countries.

Mr. Rick Dykstra: I'll give the rest of my time to Mr. Uppal.

Mr. Tim Uppal (Edmonton—Sherwood Park, CPC): Thank you.

Thank you, Minister, for being here today.

I notice in the estimates that we are transferring \$2 million for refugee legal aid over to Justice. How much do we spend annually on this? Are we paying for appeal after appeal for failed refugee claimants to exploit the loopholes just so they can stay here year after year?

Hon. Jason Kenney: Perhaps I can ask our CFO, Mr. Watters, if he can say how much we transfer on legal aid in general.

Mr. Mark Watters (Assistant Deputy Minister, Chief Financial Officer, Department of Citizenship and Immigration): Our

contributions to the provinces in total, including any transfers through the supplementary estimates, would be about \$15.5 million a year. Those are transfers between the federal government, the Department of Justice, and the jurisdictions where there's a cost-sharing agreement for legal aid.

Mr. Tim Uppal: That's specifically for legal aid.

A voice: [*Inaudible—Editor*]

Hon. Jason Kenney: As to your second question, Mr. Uppal, I think the premise of your question is probably correct, that in fact these funds are used in part to pay for representation on appeals.

Can I ask the department, would PRRA and H and C applications be eligible for legal counsel for that, or would it just be representation at the IRB and the Federal Court?

The CFO tells me he believes it's just the IRB and the Federal Court.

So that wouldn't be the full range of de facto appeals.

Mr. Tim Uppal: Overall, how does immigration fraud, people using the back door to get into Canada, affect the department's resources in trying to manage fraudulent applications and that type of thing? Also, how does that affect honest people, honest people who are waiting in line, honest people who were honest with their applications?

Hon. Jason Kenney: First of all, I should underscore that it's a Justice program. We just transfer money to Justice, because they say they have an obligation to help fund provincial legal aid on immigration matters.

I would point out to my friends at the Department of Justice and the provinces that we just saved the provinces about \$1.8 billion through refugee reform. Once it's fully implemented, we calculate that over five years the reduced costs for social services, welfare, and legal aid, etc., will be in that range.

It does concern me that the provinces always seem to be putting pressure on the federal government for more, but I haven't had a single thank you note from a provincial minister of finance or immigration or social services for saving them nearly \$2 billion on refugee reform. That does hurt. It hurts.

Mr. Tim Uppal: How do you think fraud affects the honest people who are applying or waiting in line?

Hon. Jason Kenney: This is a good question. We found that one of the reasons bona fide refugees are having to wait for over 20 months to get a hearing at the IRB is that the system is clogged up with so many false claimants. Roughly 60% of those who make claims in Canada are subsequently determined not to be in need of our protection.

This is most clearly the case in the pre-removal risk assessment and humanitarian and compassionate inventories, as we call them. You know, 97% of pre-removal risk assessments are rejected, and it's taking 18 months on average to get such an assessment.

That means someone who might be facing risk, someone in that 3%, has to wait for a year and a half to get a decision on his application, because 97% of the people in the queue don't really face risk but are taking advantage of that legal mechanism to stay in Canada longer. I think that's unfortunate.

The Chair: Thank you, Mr. Uppal.

Mr. Oliphant.

Mr. Robert Oliphant (Don Valley West, Lib.): Thank you, Mr. Chair.

Thank you, Minister, for being here. I need an hour for my questions. Maybe one day you'll invite me for dinner and we can actually talk about these things.

I hadn't come here with Bill C-49 on my mind at all, but because it was in the discussion, there is something I'm trying to clarify. Obviously there are two sets of punitive measures in the proposed legislation, one against the smugglers and one against the refugees later, as some sort of deterrent, as if death by firing squad is somehow not going to be deterrent enough.

What I'm confused about is that the punitive measures against the refugees happen only after the determination process has actually taken place. If the determination process is effective because of our new streamlined process, it's not going to have any effect on so-called would-be economic immigrants.

•(1620)

Hon. Jason Kenney: I think there may be some confusion here. The enhanced detention provisions for those arriving in designated smuggling operations would apply prior to the refugee determination, not following it. So 500 people arrive in a vessel and we need to determine who they are. They are currently put into detention. I think we're at month five for most of the *Sun Sea* arrivees.

The difference is that we have to go back constantly, sending lawyers and CBSA personnel into a revolving door at the IRB every 30 days for detention renewal just to say, look, we still don't know who they are. We need a period of time to be able to establish who these individuals are, especially when they come in large numbers and the system is really strained.

Under what we propose in Bill C-49, we would simply say we can detain people for up to a year without having to constantly go back for these renewals. This would allow us to focus our resources on the actual work of identification. And if during that year they get a positive determination as a refugee, they are automatically released.

By the way, under Bill C-11, which comes into effect next year, the bona fide refugees would be released from detention in two or three months. I don't think that's a firing squad. I think that's eminently reasonable.

Mr. Robert Oliphant: But the other punitive measures, not the up-to-one-year detention, which we argue is not going to be constitutionally valid, are my bigger concern, because those measures are actually for people who have already been determined to be refugees. So if Bill C-11 works, this doesn't make sense to me.

Hon. Jason Kenney: Mr. Oliphant, I would contend that family sponsorship is a privilege and not a right. There's no international legal instrument, no charter provision that says people have an a priori fundamental right to sponsor family members.

Now, we do recognize that refugees who are in need of a permanent resettlement solution should in due course be able to sponsor family members, and Bill C-49 respects that, but we say they'd have to wait five years.

Why? You have to look at the rationale. This is not, in our judgment, punitive. It is practical. Why are people paying \$50,000 to smugglers? It's clear if you talk to the experts and the people who operate in the transit countries that the \$50,000 price point is calibrated not for one person's prospective entry into Canada, but for that person plus the family members the person plans to sponsor. What we are trying to do in this provision of the bill is reduce the price point, so the smugglers can no longer afford to target Canada.

In Australia, between 2002 and 2008, when they went to a temporary protection visa for those determined to be bona fide refugees, it worked. Since they went back to a permanent residency visa and the right of family sponsorship for irregular marine arrivals who are later determined to be bona fide refugees, over 10,000 people have arrived in this way.

Mr. Robert Oliphant: Minister, you're travelling a lot. I chase you around the country and everyone gets—

Hon. Jason Kenney: I'm chasing you.

Mr. Robert Oliphant: You're chasing me and I'm chasing you. I just say to my colleagues that you're doing your job.

Have you been to the Peel Tamil Community Centre?

Hon. Jason Kenney: I'm not sure. I've been to Peel and I've been to Tamil community centres; I'm not sure if I've been to that one.

Mr. Robert Oliphant: That's because it doesn't really exist. When I looked up the phone number and I got this other place, I went to see the office and I took a picture. It's a guy's little business. I can only find one member of the group, but they've endorsed Bill C-49. They're the only group of that ilk that has supported your legislation.

They tell me they were actually negotiating with the government for future favours to support the legislation.

Do you have any comment on that?

• (1625)

Hon. Jason Kenney: First of all, I've met with a number of members of the Canadian Tamil community broadly, in different organizations, to discuss Bill C-49, and a number of different organizations have endorsed the bill. I'd be happy to furnish you with a copy of those organizations.

In discussions I had at round tables with members of the Tamil community, in Toronto in particular, they probed me on the issue of a regional protection framework. We have raised this publicly, and in our discussions with Australia, as a potential long-term solution to some of the irregular migration pressures in Southeast Asia.

I did say that we had given a green light to Australia to begin pursuing with the International Organization for Migration, and other regional partners in the Bali Process, the prospect of something like possible resettlement at the back end of a regional processing framework.

I said this was very early in the process and we're not making any commitments. I said nothing to them privately that I haven't said publicly.

The Chair: Monsieur St-Cyr.

[Translation]

Mr. Thierry St-Cyr: Thank you.

I would now like to ask you a few questions about another subject that I informed you about earlier, the use of French at the immigration board in Montreal.

For several years, there have been lawyers who have criticized the decisions of the Immigration and Refugee Board, the IRB, for preventing them from practising in French and serving their clients in French. A number of cases have arisen in the past. There are still some underway at present.

When those lawyers are dissatisfied with the decision of the IRB, because it goes against the use of French, your Department always attacks those arguments in the Federal Court of Canada. Your Department is quite simply involved in legalistic guerilla warfare against the use of French in Montreal.

I have myself had the opportunity, and I won't say it was the good luck, to attend one of those hearings in Federal Court, where there were lawyers who were plainly very well-known and very numerous defending the IRB's decision. In those cases, for example, the issue was that documents were not translated into French, although the language of the proceedings had been changed to French.

Because we are considering appropriations, I would like to know whether you can inform the committee of the cost of this legalistic guerilla war. How much have you spent, in the Department, on legal fees, to make sure that things essentially continue to work in English in Montreal?

Hon. Jason Kenney: To clarify, are you talking about the cost of that trial in particular?

Mr. Thierry St-Cyr: In general, in fact. There was that one; there was another one recently, where a Montreal lawyer said that his client had not even been able to have the right to an interpreter who did their work properly and spoke decent French. She had asked to have the right to the translation.

There are several of them. When a question concerning French at the IRB is brought before the Federal Court of Canada, your Department systematically takes the side of the IRB, to the detriment of the use of French at the board in Montreal.

So I would like to know how much that has cost the Department.

Hon. Jason Kenney: I don't have the figures, Mr. St-Cyr. I think that is more the purview of the Department of Justice, which represents all departments in trials. We can contact the Department of Justice to see whether they have the figures. If you want to give us a list of the particular trials, we can look into that for you.

However, I would like to point out that there are 36 members of the Refugee Protection Division of the IRB in Montreal, of whom 28 are bilingual, six speak only French and two speak only English. Of the 6,000 decisions given in 2009, 68% were in French and 32% were in English.

There are 36 members in Montreal, 34 of whom are bilingual or speak only French. Although a third of decisions are written in English, at the request of the claimants, because they are the ones who decide the language of the trial, of the proceeding.

We have discussed this several times with you, but I don't see where those figures present a problem.

• (1630)

Mr. Thierry St-Cyr: There is a newspaper in Montreal, *Rue Frontenac*, that has shown that some years, at some levels of the IRB, more than a majority of decisions were written in English. You are not unaware that when there is systematic obstruction of claimants who ask that it proceed in French, lawyers are very reluctant when it comes to asking for changes in the language of the proceedings. Because they find hostile members in their path who do not want to listen to reason and they know that at the end of the day, in Federal Court, they are going to have to engage in another battle against the Immigration Department.

I have the factums that were filed and it seems to me that they do indeed say "The Minister of Immigration will...". So it is in fact you, the Minister, who gives instructions to your lawyers in these cases, or is it the Department of Justice?

Hon. Jason Kenney: I believe both departments are consulted when it comes to a decision like this about the procedure

Nevertheless, Mr. St-Cyr, it is the claimants who decided what language the hearing will be held in. Obviously, I have to say that we are not in favour of constant changes in the language of the proceeding. Lawyers often use this change of language to create a delay in the process, instead of considering the claimants' needs. That is clear.

If a claimant chooses English as the language of the proceeding, why does the language of that proceeding always have to be changed—unless the lawyer thinks it will prolong the proceeding?

[English]

The Chair: Okay, Mr. St-Cyr—

[Translation]

Mr. Thierry St-Cyr: But there are lawyers and interpreters who also have the right to work in French in Montreal.

[English]

The Chair: Order.

Sorry I had to bang the gavel, but I had no way of interjecting.

Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Minister, there is funding in the estimates for the implementation of Bill C-11. Could you please just update us on the status of this legislation?

Hon. Jason Kenney: Thank you, Ms. Grewal.

As I mentioned in my opening statement, we are making enormous progress. Our deputy established back in the summer a working group of the relevant deputies and heads of agencies to work towards implementation. Obviously, a lot of this work has to be done on the side of the IRB, because they have to create an entirely new division, the refugee appeal division. They also have to begin the process of recruiting and hiring public servants to staff the new, if you will, refugee protection division.

My officials inform me that we are well on our way to implementation. I wish it were happening more quickly than it is, but there are certain practical realities. We're setting up an entirely new structure, a new system, and legally speaking it requires a whole new suite of regulations. It requires new information technology. This is a major multi-agency, multi-departmental project.

Perhaps the deputy would like to supplement my answer.

Mr. Neil Yeates (Deputy Minister, Department of Citizenship and Immigration): I can just add very briefly, Chair, that the IRB has begun a consultation process on a new set of rules. New job descriptions are being written for the new decision-makers at the refugee protection division. We in CIC are hiring additional staff to work our way through the backlog of PRRA cases and H and C cases.

As well, we're working with our security partners in the RCMP and CSIS on the security screening component of this. All of us are working together on sorting through some of the information technology issues so we can more effectively share information between us.

Mrs. Nina Grewal: Can you please tell the committee about the cost savings that will result from Bill C-11?

Hon. Jason Kenney: Sure. We estimated at the time that we introduced the bill, based on actually a very conservative estimate of the impact on the number of claims to be filed...

Excuse me; we estimated there would be a slight reduction in the number of claims filed in Canada as a result of the new system because it will disincentivize some false claimants from coming to Canada, given the speed and the likelihood of a fairly rapid removal.

Secondly, because people will be spending less time in the system, that means less time on provincial social assistance. That means less

time accessing legal aid or the interim federal health care program. So there are savings that accrue based on taking the lifetime of an average false claimant. From the moment they make a claim to the moment they're removed, it's about four-and-a-half years. That will be telescoped down to less than 12 months as a result of Bill C-11, thereby saving three-and-a-half to four years of costly time in Canada.

So we looked at the impacts, the various different programs, and what we grossed up was an estimate of a savings of about \$1.8 billion, most of which will accrue to the provinces. Most of that will accrue, in particular, to Ontario, Quebec, and British Columbia. I think about 96% of the savings would be realized by those three provinces.

• (1635)

Mrs. Nina Grewal: Could you also tell us who will benefit from Bill C-11 when it comes into force?

Hon. Jason Kenney: First of all, bona fide refugees in need of our protection will benefit significantly. Now they have to wait—I think we're up to 23 months or something—for them to get to the refugee protection division for a hearing and a decision. That's two years of uncertainty, two years of stress, two years of being, as we mentioned before, unable to sponsor family members, just waiting in the queue to get their hearing.

Those people who come here with real or metaphorical scars of torture on their backs will now, under the new system, once it's implemented, be getting a positive protection decision and landing in Canada as permanent residents in about three months as opposed to 23 months. So they're the primary beneficiaries.

But I think Canadian taxpayers will be the secondary beneficiaries, because there will be these enormous cost savings by disincentivizing false claimants and frankly just spending less on maintaining false claimants during their presence in Canada.

Mrs. Nina Grewal: Mr. Chair, do I have some more time left?

The Chair: You do.

Mrs. Nina Grewal: I'll pass my time on to Mr. Dykstra.

Mr. Rick Dykstra: Thank you.

Minister, one issue I want to return to is around the questions that Mr. Uppal asked on the whole aspect of the transfer of legal aid and the opposition that we're seeing to Bill C-49.

I wondered if you could further clarify the cost that taxpayers face each and every time a ship does enter Canadian waters and ends up docked at our ports.

Hon. Jason Kenney: I haven't seen a grossed-up estimate of that, but the costs are enormous. We can't underestimate this.

There is first of all the monitoring cost for the coast guard and the navy as such a vessel approaches. You saw all the CBSA personnel helping to unload the passengers from that last vessel. We're talking about dozens of personnel involved in that. There is of course the cost associated with detention, income support, interim health coverage, and legal aid. There are the investigatory costs, and then there are the costs to our law enforcement and intelligence agencies, as we've had to beef up their presence in the transit countries to try to interrupt these activities.

So I don't think I'd be out of order in talking about these costs as quite easily adding up to likely tens of millions of dollars over the course of, say, the first year of the arrival of such a vessel.

I think that's one of the many reasons Canadians are upset about this. They think it's a violation.

We take for granted the degree to which, in this country, there is a pretty broad public consensus in favour of quite remarkably high levels of immigration. But we cannot take that for granted.

One of the reasons Canadians, particularly new Canadians, are frustrated with this form of illegal migration is because they see it as violating the fundamental principle of fairness. You don't often see Canadians cutting in front of a queue. Canadians have a sense that the immigration system should...

And by the way, I have friends from the opposition here who say there is no such thing as a refugee queue. Not true: there are 12 million UN convention refugees patiently waiting for resettlement opportunities around the world. When the Vietnamese fled Indochina, they went to UNHCR processing centres. They had their claims assessed and they waited patiently, often for several months, for resettlement opportunities.

There are people around the world... There are regional resettlement opportunities or protection opportunities in Southeast Asia for people who need that.

But these people are ignoring all of that and jumping past, I don't know, two or three dozen countries to come to Canada. This is not the only country. Why would people choose the country that is essentially furthest from them as the only option for protection? I would argue it's because there is a mixed motive here for most, if not a primary motive, which is economic opportunity, family ties, and the ability to use our very generous family reunification process.

• (1640)

Mr. Rick Dykstra: Do I still have some time?

The Chair: Yes, you have about a minute and a half.

Mr. Rick Dykstra: Oh, great.

Look, we certainly work here in Ottawa...[*Technical difficulty—Editor*]...in a minority, but it is a democracy...[*Technical difficulty—Editor*]...at this committee proven that you can move bills forward, move legislation forward—Bill C-11 and Bill C-35, which is up for third reading debate tomorrow—and that we can find compromise and still maintain the integrity of a piece of legislation that is

important to Canadians, to the running of our government, and to the fairness within the system you've just spoken of.

One of the options the opposition obviously has...and it is certainly within their realm and within their right to oppose legislation the government moves. But based on their input and their response to that, it's also important that we attempt to move legislation forward.

I'm asking you whether or not you have had any proposals put forward either from parties in this House, in terms of options that would see Bill C-49 move forward, or whether we've seen suggestions and comments from those who are opposed to the legislation, from organizations within this country that have said, look, we don't necessarily agree with the bill, but here are some options you could put forward, and perhaps we could move this bill forward.

Hon. Jason Kenney: No, I have not seen a lot in that respect. I think Ms. Chow had some proposals.

Essentially what I hear from the opponents of Bill C-49 is what I would regard, personally, as a kind of ideological or political opposition without grappling with the really hard practical question of how do we create a disincentive to people from paying enormous amounts of money to smugglers to come here in the worst and most dangerous way possible?

I don't think there's been a really close study by the opponents of this bill of the phenomena—the practical, real, concrete phenomena—of the specific smuggling syndicates targeting Canada. What's motivating their clients? How are they operating? How are they bringing people through the transit countries? Where are people sourcing from, where are they coming from originally? Is it India, to some extent, for example, a democracy that respects the rights of Tamils, *inter alia*?

I think there's been an absence of close and hard analysis on this. The general critique I hear, to be fair, is that we should “crack down and focus on the smugglers”. That's what Bill C-49 does with mandatory minimums of up to 10 years for those involved in facilitating smuggling operations. But let's be honest, that's not sufficient. It's necessary, but not sufficient.

As long as there are people willing to pay \$50,000, or money in that range, to come to Canada, there will be people in the black market willing to provide the service. We're not talking about some kind of philanthropic service to bring people who are facing immediate risk to Canada. We're talking about former arms runners who, in the absence of a civil war, are now looking for a new commodity, and they've just determined that's people.

We can't reach the arm of Canadian law into foreign jurisdictions where most of these people are operating, so we need to create disincentives to people on the demand side. The bill is balanced, in my view, by addressing both the supply and the demand side.

The Chair: I have a couple of brief questions.

We've gone all around this issue with respect to this recent boat that's arrived in British Columbia. Can you give us a general update on where that's at? Mr. Dykstra started to ask some questions, but what's been the cost to date, as far as the ministry of immigration is concerned?

There have been some people released, I understand. Can you give us details on that? And those other people, I don't know, maybe they're not going to be released. It would be interesting to know about that.

Finally, can you give us any information about the operators of the ship and the owners of the ship?

• (1645)

Hon. Jason Kenney: Thank you, Chair.

Some of those are operational police questions that I can't comment on, but we'll try to get back to you with an estimate of the up-to-date costs associated with processing those migrants.

Second, I understand that about 200 of the 497 passengers of the *Sun Sea* have been released on terms, from immigration detention, by the IRB. I think those would include all or most of the women and children who were on board. People of concern whose identities have not yet been established are still under detention, as authorized by the IRB. It's very difficult for the CBSA and their security partners to get information on who such individuals are.

With respect to the crews, this is a question that's often asked, because people I think correctly assume that the crews are involved in the smuggling operations. All I can tell you is what's in the public domain. I believe there was a report last week that the RCMP are coming close to laying charges with respect to the *Ocean Lady* and/or the *Sun Sea* and facilitators who may have been on the Canadian side.

It's my understanding—I think I can say this, because it's in the public domain—that there are three or four criminal syndicates involved in this form of smuggling out of Southeast Asia involving specifically Tamil clients. They were typically involved in being parallel organizations to the LTTE—not integrated within its command structure, but involved in the provision of supplies, including armaments, to the Liberation Tigers of Tamil Eelam during the civil war. So they're very sophisticated in terms of logistics. They're like a very sophisticated travel agency operating in the shadows.

They provide a full-scale service, whether it's acquiring passports or visas, facilitating people across borders with the exchange of money, or ensuring that local authorities aren't too focused on their presence. The amount of work they have to do in acquiring a large, steel-hulled vessel capable of crossing the Pacific is one of those things, as is getting the supplies together and moving people around.

This is a very large, sophisticated operation, and that's why we have substantially increased the presence of Canadian police and intelligence officials in the transit countries. That has yielded increased cooperation with the local police and intelligence. I'd particularly like to commend our friends in Australia, who've developed expertise in this area. The Royal Thai Police have also

been very helpful in the recent past in trying to interrupt these operations.

Hopefully that answers some of your questions.

The Chair: On Bill C-49, I read in the papers, Mr. Minister, that you may not have support. Not that I think this committee should act as a mediator, but is there room, from the government's perspective, to save this bill?

Hon. Jason Kenney: If your question is whether there is willingness on the part of government to consider amendments from the opposition, I've always indicated that's the case. I've also been clear that in order to be acceptable to the government, any amendments would have to be effective in disincentivizing human smuggling.

So if the effect of the amendments is merely to dilute those elements of the bill that would be effective in disincentivizing smuggling, I don't think there's any point. But I do think the committee is the perfect place for us to get into that kind of discussion, and I would hope that over the course of time members will give that consideration.

• (1650)

The Chair: Mr. Wrzesnewskyj, you've been waiting patiently.

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Thank you, Chair.

Minister, in my riding of Etobicoke Centre, I have two staff who are fully engaged with citizenship and immigration matters. Approximately three-quarters of those deal with the consular section at the Kiev embassy in Ukraine.

Do you envision that in the near future you'll be putting additional resources into staffing for that consular section?

Hon. Jason Kenney: That would be the immigration section. The consular section in the Kiev embassy deals with Canadian citizens living in Ukraine.

I can say that since 2008 we have had 13 personnel working in the visa section. Three are Canadian public servants, and 10 are locally engaged staff. I think they're providing pretty good service, since 85% of the visitor visas are processed on the day they are received.

Claudette Deschênes, would you like to complement that answer in any respect?

Ms. Claudette Deschênes (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): I think what we're trying to do from a perspective of global case management is to have a national inventory. So from an immigration perspective, we would probably not be thinking of putting in more staff. If there's a need to support that, we would be doing it via resources elsewhere in the system.

Mr. Borys Wrzesnewskyj: I asked the question because going back to 2006, there were in fact cuts that took place. A program officer there, Inna Tsarkova, stated in a newspaper article that

In this year's [personnel] exercise, staff was reduced....

In the immigration section of the Canadian Embassy in Kyiv, this review and adjustment resulted in the elimination of one immigration officer position and two clerical/support positions....

She then went on to say that it was still too early at that point to determine whether staff cuts had resulted in a tangible decrease in visas and their ability to handle cases that came through their section.

I note that on the department's own websites, for the Kiev centre, processing times for skilled workers have gone from 34 months in 2004, with 80% of the cases being finalized, to 83 months. So it's gone from just under three years to basically seven years. Those are that numbers for 2008-09.

Those are the worst numbers on the planet. Is that acceptable?

Hon. Jason Kenney: First of all, Mr. Wrzesnewskyj, following the removal of one Canadian-based officer in 2006, there were two Canadian public servants there and nine locally engaged staff. Since 2008 there have been three Canadian public servants in our Kiev office and 10 locally engaged staff.

There is more staff today, both CBOs and locally engaged staff, than there was in 2006. So there has been a net increase in the number of staff there.

Secondly—

Mr. Borys Wrzesnewskyj: Just on that point, when we're dealing with the numbers, in 2006 there was a cut of three staff positions—one Canadian and two locally engaged—so those have been reinstated.

But getting back to the actual numbers, do you think it's acceptable that the processing times for 80% of cases to be finalized have gone from 34 months to what they were for 2008-09, which was seven years, the worst numbers on the planet?

Hon. Jason Kenney: First of all, if you actually go back to 15 years ago, there was virtually no inventory. Statistics always depend on your baseline year. If you go back 15 years, there would have been virtually no processing waiting times for foreign skilled workers out of Ukraine or pretty much anywhere else. Over the course of 15 years, these very large inventories developed, not just in Ukraine but around the world. Fortunately, as a result of the action plan for faster immigration, new applicants under the FSW program in Ukraine will be having their applications considered and typically approved in about 10 months. So you're talking about the very old inventory.

Ms. Deschênes, do you have a comment on the old FSW inventory in Ukraine?

• (1655)

Ms. Claudette Deschênes: I would make a comment that in Ukraine there are a fair number of provincial nominees who are now being accepted, and we are dealing with them on a priority basis. So some of the resources that would have been used for federal skilled workers have moved over to make sure the provincial nominee numbers are staying consistent.

Mr. Borys Wrzesnewskyj: I've also noted on the department's website that permanent residents from Ukraine, by year, during that time of initial cuts, fell by about 45%.

I'd like to deal with this issue of a pattern of disinformation that sometimes comes with the communications coming out of the minister's office. We heard about the Peel Tamil centre.

I'm glad the minister acknowledged that there were cuts in 2006, because when I first raised it, an e-mail, which I have in my hands, went out from the minister's office stating that Wrzesnewskyj misleads Ukrainian-Canadians about this issue, and saying that since mid-2006 there had been no reductions in staffing in the visa section of the Canadian embassy.

Today you have admitted that this had occurred during 2006. My original question to you, Minister, in the House of Commons and to your parliamentary secretary, was about cuts in 2006. And in this disinformation—there's a pattern to this disinformation—it said it was since mid-2006.

Do you condone this pattern of disinformation coming out of your office?

Hon. Jason Kenney: I don't condone loaded, torqued, and inaccurate questions. The statement you just read is absolutely accurate: since mid-2006, there have been no cuts, there have only been additions in personnel.

I would also point out the inaccuracy of your contention that the number of permanent residents being landed from Ukraine has gone down. In 2006, there were 1,153 permanent residents approved by our program. In 2008, there were 1,527. That would be an increase of some 400.

The Chair: Dr. Wong.

Mrs. Alice Wong (Richmond, CPC): Thank you, Mr. Chair.

Thank you, Minister, for coming.

We understand that our immigration system has been facing a lot of challenges because of the inherited backlogs and also because of the success of many of our programs. Now we have introduced a global case management system. What's the importance of it, and what is the current status, please?

Hon. Jason Kenney: The GCMS, or global case management system, was introduced in our mission in Port of Spain in June of this year, and we've since rolled it out in a number of other missions. All of the reports I have received have been positive, but I'll invite officials to supplement my answer.

I know this program has been of concern to this committee for several years. When it started some years ago, there were a lot of start-up investments in the information technology. It was behind deadline and overbudget initially. But three years ago, there was a re-scoping of the program by Treasury Board. The program was undertaken in a more limited way. I'm pleased to say that we are now on target. I think the problems of the past have been corrected, and so far implementation has been successful. This is very important, because the kinds of issues that people like Mr. Wrzesnewskyj are raising are a reflection of the fact that we still have a sort of 1960s system of paper-based files, which is inefficient.

Once the global case management system is fully implemented, if visa officers in India, say, have reached their targets on time, they'll be able to shift over to a different country and pick up cases from a mission where we are behind in our targets. This will help to equalize the processing times for files all across the world and will result in a more efficient use of scarce resources.

Could I invite Claudette or the deputy to supplement?

Mr. Neil Yeates: Sure.

I can add that we are about 50% complete in our rollout to the missions around the world. We are on track to complete it by March 31, so we're pleased with the progress that's being made.

We have been using GCMS for a while in our citizenship program applications. It's given us a new ability to look at things like common addresses, which is what led to some of the fraud investigations, where we had 300 people using the same address. We didn't have that ability under our old legacy system. This new system has a lot more functionality and is going to improve detection of fraud and abuse, as well as processing times.

• (1700)

Mrs. Alice Wong: My second question will be about language training—not just English but also French. I used to be an ESL trainer myself and also a curriculum designer. We know that some of the programs may not be as good as they should be. That is probably why the language training vouchers pilot was introduced. There was a study done not long ago, so could you please update us with the latest results and tell us where we go from here?

Hon. Jason Kenney: Right. As I said in my opening statement, one of the things that concerned me early on is that our government more than tripled funding for settlement services, including language instruction for newcomers to Canada, with a very small increase in enrolment amongst those eligible for free classes: all permanent residents in Canada.

Now, obviously some of those permanent residents—the 20% who have been assessed for their human capital, foreign skilled workers, provincial nominees to some extent—are less likely to need language instruction. Presumably they already have some proficiency in English or French, and secondly, they're working, so it's more difficult for them to find the time.

Often women tend to be our primary clientele. I think around two-thirds of the enrollees in our language instruction classes tend to be women. That is a good thing, I believe. Many often come with lower language proficiency levels than primary economic immigrants, who tends disproportionately to be male. But still, not enough were enrolling. That's why one of the things we did when we expanded the funding was to provide for greater child care availability through the service-providing organizations and also to increase the quality of instruction.

Now we're looking at innovative ways to increase the enrolment. About 18 months ago we took 2,000 eligible permanent residents and we sent them vouchers. We said they were worth so many hours of language instruction. It was a way of getting a tangible value in front of them. Rather than expecting them to hear about the free classes from word of mouth, the vouchers would arrive in their hands and they could think about how it might be worthwhile to enrol. We found that 7% of those who received vouchers used them to enrol in a class within six months, whereas only 3% of the control group, who did not receive the vouchers, enrolled in the same period of time.

That would suggest there was a much higher rate of enrollment. There will be a final study done on the voucher pilot program next

spring. If it's successful, I will certainly ask the department to explore options for rolling this out on a broader basis.

The Chair: Thank you, Mr. Minister.

Mr. Young.

Mr. Terence Young (Oakville, CPC): Thank you, Chair.

Thank you as well, Minister, for coming here today.

Something I've noticed in my riding in Oakville is that people who are new to Canada—new Canadians—are not just as supportive of the measures you've introduced for fairness and integrity in the immigration system, they're actually more supportive. Some might think, well, they came new to Canada, and they don't care so much about the rules, because they just want more of their people to have the opportunity. But that's not the case. They are more supportive.

Has that been your experience, and can you please outline why?

Hon. Jason Kenney: Yes, it has been, overwhelmingly. I think the public opinion polls confirm that typically new Canadians are most supportive of measures to protect the integrity and fairness of the system. In part that's because the vast majority of people came here patiently—the legal way. It took time, sometimes years, and often they're waiting years for family members to be able to come to Canada. For those reasons I think they feel particularly aggrieved when they see people taking advantage of Canada and not waiting their turn.

Also, I think most new Canadians intuitively understand that broad public support for immigration, and frankly diversity in our society, is contingent on having a well-managed, rules-based, fair immigration system. I think they understand we all have a stake in maintaining such a system.

I'll give you one specific example: marriages of convenience. We have a very significant problem with fraudulent spousal sponsorship applications in our immigration system. This is not a new problem. It is becoming higher profile in recent months because of some high-profile cases. But I'll tell you, there are very few native-born Canadians who have ever raised the issue of bogus spousal sponsorships with me.

I have held a series of public fora across the country, and hundreds of people have come out, in Brandon, Vancouver, Montreal, and elsewhere. I think all, or almost all of them, are immigrants to Canada, and they have insisted that we find ways to tighten up both the rules and the enforcement of the rules to prevent bogus spouses from coming to Canada as permanent residents.

That underscores for me—both anecdotally and, frankly, in the public opinion polling, empirically—what you're saying about support amongst new Canadians for integrity in the system.

• (1705)

Mr. Terence Young: Thank you.

The action plan for faster immigration is focused on improving processing times and addressing the application backlog for the federal skilled worker program.

To follow up from a previous question, what is the status of the backlog in total—that is, in regard to every country that people want to come to Canada from? And has the backlog been reduced as planned?

Hon. Jason Kenney: Yes, we've made significant progress since Bill C-50 was adopted in the last Parliament, and then we implemented it as the action plan for faster immigration. Beginning in October 2008, we've seen about a 300,000 file reduction in the overall inventory that existed prior to the adoption of Bill C-50.

The new applications that are being received for the foreign skilled worker program are now being processed in about 10 months. Now, that's as opposed to what we were at...about six years. So it's huge progress.

But as you know, the ministerial instructions we introduced on October 2008 were based on, I think, 38 in-demand occupations. Over the course of the ensuing 18 months, the immigration industry figured out how to counsel people into making applications in certain of those occupations, like college instructors, and we started to see the inventory balloon back up again. That is why in July of this year I had to bring in our second set of ministerial instructions, imposing an overall cap on the new FSW applications, which we will process, at 20,000 for this year, with an exemption for those who have an arranged offer of employment, which we find is the most successful indicator of economic results for economic immigrants.

Do you have anything to add...?

The Chair: I don't think so.

Voices: Oh, oh!

Hon. Jason Kenney: Okay, that's fine.

The Chair: Mr. Oliphant.

Mr. Robert Oliphant: Thank you, Chair.

First, thank you, Minister. I want to go back towards multiculturalism. Your officials were generous in their time with me as a new critic, briefing me on multiculturalism. They presented a number of the historical trends in multiculturalism as well as looking at the future.

I asked the departmental officials about the effects of not having a long-form mandatory census on the kinds of data that your

department will have to do estimates, to do planning, to do the kinds of work we're doing.

They indicated to me, and your staff was present, that this was a problem for them. Finally, they admitted they would have information, but then they acknowledged the information could not be trusted. When I asked your staff person whether or not you had an opinion on this, he suggested I ask the Minister of Industry.

I don't have the Minister of Industry here, but I have you here, and I just wanted to check on your concerns that you might have about your department's ability to plan for multiculturalism without a mandatory long-form census.

Hon. Jason Kenney: Sure.

Well, Mr. Chairman, obviously, I think it's important for government to have data on Canadian diversity, and that data will be available through the alternative voluntary form that the Minister of Industry and Statistics Canada will be publishing.

The reality is that I haven't encountered a single Canadian—outside of Parliament, really—who's particularly keen on penal or other sanctions for not providing the government with information on how many bathrooms they have or what their religion is.

• (1710)

Mr. Robert Oliphant: I don't want to get into a debate about the census. It's a genuine question: how is your work going to be affected by this?

We know that newer Canadians may not fill out the form as easily as long-time Canadians, or at least that is what people in Thorncliffe Park and Flemingdon Park tell me.

The Chair: I don't want to get into the long-form census in this committee.

An hon. member: No, it's not on that.

Mr. Robert Oliphant: It's not on that; it's on the information of how he's going to plan for his department's work.

We're doing estimates. Estimates are based on the work.

Hon. Jason Kenney: I would say the most important piece of data for us in our ministry is the tax data that we're able to obtain, obviously cleansed of any personal information. We're able to get aggregate tax information on incomes and we are able to associate that with the programs in which people came into the country. We're actually able to assess people's economic progress through the tax data that is unrelated to the long-form census.

Mr. Robert Oliphant: Switching topics, I want to talk a little bit about Ontario, as I come from Ontario.

Obviously, between 2001 and 2009, there's been a huge decrease in the number of federal skilled worker principal applicants. There's been about a 57% decrease, actually.

When you bring in family reunification and refugees, it adds a burden on the settlement services, on language training, and all of those things.

There was an agreement with Ontario that would have provided a base allocation—plus the Canada-Ontario immigration agreement, that was \$920 million—of \$540 million, and yet there's a shortfall in those five years of \$207 million.

You're very proud of talking about the number of immigrants we bring in, yet Ontario, the largest recipient of immigrants, is not getting its fair share of negotiated dollars.

Hon. Jason Kenney: [*Inaudible—Editor*]...exactly the opposite of the truth. Ontario is getting way more than its share of funding on a per-immigrant basis. I believe, if I'm not mistaken, it's about \$3,500 per immigrant that we're providing compared with about \$2,800 or \$2,900 for the other provinces—all of this excluding Quebec, which has its own agreement.

Ontario is getting about \$700 per immigrant more in funding, in part because, you're quite right, funding levels were established in 2005 based, quite frankly, on an arbitrary decision that year to bring Ontario up to Quebec's levels. Since that time, the number of permanent residents landing in Ontario has gone from about 140,000 down to about 105,000. So there's been a 35,000 reduction in the number of PR landings in this province, or 25% fewer.

Frankly, I think that's a good thing. One of the things all of my Liberal immigration minister predecessors said was that we needed to get a better allocation of newcomers across Canada, so that all of them would not go to two or three big cities. We've achieved that largely through our partnership with the provinces in expanding the provincial nominee program. So now those 35,000 permanent residents are instead settling in Manitoba, Saskatchewan, Alberta, B.C., and the Atlantic provinces.

They're being underfunded in terms of settlement funding. So yes, there will be a reallocation, away from Ontario, to follow the immigrants and where they're going.

I make no apology for saying that we should try to approximate an equal per-capita funding level for settlement services based on where people are choosing to go.

The Chair: Thank you—

Mr. Robert Oliphant: But in your own document's report on labour market participation, Ontario workers are actually—

The Chair: Order.

The time has expired, Mr. Oliphant, I'm sorry.

Mr. Robert Oliphant: We'll pick it up later.

The Chair: Madame Beaudin has the floor.

[*Translation*]

Mrs. Josée Beaudin (Saint-Lambert, BQ): Thank you, Mr. Chair.

Thank you for being here, Minister.

From the outset, I have been hearing that, for example, dishonest refugees are preventing us from solving the problems for honest refugees. We hear about control, the integrity of the system, fraud, the dishonesty of refugees.

I would first like to address with you an aspect that I imagine is more gratifying for a Minister of Citizenship and Immigration, and that is the humanitarian aspect, and the case of Haiti.

In fact, on August 30, the Department announced that it was ending the special measures for Haiti. First, why? I would like to have an explanation of this, given the entire situation with which we are familiar and that is still going on in Haiti.

•(1715)

Hon. Jason Kenney: Thank you, Mrs. Beaudin.

First, I note that we have issued some 4,000 permanent resident visas to Haitian nationals this year.

Is that right, Ms. Deschênes?

Ms. Claudette Deschênes: There have been 4,000, including temporary residents in Canada, so immigrants and temporary residents.

Hon. Jason Kenney: Up to October 31, we had issued nearly 3,000 permanent resident visas to Haitians. That represents a 54% increase over the same period last year. So there has been a major increase in permanent resident visas issued.

Obviously we are expecting more QSCs to be issued by the Government of Quebec under its special program. As well, Ms. Deschênes could tell us how many QSCs we have issued under that program.

Ms. Claudette Deschênes: There have been 1,773 issued, for the "family class", in Quebec, compared to 601 the previous year. So that's an increase of nearly 300% during the same period.

As well, on the question of the special measures, some people started to arrive in May. On October 29, the files were completed for 167 people who had their visas, and 52 have become permanent residents. In addition, in November, another 187 visas were issued. Because it takes two or three months before it gets to us. We expect that it will continue to progress.

I also want to point out that there are 23 decision-makers, the people who make decisions, in Port-au-Prince, in Santo Domingo and at the Ottawa processing office, as compared to six decision-makers before the earthquake.

Mrs. Josée Beaudin: Yes, there was the earthquake, but now there is cholera. Precisely, you are keeping the number at 23 decision-makers, in spite of the difficulty that Haitians or people may be having in responding, and in spite of the entire catastrophic situation in Haiti.

Hon. Jason Kenney: So we have increased the number of decision-makers several times. Previously there were six; there are 23 now. So that is an enormous increase.

You have to understand that assigning a Canadian decision-maker as an overseas official, in Port-au-Prince or Santo Domingo, is very expensive. It costs several hundred thousand dollars to assign a single decision-maker to an overseas post. So it is fairly expensive.

Mrs. Josée Beaudin: Talking about delays, I would like to address with you the processing delays that do seem to be a problem.

I see that in the supplementary estimates you have allocated additional funding to certain programs for, among other things, security certificates, and also for refugees.

Are you not planning to invest funds to resolve these processing delays or the problems that result in processing delays?

Hon. Jason Kenney: Yes, we are. When the government organized our actions in response to the earthquake, it included an increase in CIC's budget for those reasons, in fact. That was included in the supplementary estimates (A) that we submitted to the committee a few weeks ago. The figures correspond to an additional \$14 million to meet immigration needs after the earthquake.

Mrs. Josée Beaudin: I'm not talking about just for Haiti.

For all other applications, are you not investing funds to solve the problems of backlogs and processing delays for applications?

Hon. Jason Kenney: Including refugees, refugee protection claimants, in Canada?

• (1720)

Mrs. Josée Beaudin: Yes.

Hon. Jason Kenney: Yes, that also includes all programs.

For example, we proposed renewing temporary status for Haitian nationals who were in Canada when the earthquake happened. And so all sorts of things are included in that additional \$14 million.

I should also say that the IRB decided to expedite processing of refugee protection claims from Haiti, after the earthquake.

On the question of the issuance of permanent resident visas to Haitian nationals, although the number has been increased, it has to be done in accordance with the framework of the overall plans and objectives.

It was very clear in Quebec, for example. The 3,000 cases that Quebec is sending us, in relation to certain family members of Canadians of Haitian origin, have to be included in the overall target range for Quebec, under the immigration plan for 2010.

[English]

The Chair: Thank you.

That's it.

Hon. Jason Kenney: Really?

The Chair: Yes. You've managed to struggle through another session with us.

We want to thank you, Mr. Minister, and your colleagues for coming and listening to our questions. You've been very helpful. Thank you very much.

We're now going to vote.

Committee members, we've handed to all of you a sheet that has the amounts of votes 1b, 5b, and 10b. We'll vote on each of those individually. I hope you've all had a chance to look at them.

CITIZENSHIP AND IMMIGRATION

Department

Vote 1b—Operating expenditures.....\$24,680,417

Vote 5b—The grants listed in the Estimates and contributions.....\$1,153,101

Immigration and Refugee Board of Canada

Vote 10b—Program expenditures.....\$7,098,418

(Votes 1b, 5b, and 10b agreed to)

The Chair: Shall I report the supplementary estimates to the House?

Some hon. members: Agreed.

The Chair: Thank you. We will do that tomorrow.

That concludes this meeting on estimates. We will return on Wednesday at presumably the Queen Street address, where Mr. Dosanjh will join us again. I think he has about half an hour left.

Mr. Rick Dykstra: We'll give him more time if he wants, Mr. Chairman.

The Chair: Ms. Chow, you are first on the list.

The meeting is adjourned.

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