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Chair

Mr. David Tilson

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• (1530)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): I call the meeting to order.

This is the Standing Committee on Citizenship and Immigration, meeting number 29, on Tuesday, March 27, 2012. This meeting is televised, ladies and gentlemen, so be on your best behaviour.

The meeting is divided into two. We will suspend at 4:30 or a few minutes before 4:30. The first hour is pursuant to Standing Order 81 (4), the main estimates 2012–13, votes 1, 5, and 10 under the Citizenship and Immigration Act, which were referred to the committee on Tuesday, February 28, 2012. The second hour is pursuant to Standing Order 108(2), the study “Standing on Guard for Thee: Ensuring that Canada’s Immigration System is Secure”.

Mr. Davies has put me on notice that he wishes to go in camera sometime. When would you like to do that?

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Chairman, I suggest we go in camera at the end of the meeting, for maybe five minutes, to discuss some committee business.

The Chair: I don't see any negative reactions, so I have no problem with that, Mr. Davies.

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

Good afternoon to you, sir. You have your usual posse. You can introduce them. I haven't seen Mr. Linklater in a long time. I am pleased to see you, sir.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism): He's been travelling.

Thank you, Mr. Chairman. I am pleased to be here with Deputy Minister Yeates, Assistant Deputy Minister Deschênes, and Assistant Deputy Minister Linklater. Madame Deschênes does operations and Mr. Linklater does policy. Our chief financial officer, Amipal Manchanda, who is fairly new in that position, is doing a great job.

[Translation]

I am pleased to be here today to present the main estimates for my department for fiscal year 2012-2013. I appreciate this opportunity to talk about our priorities for this upcoming fiscal year.

I want to thank the committee for your contributions to some of the things we've been able to accomplish over the past year. In particular, I want to take this opportunity to thank and commend

members, once again, for your excellent report on the issue of immigration backlogs.

• (1535)

[English]

As you know, Chairman, a major focus for my department in the past year has been on reducing immigration backlogs. We want to modernize our system and make it more responsive to the needs of our economy. That's why we are asking for an additional \$25 million to modernize the immigration system.

Another major focus this past year has been on improving the integrity of our immigration and refugee systems, which is why a large portion of our increase in main estimates funding—that is to say, \$51.8 million—will go toward our biometrics screening project for temporary residents, which you know is before the House for statutory authorization in the form of Bill C-31.

We always need to be vigilant to ensure that the immigration system continues to function in our country's interest. As I stated at my last appearance, biometrics is a great example of ensuring our immigration system is as modern and up to date as possible. We also need to modernize our system in other ways, to ensure that immigration can respond to our labour market needs. We need to make sure that the skilled immigrants we choose are the ones most likely to succeed in our economy as soon as they arrive. All of this means that we need a fast immigration system—one that enables us to quickly select those who have the skills we need when in fact they are needed.

[Translation]

We are always looking to make improvements to the system so that it serves Canada better. Let me quickly review some of the progress we have made to date.

First of all, we have made progress with our provincial colleagues with respect to the Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications. We now have clear processes in place to assess credentials in eight regulated occupations, and by the end of this year, we plan to add six additional regulated occupations to that list.

We have greatly expanded the Provincial Nominee Programs, which have begun to better address labour shortages in regions across the country.

[English]

For example, through the Canadian experience class we've now granted more than 10,000 temporary foreign workers and foreign students permanent residency here in Canada. These are people who are already pre-integrated and set to succeed with work experience and/or degrees that will be recognized by Canadian employers.

While we have made much progress, the persistent problem of backlogs runs contrary to our country's interests. They aren't fair to applicants who wait in line for years before they can come to Canada, often putting their lives on hold, and they certainly don't work in the best interests of our economy.

Let me focus on one particular stream that was the subject of much of your recent study, and that is the parents and grandparents category. They can currently expect to wait up to seven years before being reunited with their families in Canada. At the end of September last year we had 168,000 people in the parents and grandparents category awaiting the processing of their applications. This means that wait times can only be shortened if we reduce the backlog.

As you know, in December we introduced phase one of our action plan for faster family reunification. It includes a temporary pause of 24 months on new applications; a significant increase in admissions through this program—a 60% increase to 25,000 admissions per year; and a period of consultation as we decide how best to retool the program so it's sustainable in the future. Unless the intake of parents and grandparents is managed before we lift the pause on applications, the backlog will have the potential to quickly balloon to an unmanageable size. So each year Canada will need to manage intake to ensure that inventories are consistent with prompt processing.

What does it mean if we decide as a country to admit, let's say, 15,000 parents and grandparents a year? We shouldn't be taking in more applications than that. In fact, we should be taking in fewer applications than that until the backlog is down to a manageable inventory.

As you know, we've been applying this tool of limiting new applications through the application of ministerial instructions quite successfully to the federal skilled worker program since 2009. As a result, the fast track in that program means that applicants are often being accepted in less than 12 months rather than seven or eight years, and we've managed to reduce that backlog very considerably.

● (1540)

[Translation]

As I indicated at my last appearance, we are currently examining a number of options to further reduce the backlog and which represents 400,000 applications in total. For example, we have launched a pilot project that will allow provinces to “mine the backlog”. In other words, it would allow provinces to review the backlog and nominate those applicants they think their economies need right now.

But we need to do more.

[English]

We want to move away from the current slow-moving passive system, where people from overseas simply put their applications in our system and arrive in Canada without jobs, often taking several years before they find success, even if they were so lucky. We need to have a nimble and proactive immigration system where Canadian employers are actively recruiting people in the international labour market from abroad—people who they are confident can come and work at their skill level upon arrival. Right now our slow-moving, rigid, and passive system is ridden with backlogs, and we need to move to one that's fast and nimble. We are on a path to transformational change, but much more work remains to be done.

[Translation]

Mr. Chair, I want to thank you for the opportunity to appear before you today. I've detailed some of the ways we are working to make immigration more responsive to our economy, and ensure that it serves the interests of all Canadians.

In closing, I would say that it is very nice to see Ms. Turmel, our former Interim Leader of the Official Opposition, at this committee. It's very nice to see the member here.

[English]

The Chair: That was well done, Mr. Minister.

Mr. Opitz.

Mr. Ted Opitz (Etobicoke Centre, CPC): Thank you, Mr. Chair.

Minister, at the end of your comments you referred to transformational change. I know we're introducing a bill in Parliament that speaks to some of those issues. Can you describe some of those transformational changes, and what the dream is of this transformational change? What impacts will it have for this country as a whole, its reputation abroad, and its economic performance as a result?

● (1545)

Hon. Jason Kenney: Well, first, I think we need to underscore how our open and generous immigration programs have failed newcomers to too great an extent in the recent past. All of the economic data indicates that economic outcomes for immigrants have generally been on the decline in the past three decades. There are some exceptions to this that are the result of policy changes.

For example, federal skilled workers arriving under the points grid, which started in 2002, have seen better results, particularly those with pre-arranged jobs. Provincial nominees, who are coming in large numbers now, are doing significantly better on average in their first few years than skilled workers. We think that Canadian experience class immigrants, since we introduced that program in 2008, are doing quite well.

So there are some positive signs, but generally there is a consensus that unemployment rates are much higher for immigrants than for the overall population. It's about twice as high. Unemployment for immigrants with university degrees is nearly three times higher than among degree holders in the general population. We all know why. It's because many of the highly educated, foreign-trained professionals who we invite to Canada end up stuck in survival jobs and facing underemployment.

Just the other day in Vancouver I met a woman, a radiologist, who immigrated from Iran three years ago. She has been working multiple survival jobs. She is at the end of her tether. She said that, as much as she can't stand her country of origin, she's going to go back there now to find work so that she can feed her family here in Canada. That is a shame. We simply cannot continue, practically or morally, to invite people here to face unemployment or underemployment.

The vision is to move from a system that is rigid, passive, and slow-moving, which often underuses the human capital of the highly educated immigrants we receive, to a system that is fast, flexible, and proactive. By that, I mean increasingly empowering employers to look at the global labour market in order to identify those people who have the skills that are immediately relevant to our labour market, so that in principle they can get off the plane and go into—in the best-case scenario—a pre-arranged job, where they know the employer will recognize their skills. That's where we want to go.

We want to essentially apply some of the best features of the provincial nominee program, which is at its best an employer-driven labour market program, and also the best features of the skilled worker program. For example, we know that people who arrived in the skilled worker program with pre-arranged jobs are making on average \$79,000 in income after three years, which is much higher than the average in the Canadian population.

The system we want to move towards, instead of being characterized by a seven- or eight-year wait time, will have applicants entering the country in months rather than years. It will have a much larger portion of immigrants coming with pre-arranged jobs. It will be assessing the relevance of their education and experience to the Canadian labour market, rather than the kind of arbitrary and rigid assessment that has been done in the past. So, do they have Canadian experience? We know that younger workers do better. People aspiring to work in the regulated professions, with higher levels of language proficiency, do much better. It's fair to say that not every university degree overseas is of equal relevance to the Canadian labour market, so we'll do more a qualitative assessment of their education.

I've been giving a number of speeches on this. I could easily take an hour answering your question, Mr. Optiz. But the overview is to move from this passive system to one that is much more proactive and much faster, taking into account the research and the data. We have recently done major benchmark studies on the federal skilled worker program and the provincial nominee program, and taken into account the experience of comparable countries, such as Australia and New Zealand.

Mr. Ted Optiz: You mentioned the Canadian experience class, and I know that's a great program. Can you elaborate a little bit on

that? I know that people who are here already not only have Canadian qualifications and credentials, but also have improved their language proficiency for integration. Can you elaborate on the overall success of the program and how it's actually impacted different parts of Canada?

Hon. Jason Kenney: For me, it's the model immigration program, and I hope that in the future it will expand to be our core economic immigration program. It invites foreign students who have completed a two-year degree, or a diploma and one year of work in Canada, which is facilitated by our granting those students open work permits, or temporary foreign workers at the middle to high level of occupational categories who have worked in Canada for two years, to apply for and obtain permanent residency from within Canada on a faster basis.

In the past we used to tell such people at the end of their authorized period in Canada—at the end of their studies or work permit—to please leave Canada. If they wanted to immigrate, even if they had a job lined up, we told them to get in the back of the seven-year-long skilled worker queue, which was absolutely ridiculous, because these people are pre-integrated. They have perfected or improved their English or French language capability. In the case of students, they have degrees and diplomas that are recognized by Canadian employers, and all of them have Canadian work experience. Most of them have pre-arranged jobs.

By every measure, these are the immigrants most likely to succeed in our labour market. We're pleased that so far 10,000 permanent residents have been admitted through that program, but we could do much better. It's been under-subscribed, and we are looking at modifications to the Canadian experience class. For example, one of the changes we're considering is moving the threshold for a permanent residency application for higher-skilled temporary foreign workers from two years to one year. That's one of the changes we're looking at.

The Chair: Thank you, Mr. Minister.

Mr. Davies, go ahead.

Mr. Don Davies: Thank you, Minister, for being with us today.

You're here today for the first hour on the main estimates. What is the total budget of your department, Minister, approximately?

Hon. Jason Kenney: It's \$1.54 billion.

Mr. Don Davies: We have you here for one hour to talk about the estimates. Would you agree with me that it would be helpful and transparent for the Canadian public if you came back to this committee on some further occasions, considering that we're talking about \$1.54 billion of taxpayers' money?

Hon. Jason Kenney: Absolutely. I would be happy to come back as often as you would like.

Mr. Don Davies: Thank you, Minister.

Minister, I want to talk about spending in your department, because that's really what we're here to talk about today.

Recently, Canadians have seen a very large advertising program by your department on immigration fraud. There's been extensive television advertising, including in prime time, ads on aircraft, and on the Internet. How much money has your department spent on that advertising program?

• (1550)

Hon. Jason Kenney: Perhaps you're referring to immigration consultants. That would be in the range of a few million dollars. I'll try to get the precise figure.

Amipal, do you have the precise figure?

Mr. Amipal Manchanda (Assistant Deputy Minister, Chief Financial Officer, Department of Citizenship and Immigration): Two advertising campaigns were carried out. One was on services to newcomers and the other was on anti-fraud. The combined total for the two was approximately \$4 million.

Mr. Don Davies: Thank you.

We all know, as you've so eloquently canvassed, that we have a backlog of over one million applications. Wait times can be described as appalling. I think it's important to note that both backlogs and wait times have increased under your watch. Family sponsorships take years, sometimes more than a decade. Inland spousal applications are not even opened for one year. A woman gave birth to a baby in a hotel in Vancouver recently because CIC could not even write a simple letter confirming that her application had been received.

Your department has said that these cases slipped between the cracks. We say, from the official opposition side, that these cases are much more pervasive than that. Yet we see in the estimates that you're proposing a \$27 million cut to internal services. How can Canadians have faith, Minister, that more people will not slip through the cracks if you're cutting \$27 million to internal services?

Hon. Jason Kenney: First of all, over the past five years since our government came to office, there's been a significant expansion in the number of public servants, full-time-equivalent public servants, in our ministry. There's also been a substantial expansion of the operational budget of the ministry. For example, accompanying the passage of Bill C-50 in 2008, and the introduction of the action plan for faster immigration, there was \$109 million of additional resources for processing.

In terms of overall backlogs, it's true that the backlog has gone up. As you know, Mr. Davies, I underscore that it's a serious problem, and I admit quite openly to some responsibility for that on the part of our government. It's also true that we inherited an overall backlog of 840,000. But had we not taken the actions that frankly all the opposition parties have opposed, such as the amendments to allow for ministerial instructions, the backlog would not now be a million; it would be well over one and a half million.

The good news is that through ministerial instructions on the skilled worker program, the pause in applications for parents and

grandparents, and investor immigrants, etc., we are now finally seeing the huge and growing backlogs coming down.

Perhaps Madame Deschênes would like to comment on operational challenges in terms of—

Mr. Don Davies: Actually, I would rather not, Minister. I'd rather keep on you, if I could, because it's a luxury having you here.

My question was about a \$27 million cut to internal services. I'll move now to the Immigration and Refugee Board—

The Chair: I think the minister would be prepared to answer that.

Mr. Don Davies: He did have a chance to answer, Mr. Chair. I'm going to move on because my time is limited.

The Immigration and Refugee Board is a board where caseloads are very heavy. Wait times for decisions are lengthy. The New Democrats support a system of decision-making that is efficient, timely, and fair, yet we see that you intend to cut \$7 million, or 5%, of the budget of the Immigration and Refugee Board. In your view, Minister, how will cuts to the IRB help decision-making become faster and fairer?

Hon. Jason Kenney: That's not actually going to reduce IRB's capacity to render decisions and to deal with the backlog. On the contrary, we have added to the budget of the IRB, as part of our balanced refugee reforms, to hire additional decision-makers to accelerate the number of finalizations. In fact, as a result, the backlog of asylum applications has gone from roughly 60,000 down to about 40,000 over the past two years.

The \$7 million in spending savings to which you refer, Mr. Davies, come out of the strategic review that was concluded two years ago. This includes, for example, administrative savings, more efficient computer systems—

Mr. Don Davies: It won't affect service, you don't think?

Hon. Jason Kenney: It won't affect at all the number of decisions that are rendered with service levels.

Mr. Don Davies: I want to move on to settlement funding. The estimates reveal a \$6 million cut to settlement funding. That's on top of cuts made in the last years. I want to give your government credit in this year for increases to settlement funding several years ago. I know that immigrant settlement service organizations appreciated those funds, although they all reported that they still operate with too few resources.

Minister, you have recently spoken about the disparity in income standards of immigrants versus established Canadians, and of course recognizing the importance of employment, language, housing, and settlement services to close that gap. How does removing funding to immigrant settlement services square with your stated concern to raise new Canadians' economic conditions?

• (1555)

Hon. Jason Kenney: Well, in fact our government has substantially increased funding for settlement services. The federal funding for settlement services outside the province of Quebec—which is sort of a separate arrangement—was \$200 million in 2005. In this fiscal year it is about \$600 million for outside of Quebec. That's a tripling. It's not a reduction.

We did have a problem, in that when the funding was increased in 2005 it was based on the settlement patterns at that time, which have since changed. Substantially fewer immigrants are going to Ontario and substantially more are going to other provinces. As a result of the change to which you refer in this year's budget, we are actually increasing the funding allocation for settlement services to nine provinces and territories, and only decreasing it in the province of Ontario, now based on the new funding formula that allows for roughly a per capita funding level of \$3,000 per immigrant per province.

The Chair: Thank you.

Mr. Lamoureux, go ahead.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Thank you, Mr. Chair.

I appreciate the minister's openness to coming back to the committee in order to have more questions and answers. I think it speaks volumes when we talk about spending somewhere in the neighbourhood of \$1.5 billion in immigration and citizenship. Unfortunately, as a political entity here we get maybe five or ten minutes to try to go through both questions and answers on such a great expenditure, which really is quite difficult. Unfortunately, we have to generalize. I suspect that a number of questions I may have over the coming weeks I might have to put in writing, and maybe the minister's office can respond to that.

Hon. Jason Kenney: I'd be happy to.

Mr. Kevin Lamoureux: The biggest question that comes to mind right offhand is in the area of citizenship. There is a cut to the citizenship branch. Yet it seems that's an area where there has been an increase in the length of time it takes for someone to be able to get their citizenship. I wonder if the minister can provide more clarity on how much of a cut there is actually on the front end where it is impacting the waiting times for citizenship.

Hon. Jason Kenney: I'm not clear on what cut in the citizenship grant you are talking about. I am advised that there's a \$291,000 employee benefit adjustment.

Amipal, could you supplement that?

Mr. Amipal Manchanda: There's a reduction to the citizenship program of \$291,000. The total funding for that program is \$41.8 million. That is just a technical adjustment that has been made for the employee benefit plan done on an annual basis.

Mr. Kevin Lamoureux: The biggest concern that we have, of course, is the length of time it takes a person to acquire their citizenship after they've actually qualified. To what degree is the budget—because we don't have that kind of detail here—for that front-line service being cut?

Hon. Jason Kenney: It's not being cut. But you put your finger on a very serious problem, which we are aware of. It's a big stress point operationally, and people are waiting too long to get their citizenship grants, there's no doubt about it. Quite frankly, the challenge is that we have obviously limited resources, limited tax dollars to spend in general and in our department, yet the volumes just keep going up. The volume of visitors and permanent residents has gone up, as have the number of citizenship applications.

First of all, there's a big program of modernization in the citizenship branch being led by Madame Deschênes, which makes better use of technology. They are increasing their productivity, so we're getting through more grants with the resources we have.

Quite honestly, Mr. Lamoureux, one thing we need to look at—and I encourage the committee's suggestions in this regard—is perhaps better pricing the fees relative to the cost. Right now the fees we charge are producing revenues much lower than that cost of offering the service, and I think maybe we need to align fees and costs.

Mr. Kevin Lamoureux: Okay.

The other thing is that when we're trying to recognize the jobs that are in demand and we talk about those skilled workers, there are tens of thousands of workers—as the minister knows—across this country today, and Canada as a country has recognized these workers as valuable contributors to our economy. Does the minister see the value in terms of expanding the opportunity for workers who come under visa to be able to become landed at some point? And if so, does he have some projected numbers that he would like to see, or is a separate category going to be created?

• (1600)

Hon. Jason Kenney: Well, no, the numbers are included in our levels plan, which this year is 240,000 to 265,000 permanent residents. I anticipate that this year we will be towards the higher end of that range, as we have been pretty much at about 254,000 on average for the past six years. Our operations budget overall and for each mission is based on that global target as it's allocated in each mission. So we do allocate the resources based on where we see the higher volumes of permanent residency. I'll give you an example. Philippines in last three years has emerged as the top source country, so we've shifted additional processing resources to the Manila office.

Mr. Kevin Lamoureux: Okay. So let's say for the sake of argument that we have 100,000 workers today in Canada. Can the minister give any indication as to what we could assume? Is he going to set up a new stream that would allow them to stay in Canada, work in Canada, and ultimately maybe become landed?

Hon. Jason Kenney: Well, the answer is that we have already done that in part with the creation of the Canadian experience class, which does allow mid- to high-range temporary foreign workers, who have worked in Canada for two years, to apply for permanent residency through the Canadian experience class. I think we're planning for up to 14,000 admissions through the CEC this year.

There are also other streams of temporary foreign workers who have access to permanent residency and who are in our levels plan, such as live-in caregivers, and I think we're planning about 10,000 admissions under that program. But if you're talking about increasing by orders of magnitude, the number of temporary foreign workers who could access permanent residency, that would require a huge shift in how we allocate in our overall immigration plan. To maintain the current overall limit at about 265,000 while substantially increasing the number of temporary foreign workers who can transition into permanent residency would require offsetting cuts in programs like the federal skilled worker program. Our view is that we get more bang for the buck from the highly educated and skilled workers who come in than we would from large numbers of low-skilled temporary foreign workers taking those permanent residency spots. It's a trade-off.

The Chair: Thank you.

You have to take a breath, Mr. Minister.

You have the floor, Mr. Weston.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Thank you for your enthusiasm, Minister, in being here, and even more for your enthusiasm in coming back. I think we like being here, and we appreciate your vote of confidence in this committee. Thank you for your officials joining us as well.

There has been some emphasis in your remarks on the use and the effectiveness of ministerial instructions, and I understand that the department has been reviewing the use of ministerial instructions. I'm wondering if you can let us know what the result was of that evaluation. Furthermore, what might have been the consequence if the opposition parties had succeeded in opposing your use of ministerial instructions?

Hon. Jason Kenney: Thank you.

If I could just supplement the answer to Mr. Lamoureux, I'm reminded there's a third pathway to permanent residency for temporary foreign workers that's frequently used, and that's the provincial nominee program. So between the PNP, the LCP, and the CEC—not too many acronyms here—we are admitting about 40,000 temporary foreign workers as permanent residents per year. That compares to about 180,000 work permits that are issued to TFWs. The large number of those work permits go to students and young people on the working holiday program who aren't necessarily looking for PR.

I would like to ask Mr. Linklater to respond on the question of the assessment we've completed on the application of ministerial instructions.

Mr. Les Linklater (Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration): Sure.

We had an interesting review of the implementation of ministerial instructions within the department, which initially focused on the implementation of the first set of ministerial instructions. But as the work progressed, we actually put in place the second set of ministerial instructions. We were able to learn from the first set, in terms of adjustments with the second set.

What we found with the first set, using an occupational filter alone, was that by limiting the number of occupations under which individuals could apply to come to Canada we did have the intended effect of lowering the number of new applications we received. However, there were a couple of occupations on that first list where we found that applicants were able to tailor their credentials to meet the requirements of the occupation and we saw the numbers of applications grow quite exponentially.

This led us, with the second set of ministerial instructions, to imposing hard numerical caps. It's 20,000 new applications under the second set of ministerial instructions, with a subcap for each of the occupations underneath that, initially at 1,000. Then, with MI3, we've moved further to restricting new applications to 10,000, with a subcap of 500 for each application.

With these hard numerical caps, we've found the progress on backlog reductions and working through the first set of applications received under ministerial instructions one will be accelerated.

• (1605)

Mr. John Weston: Thank you very much for that answer, Mr. Linklater.

What would have been the consequence if the opposition had succeeded in opposing your use of ministerial instructions?

Hon. Jason Kenney: Had we not begun applying the limits to new applications through ministerial instructions in 2009, I think the last estimate I saw was that the backlog in that particular program would have grown from 640,000, as of 2008, to well over a million by 2011. You could see every year that we were warehousing 100,000 to 200,000 new applications in the backlog.

If we never used that tool there would be a constant growth, moving up into the 1.5 million range just in that one program. With the backlog of 640,000, which was where it peaked, we were already looking at wait times of seven to eight years.

I will give you a general estimate that had we not used ministerial instructions, by the end of this decade we would be at about 1.5 million backlogged applications in that program, taking—I don't know—10 to 15 years to process.

Mr. John Weston: Ultimately the person you get as an immigrant isn't the person who initially applied.

Hon. Jason Kenney: Well, the person who applied at 40 is now 55. That person, who was young, just starting their family, keen to move, had given up hope of moving to Canada and gets this letter ten years later saying, "Oh, by the way, we've got around to your application. You're now welcome to come to Canada."

I mean, it wasn't working for them; it wasn't working for us.

Mr. John Weston: You have been passionate about the integration of new immigrants into Canada—both economic and social. The recent story of the Shafia girls and things like that is the wrong end of integration. Can you tell us about how we're working on improving the integration, both economic and social, of new immigrants?

Hon. Jason Kenney: That's actually a great question, and I spend a lot of time thinking about it.

I would invite the committee, maybe at some point in the future, to get into that whole issue of cultural and social integration. We've looked a lot here, at this committee, at programmatic issues like settlement services, but there are more difficult issues of social and cultural integration.

One way we've addressed these is to be very blunt with people. Frankly, we've dropped the political correctness of the past, which I think was informed by a kind of relativistic view of multiculturalism, that certain cultural practices could be justified by our openness to diversity. We've just said that that's passé.

Clearly, there are certain so-called cultural practices, as we say in the new citizenship study guide, "Discover Canada", that are barbaric, that are condemned, that carry the full force of the law in Canada. I think it's important for the Canadian state to be explicit about that—explicit, to quote former Prime Minister Blair, about "the duty to integrate", and that multiculturalism and our tradition of tolerance and diversity do not extend to all culturally based practices.

But ultimately, Mr. Weston, I think that the best pathway to cultural and social integration is successful economic integration. When we look at western Europe, the failure of integration of immigrant communities in those societies is in large measure because of the economic exclusion of newcomers, who are typically invited in as people with low levels of education, into low-skill jobs, with limited European language proficiency and therefore limited social mobility and limited educational opportunities for their children. Ghettoization followed and in some instances became breeding grounds for extremism and radicalization.

Thankfully, we have largely avoided that in Canada. By focusing on inviting typically more highly educated people with higher levels of language proficiency, who do better economically than in Europe, I think we can and should do better.

•(1610)

The Chair: Thank you.

Madame Groguhé.

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Thank you, Chair.

I would like to thank the minister for appearing here today.

Minister, following an evaluation of the Resettlement Assistance Program, funding for the program was increased by 3.4%. How will these additional funds be distributed amongst service providers and refugees?

I would also like to know exactly what amount will be allocated to the Interim Federal Health Program and whether this would represent an increase or a decrease.

Hon. Jason Kenney: As I already stated, we have greatly increased expenses for settlement programs. In accordance with a requirement included in the Canada-Quebec Accord on Immigration, we are to increase our subsidies to Quebec according to the rate of growth in the federal budget. I believe that this year, the increase would be about \$25 million. The amount transferred to Quebec for settlement services, which was about \$100,000 a few years ago, has increased to \$250,000.

As I also mentioned, we tripled the subsidies to other provinces for settlement services. These services are provided to six provinces by my department, and by the provinces themselves in Manitoba and British Columbia. The budget for these services provided elsewhere than in Quebec is currently around \$600 million.

With respect to the Interim Federal Health Program, expenditures are higher every year as compared to those forecast in the budget because there are always many asylum seekers, as well as other clients. For the current year, that program's expenditures total \$50 million.

Mrs. Sadia Groguhé: Fine.

I would like to know if the list of eligible drugs under the Interim Federal Health Program is public, so that people who are covered by this program may see what is on the list as well as how much coverage they are entitled to, and so that pharmacists may know ahead of time which drugs are covered and which are not.

Currently, pharmacists learn that asylum seekers cannot be reimbursed for one medication or another only after having served these applicants and after those people have already spent the money. This represents a huge loss for them. How could we remedy this situation?

Hon. Jason Kenney: I would like to add something to my last response. Currently, the total budget for the Interim Federal Health Program is \$50 million, as I said. However, we expect current expenditures to be closer to \$83.2 million.

As to the reimbursement for the cost of medication, I would ask Ms. Deschênes to speak to that.

Ms. Claudette Deschênes (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): With respect to reimbursement, yes this information is public. I am aware that we have a problem. Most pharmacists in Canada deal directly with Medavie. We do have a problem, but under the current system, the problem you mentioned would not exist if we dealt directly with the company responsible for reimbursements.

We are currently working with these people to improve the situation, which has to some extent been created by their own pressures.

Mrs. Sadia Groguhé: Is this list available? If so, at what level?

Ms. Claudette Deschênes: Yes, it is available, but the difficulty is that the list may change according to the client. For example, a drug may be covered because it is necessary for that client; if it is not medically necessary, it is not covered. This is why we encourage pharmacists to deal directly with the company.

Mrs. Sadia Groguhé: Therefore, one must deal with that company to obtain the available list.

Ms. Claudette Deschênes: The company is responsible for reimbursements and it could immediately provide the information. Thus, the pharmacist would avoid having to wait for reimbursement after having issued something.

•(1615)

[*English*]

The Chair: Thank you.

Mr. Menegakis.

Mr. Costas Menegakis (Richmond Hill, CPC): Thank you, Mr. Chair.

Minister, thank you very much for appearing before us again today. With the number of times you've been here and certainly the number of times your officials from the department have been here, I think it speaks volumes. It really speaks to the credibility and the confidence you place in this committee. We appreciate you being here to respond to so many questions over a number of hours, over a number of meetings.

Minister, I know the department has been working to modernize its systems, specifically the global case management system, known as the GCMS. Can you update us on how this modernization is going?

Hon. Jason Kenney: Yes, thank you.

This has been a major project, actually going back several years. Just to give some context to you, colleagues, as I said the last time I appeared here, when I became minister I inherited the tail end of a really antiquated operational system in the department. This wasn't the fault of the public servants; it was, frankly, the fault of the lack of investment in information technology over years. We had basically a huge global paper-based system. So you can imagine in a mission like New Delhi storehouses filled with stockpiled, warehoused applications.

From time to time you're going to get additional operational resources available in one mission, but to move things around that would literally mean taking physical files in New Delhi, putting them in shipping containers and shipping them across the continent to Warsaw. It was ridiculous, with everyone making paper applications and sometimes documents getting lost. So the department realized that we had to move into the 21st century in terms of technology, which is why we went through a long process of development, of selection of the vendors, and finally got cabinet approval for a significant investment in global case management for a total of \$300 million and change in 2006-2007.

Now I'm pleased to report that we are well into global implementation of the GCMS system. The deputy says it's finished. This basically opens us up to taking online electronic applications that go into the system, and these applications are accessible at any one of our offices around the world. That means if there's flexibility in one office, we can take applications that have been made in India and work on them in Ottawa, or vice-versa.

Claudette, would you like to supplement this?

Ms. Claudette Deschênes: Yes.

The only thing I would add is we continue to improve on this. So as we move refugee reform, we'll be adding another module. We are now connecting e-application and e-storage to that. So we will get to a point where all the information on this file is available, no matter where it is. And actually today files in China and in Mexico are being created overnight in Ottawa so that when the office opens they can actually work on the files and not spend time doing that.

We've accomplished a lot. There's still a lot to do, but we're well on our way.

Mr. Costas Menegakis: The efficiencies appear obvious. I'm curious, however, about how moving to an electronic system has helped the department better understand trends. Would you care to comment on that?

Hon. Jason Kenney: I suppose one advantage is that when we get electronic applications we can see where there are emerging volumes and respond to those accordingly. In the old system.... To give you an example, four or five years ago we saw this huge growth in both permanent and temporary resident applications out of the Philippines. To respond to that, you'd have to wait and see. Is it really a sustainable increase? Is it really happening over a long period of time? Then Claudette would have to decide, well, we're going to have to add personnel, we're going to physically have to put Canadian-based officers there, which, by the way, costs us a ton of money. It takes months to move them. They have to move them from another mission.

Now in the new GCMS-based system, if there's a spike in demand in one office, we can do a lot of the processing elsewhere, without moving people around at tremendous expense to the taxpayer. It just makes a lot more sense.

Mr. Costas Menegakis: How's my time, Mr. Chair?

Hon. Jason Kenney: Oh, can I just add to that?

One other good point is this really reinforces integrity, because where we see, for example, people using the same crooked consultant or using the same bogus address or something, we can identify that electronically. Before, these were all separately in paper applications and it was much harder to identify patterns of fraud.

Mr. Costas Menegakis: That actually answers my question.

•(1620)

The Chair: Thank you.

Mr. Dykstra.

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

I'd like to touch back on the emphasis you've placed, Minister, and that the department has placed on the whole aspect of biometrics and their implementation. It's come up on a number of occasions—in the original study, the first study we did here at committee, but more specifically and almost on a regular basis in the second study in terms of the report we are doing on security regarding entrants coming into Canada and obviously our border system.

You emphasized it in your presentation with respect to a secure immigration system with integrity. Even in the main estimates we can see the aspect of biometrics is highlighted clearly there.

One of the things that sometimes changes within a budget or within a cycle is the inability to move as quickly as we'd like to. Biometrics in fact is one of those. It has taken a little bit of time to move forward. I wonder if you could comment on the on-time and on-track focus of the biometrics in terms of setup. Probably a bit more specifically, are the biometrics in fact on track financially and fiscally? Obviously it's an important issue that we not only implement this on a go-forward basis, but we do so in a way that's financially sound.

Hon. Jason Kenney: Thank you. It's a good question.

First, budget 2008 allocated \$174 million in project funding for the first five years of biometrics. Some of that is what we call a frozen allotment. As we roll out the program, the government wants to ensure that it is done in an efficient way, so that's why we've decided to phase in the introduction of biometrics. So we are actually spending \$123 million over six years.

Once the legislative authority is in place and we've done all of the technical work, we anticipate that we will launch the biometric requirement for temporary resident visa applicants in June of 2013, starting in a couple of dozen initial countries that are assessed on whether they're higher-risk countries from a security and immigration integrity point of view.

I suppose an argument could be made that we should have spent a lot more to do global rollout all at once, but this is very expensive. Countries like Australia and the U.K. have taken the phased approach to work out the kinks in the system before going global, so I think there's an argument for that.

There's also an argument that maybe this whole policy framework, this whole biometrics thing, should have been rolled out ten years ago, post-9/11, when the United States, Australia, and other responsible democracies got more serious about immigration security screening. But for whatever reason, the decision was made not to move biometrics forward a decade ago.

Mr. Rick Dykstra: Moving on a little bit, one of the other areas that's still in relation to expenditures and backlog is the reduction that we've been able to make on the refugee side of things. Explicit under the guise of Bill C-11, there was an investment made to work in the coming year and years towards a reduction from a little over 60,000 to around 45,000. I wonder if you could comment on whether we are going to continue down that road in terms of moving down and trying to get the backlog down. I know that Bill C-31 does start to address it, but from a fiscal and financial perspective we'll have the wherewithal to be able to act on that.

Hon. Jason Kenney: Thank you.

The IRB is funded to make up to 25,000 asylum decisions per year. In any given year, if we get more than 25,000 asylum claims the backlog will go up. If we get fewer than 25,000 claims, it will go down. Fortunately, through the visa impositions on Mexico and the Czech Republic, plus additional resources to the IRB as a part of backlog reduction, it managed to see the backlog come down quite significantly, by almost 20,000 cases in the past two years. I am hopeful that the new faster and fairer asylum system we will put in place this fall following the presumptive adoption of Bill C-31 will discourage significant numbers of unfounded asylum claims, thereby

reducing the intake of new claims and allowing us to further reduce the backlog.

● (1625)

The Chair: Thank you.

Mr. Davies.

Mr. Don Davies: Thank you.

To go back to the advertising campaign against crooked consultants, what percentage of that \$4 million is being spent outside of Canada to run ads outside of Canada, if any?

Hon. Jason Kenney: I don't have an exact figure on that. Mainly that's been done through online and YouTube, ads that are fairly low-cost. It's not a lot of money. Most of the actual advertising can be done in Canada.

Mr. Don Davies: It can be done in Canada? Would it not be the case that the victims of crooked consultants would be those people who live in places like India, who wouldn't know anything about our system, who are being sold a bill of goods about what can be done for them? Wouldn't it make sense to target the advertising to those people to inform them about the real situation, as opposed to running ads in Canada?

Hon. Jason Kenney: That's a fair point. And we have increased our awareness efforts in areas overseas. For example, we put warning notices on our websites and at our missions abroad in 17 different languages. We produced YouTube videos in I think about 20 different languages, which run on websites that are frequently visited by prospective immigrants, and there has been some advertising. We've also increased our earned media efforts abroad. I've gone on visits to India, to Punjab for example, focusing on the issue of crooked consultants.

A very important point is that we're collaborating with other immigrant-receiving countries, like the United Kingdom and Australia, in joint efforts to raise awareness about the risks of hiring bad consultants.

Mr. Don Davies: Okay.

Minister, you speculated about the prospect of allowing provinces and businesses to "mine the backlog" for provincial nominees. Is that not a form of queue jumping?

Hon. Jason Kenney: No. I would define queue jumping as when a migrant illicitly seeks to migrate to Canada avoiding our legal immigration process. But if people come in using our normal approved legal procedures, that's not queue jumping, in my view, particularly if the government is inviting them in. That's what we would do.

Look, the length of time it takes to come to Canada through the various programs varies a great deal. You could get permanent residency in some provinces through their provincial nominee programs in just a few months, or you can be in the old FSW backlog waiting for seven years. Basically we're trying to correct that disparity in the system we're talking about.

Mr. Don Davies: But wouldn't it allow someone who applied after me...? I've been waiting for five years—

Hon. Jason Kenney: Yes, it would.

Mr. Don Davies: —and you're saying you're letting somebody who applied last month go before me. That's jumping ahead of me in the queue, isn't it?

Hon. Jason Kenney: If you qualify, if you get the job lined up and if you're needed, absolutely the employer can bring you in faster. In fact, you could withdraw your old application if you qualify for ministerial instructions and come in through the fast track—

Mr. Don Davies: Minister, I have limited time. I've got the answer to that question. Thank you.

Now, you're the minister for multiculturalism, and I want to address a question there. There have been recent troubling polls and inflammatory remarks seen in this committee about rising Islamophobia in Canada. There has been a recent article in the *Ottawa Citizen* about it. Minister, I want to know what you're doing to address the rising phenomenon of Islamophobia to ensure Canada remains open and safe to those from all religious backgrounds. Do you have any specific programs to address that phenomenon?

Hon. Jason Kenney: We have specific programs that address xenophobia, prejudice, and hatred in general, including, for example, through the Canadian Race Relations Foundation. Multiculturalism has funded a number of interaction projects.

Mr. Don Davies: Are they specifically on Islam?

Hon. Jason Kenney: I think that actually, yes, there have been some. I don't have the particular list of projects here, but we have funded projects through multiculturalism that deal specifically with hatred directed at Canadian Muslims, yes.

The Chair: I think that will be it, Mr. Davies. I'm sorry.

We're going to suspend until the next session.

Mr. Manchanda can be excused, because I don't think he's required in the next session.

We will suspend for a few moments.

•(1630) _____ (Pause) _____

•(1630)

The Chair: Welcome back to the committee, Minister.

We will now hear some comments about the title. Whenever this title is said, I feel like singing. It is “Standing on Guard for Thee: Ensuring that Canada's Immigration System is Secure”.

You have the floor, Mr. Minister.

[*Translation*]

Hon. Jason Kenney: Thank you once again, Mr. Chairman.

I must emphasize that I would be pleased to reappear before the committee in the future, whenever you wish, to continue to answer your questions about the departmental budget. However, I believe your current invitation is for me to address the issue of your examination of immigration security in Canada.

We are grateful for your hard work, for your participation and for the comments you provide.

[*English*]

I'd like to begin my own remarks on this issue today by stepping back a bit, because I find that there is often a false dichotomy made in discussions on security in the immigration system.

To have a frank and fact-based discussion about this topic, it's important to first address a certain false notion. Simply put, some people believe that there is a zero-sum choice to be made between a secure immigration system with integrity and an open, generous immigration system that reflects our humanitarian tradition. Some would say that we need to choose one at the expense of the other. But I fundamentally disagree. In fact, security and open immigration are complementary, not contradictory, concepts.

By developing laws, policies, and practices that make our immigration system more secure, we ensure that we can maintain our generous approach to immigration, for which we are internationally known.

We often have candid and even passionate debate in Parliament and throughout the country about the future of our immigration system. But we are fortunately extraordinary, in that Canada is one of the only developed countries without any strongly organized or dominant voice of xenophobia or anti-immigrant sentiment in our politics. That's because there is a broad consensus of public support for immigration across the political system. But I believe that this support is conditional. I believe that the condition is that people must see that we have an immigration system characterized by the consistent application of fair rules.

[*Translation*]

It is particularly telling that opinion polls consistently show that newcomers are among the strongest advocates for rigorous standards and policies that strengthen the integrity and security of the immigration system.

We do not need to look very far to see what happens when integrity is undermined. It has happened in other western industrialized countries, where public support for the entire immigration system falls after widespread illegal migration and consequent abuse of public resources have gone unchecked.

[*English*]

The pro-immigration *New York Times* liberal columnist Thomas Friedman described that phenomenon in the United States this way. He said that when the system has integrity, it makes the population at large more secure about immigration and “able to think through this issue more calmly”. He said that “Porous borders empower...anti-immigrant demagogues...which dumbs down the whole debate”.

Mr. Chair, I think we can all agree that we never want Canada to get to that point. That's why strong enforcement of immigration security must remain a priority. It's why whenever we find exploitation and abuse of our system, we must move to close loopholes and make the system more secure.

•(1635)

[*Translation*]

The committee is aware of the many measures the government has introduced in recent months to strengthen the integrity of the immigration system, including our efforts to crack down on human trafficking, our anti-fraud initiatives, the introduction of biometrics legislation, and our plans related to the Canada-United States Action Plan for Perimeter Security and Economic Competitiveness.

I will touch on each of these briefly.

[*English*]

One of the major loopholes we are in the process of closing is the one international human smugglers try to slip through. We have a legal and moral obligation to put an end to criminal human smuggling operations that threaten both Canada's security and the lives of desperate people around the world.

We believe that the human smuggling provisions contained in Bill C-31 will help us crack down on this heinous commerce and thereby help to make our immigration system more secure. The bill will impose stronger penalties on both smugglers and shipowners and dissuade them from trying to take advantage of our country.

The enhanced detention provisions in Bill C-31 are also intended to protect the security of our system. It's important to stress that these provisions, which are far less harsh than those in place in many other liberal democratic countries, protect the security of the system by giving our officials the time they need to establish the identity of anyone who comes to Canada as a designated irregular arrival—typically a smuggling operation.

Of course, all of those who arrive in Canada will maintain the right to file a claim for refugee protection and receive a full and fair hearing on the merits of their claim before the independent quasi-judicial IRB. But by creating barriers to quick permanent residency for smuggled refugees, our anti-human-smuggling measures will create disincentives for people who are thinking of committing to pay up to \$50,000 to a criminal network to smuggle them into Canada.

[*Translation*]

Mr. Chair, another serious immigration security loophole we have been active in trying to close involves the high incidences of fraud that plague our system.

Fraud, in its many forms, poses arguably the greatest challenge to our security efforts.

We think it is important to be very proactive on this file. I have repeated on many occasions now that Canadian citizenship is precious, and it is not for sale.

We have made it a priority to guard against unscrupulous consultants who try to skirt the rules and help others to lie and cheat their way into becoming citizens.

We have begun to close this loophole through legislation and regulations that impose penalties on unauthorized immigration representatives. Individuals who are found guilty can be subject to fines of up to \$100,000 or two years' imprisonment, or both.

I would like to thank all of the parties for their cooperation in adopting this bill, during the last Parliament, in order to create better regulations pertaining to consultants.

Moreover, as we just said, we have created public awareness campaigns to warn prospective immigrants against crooked consultants and residence fraud.

And we have begun the process to revoke the citizenships of more than 2,000 people who obtained them fraudulently. As a measure of how proactive we have been on this file, consider the fact that before we began our anti-fraud campaign, Canada had only revoked the citizenship of 69 people.

[*English*]

More recently, we have begun efforts to deter marriage fraud. Immigration to Canada should not be built upon deceit, as is the case of thousands of fraudsters who dupe Canadian citizens into marrying them as a way of obtaining citizenship. They too often abandon their Canadian spouses as soon as their scam is successful and they are admitted as permanent residents. And then they too often go on to divorce and sponsor new foreign spouses, which I call the revolving door of immigration marriage fraud.

To crack down on this activity, we recently announced measures to put a five-year ban on the ability of foreigners sponsored to Canada through the spousal program to divorce and sponsor others into Canada, which happens typically for commercial advantage—they get a fee for that.

Mr. Chairman, identity fraud also creates problems for the security of our system. That's why I have been very excited to promote our biometrics plan, which, as you know, is before Parliament and being discussed in our estimates today.

Under the existing system, visa applicants only need to provide initial written documents to support their applications. But biometrics—that is to say, digital photographs and fingerprints—will provide much greater certainty of the identity of the person and whether or not they represent a security threat, whether they've been deported from Canada as a failed asylum claimant, as an inadmissible criminal, or indeed whether they are on terrorist watch lists, for example.

This will greatly help our front-line visa and border officers to manage high volumes of immigration applications and the growing sophistication in documentary fraud.

I should mention in passing that just a couple of weeks ago in India some major arrests were made in a large operation specializing in document fraud. These efforts of cooperation overseas are paying some dividends.

As part of our perimeter action plan that Prime Minister Harper signed with President Obama last December, we will be establishing a common approach with the U.S. to recording and sharing the entry and exit information of travellers crossing our shared land borders. The Border Services Agency will be establishing the system, but CIC is also involved and will be developing policy changes.

Under the current system, many travellers entering Canada from the U.S. can confirm their identities by an oral declaration or through documents of lesser reliability. The new policy will simply require travellers to present a prescribed document when entering our country.

This universal requirement for secure documents from everyone who crosses the border will create a more secure border system and a more secure North America. It will facilitate the flow of legitimate travellers and reduce confusion at the border.

Under this system, CBSA will also collect and record the entry of travellers and share this information with the U.S., which will do the same with us. The data collected by one country will serve as the exit data for the other, so it will be a seamless system.

This will help verify whether temporary residents have exceeded the authorized period for their stay or whether permanent residents have met residency requirements. This will really help us to crack down on fraud in our citizenship program, for example.

As part of the perimeter action plan, we will be establishing a common Canada-U.S. approach to screening travellers before they reach our shores.

• (1640)

Mr. Don Davies: I'm sorry, Mr. Chairman, I have to raise a point of order.

The rules are quite clear that witnesses get ten minutes. We're approaching twelve minutes.

Hon. Jason Kenney: I'm sorry. I thought—

Mr. Don Davies: It cuts into our time to ask questions, which is something we're all looking forward to doing.

Hon. Jason Kenney: That's absolutely a fair point. I was trying to rush through this.

I'll just conclude with apologies by saying there are a lot of technical aspects to this, and without going through the balance of my presentation, I'm happy to take questions on this.

Thank you, Chairman.

The Chair: Mr. Leung.

Mr. Chungsen Leung (Willowdale, CPC): Thank you, Mr. Chair.

Thank you, Minister and the members of your staff, for attending.

When we look at prospective foreign nationals immigrating to Canada we screen them for health, safety, security, education, skills, identity fraud, a whole host of things. Out of all this, do any other deficiencies still exist, in your opinion?

In some of our health screening we still only screen for three basic items. I believe they are syphilis, TB, and HIV, but a whole host of other diseases can be a strain on our system.

In terms of skills matching with our economy, we definitely need to have a better idea of whether the skills they have practised overseas comply with ours.

Perhaps you can elaborate on some of these deficiencies and how we wish to address them.

• (1645)

Hon. Jason Kenney: First of all, all applicants for permanent residency must undergo a medical exam and submit their results to CIC. If, for example, they have a serious condition, which would represent an excessive burden on Canada's publicly funded health care system, they would be deemed medically inadmissible.

Similarly, applicants with temporary residency who have higher public health risks are required to undergo an immigration medical examination to identify the kinds of diseases that you've mentioned, Mr. Leung. I would point out that the last Auditor General's report raised concerns that there are a number of medical conditions listed by the Public Health Agency of Canada we do not screen against.

I would invite input from the committee as to whether we should expand the number of diseases we should screen against. I think we also need to look at our partners on this. It's always a balance between public health and safety, and accessibility to Canada.

I don't think we want to ask all visitors to go through a rigorous test for every conceivable condition. We have to use what we call risk management principles in assessing whether someone constitutes a potential health risk to Canada.

Mr. Chungsen Leung: My next question refers to Canada's security. How do we best screen for evil intent? Very often, when people come in they pose no threat to us. Once they are within our borders, one of the hardest things to address is homegrown terrorism. I just wish to hear your comments on this.

Hon. Jason Kenney: Obviously, anyone who is or has ever been a member of a terrorist organization or a criminal organization or has been involved in serious crimes is inadmissible to come to Canada under sections 34 through 37 of the Immigration and Refugee Protection Act. One of the reasons we do our security screening is to identify whether an applicant for temporary or permanent residency meets those criteria.

If we have a real weakness in our screening it is because Canada doesn't have an overseas intelligence agency. Our ability to identify people who might have been involved in terrorist organizations is limited to the information that we have available to us. This is why I think it's so important that we expand our information-sharing agreements with allied democracies, such as the United States, who quite frankly have much more robust information on who might constitute a security risk to Canada.

It's why I think biometrics will be much more helpful. Let's face it, a terrorist is not going to apply for a TRV under his actual identity. He's going to create a fake biographic identity. Getting the fingerprints can be helpful in screening those people out.

For those who have never belonged to a terrorist organization and who have never been convicted of serious crimes but merely have the intention of coming here as sleeper agents, it's very difficult for us to get in their heads and subjectively identify that kind of malevolent intent of which you speak. That's why, quite frankly, an open country such as ours can never exclude the possibility that some people will not disclose their intention to do us harm. We just have to use all of the technology we can, the best information that's at our disposal, and the good judgment of our visa officers and border officers to identify those who would do us harm.

Mr. Chungsen Leung: What measures are we taking to address many of these multicultural organizations that are in Canada? On the one hand, they could be perfectly great organizations that promote integration and multiculturalism. On the other hand, they could be just a front for nefarious activity. To what extent have we gone to examine that aspect of our public security?

• (1650)

Hon. Jason Kenney: That's a very good question.

Actually, a number of groups that work in the settlement area with newcomers have raised with me this concern. They have said that our settlement programs are designed to integrate people, not to inflame ancient enmities from their countries of origin. This concerns me a great deal, which is why, beginning with my speech at the global parliamentarians conference on anti-Semitism in January 2009 in London, I outlined certain principles that should govern our funding of settlement organizations.

I think the groups that apologize for acts of terrorism and terrorist organizations or extremism or groups whose leadership is involved in the promotion of hatred have no business receiving subsidies from my ministry or any other ministry in the government. We've actually removed funding from organizations that we believe have been involved in promoting extreme and hateful views. I make no apology for that.

The Chair: Thank you.

Mr. Davies.

Mr. Don Davies: Thank you, Mr. Chair.

I left off talking about Islamophobia. I have a few more questions, Mr. Minister.

It would be very helpful if you, as minister for multiculturalism, issued a clear statement to the Canadian public against any form of Islamophobia or rising resentment against people because of faith, of being Muslim. Would that be something you'd be prepared to do?

Hon. Jason Kenney: Yes. Not only would it be pertinent, but I've done it on many occasions. I will continue to do so.

Mr. Don Davies: People have testified before this committee that Muslim immigration is a threat to Canadian security. Would that be your position? If not, would you issue a clear statement to that effect?

Hon. Jason Kenney: I have been very clear that our immigration system makes no adverse judgment against people based on their faith, culture of origin, or country of origin. Ever since 1960, with the amendments to the Immigration Act by the Diefenbaker government, our system has been free of racial, religious, or cultural discrimination.

Mr. Don Davies: Thank you.

I'd now like to turn to Bill C-31.

Mr. Minister, mandatory detention without review is a clause that is present in Bill C-31. A very similar clause has been ruled unconstitutional by the Supreme Court Canada in the security certificate case. How much money does the government expect to pay to defend the charter challenge that lawyers across this country have said inevitably will come?

Hon. Jason Kenney: First of all, you can find a lawyer to offer you any opinion, and we are confident that Bill C-31 complies with the charter.

Mr. Don Davies: Can you explain that? I'm sorry to interrupt you, but I think it would be a benefit to have an explanation.

If the Supreme Court of Canada has already said that the government detaining someone for a period of time without review is unconstitutional, how does that provision in Bill C-31 pass constitutional muster, in your view?

You must have received advice on that.

Hon. Jason Kenney: Yes, we have. We believe that Bill C-31 complies with the Charter of Rights and Freedoms. We believe there is a compelling policy objective in ensuring that we have identified illegal and irregular migrants. These are people who typically arrive without documentation in suspicious circumstances, who by definition have been smuggled into Canada by a criminal organization in violation of multiple laws.

We believe there is a compelling security rationale for maintaining immigration detention for such individuals until we have identified who they are. In a vast majority of these cases, though, it is a practical reality. Smuggled migrants who make asylum claims will benefit from the accelerated timelines of our faster asylum system. In many cases, if they are in fact bona fide refugees they would receive protected person status and be released from detention in a matter of months.

Mr. Don Davies: Is it the government's position that the mandatory detention would violate the charter, but it's saved as justified under section 1?

Hon. Jason Kenney: It is our contention that Bill C-31 complies with the charter, and that there is a compelling rationale to identify smuggled migrants who have arrived here illegally before releasing them from detention.

Mr. Don Davies: Fair enough.

Bill C-4, which is the very first bill that you introduced in this Parliament, the so-called human smuggling bill, has been scrapped and rolled into Bill C-31. That first bill you introduced, Bill C-4, actually required the mandatory imprisonment of children of any age if they arrive by irregular means.

Of course, in Bill C-31, the only change made to that provision is that you've taken it out. Now only children who are 16 or 17 would face mandatory imprisonment. Would you acknowledge that it was a mistake in Bill C-4 to have unbridled imprisonment of children, regardless of their age?

• (1655)

Hon. Jason Kenney: No, I would not.

Mr. Don Davies: Is that what explains the change?

Hon. Jason Kenney: I reject categorically your categorization of immigration detention as imprisonment. In fact—

Mr. Don Davies: What would you call it, sir?

Hon. Jason Kenney: I would call it immigration detention.

IRPA currently allows for the detention of minors. As we speak, there are minors in immigration detention, which is not a prison.

I invite you to visit some of our immigration detention centres—

Mr. Don Davies: I have.

Hon. Jason Kenney: —like the one in GTEC in Toronto, which is basically a two-star hotel with a small fence around it. These are not prisons; they are a necessary tool in managing the integrity of our system, like every other liberal democracy has.

Mr. Don Davies: Why did you make the change, Mr. Minister?

Hon. Jason Kenney: In respect of the Bill C-31 provision, we wanted to clarify what we had said before, which is that the minister had discretion under Bill C-4 to release minors from detention. We wanted to clarify because there were misunderstandings fueled by you and others that we are going to have mandatory detention of all minors, without discretion.

We wanted to be clear that the default position will be to release unaccompanied minors from detention if they are coming in as designated irregular arrivals.

Mr. Don Davies: It appears, Mr. Minister, that when you table legislation that doesn't have any age limit and then you subsequently correct that, it's probably a good thing the opposition pointed that out and assisted in clarifying something.

Hon. Jason Kenney: But we said in the previous debate under Bill C-4 that it was always the intention to exercise ministerial discretion to release from detention unaccompanied minors. Now we've clarified that.

Mr. Don Davies: You know that if a couple comes and they have an eight-year-old child and they are designated by you as irregular, obviously those parents are faced with a choice of either having their child stay in detention with them or having that child apprehended by the state. I'm a father of three, and I know what I would do in that situation. I would keep my eight-year-old with me rather than having the state take that child. So do you not agree with me that the bill still permits or will result in children who are under the age of 16 being in detention with their parents?

Hon. Jason Kenney: That will be the choice of the parents.

Currently I would remind you that I don't recall anyone in the opposition ever having objected to the fact that minors can be and are subject to immigration detention if they are part of a family now. In fact, the immigration detention facilities take into account family units and provide special services for children. That would continue to be the case. If there's an unaccompanied minor, they could be released—there's a legal framework in the provinces for child welfare—into the custody of the child welfare agency at the direction of a court; they could be released into the custody of relatives in Canada or of foster parents—

Mr. Don Davies: If they have any.

Hon. Jason Kenney: As you please. But I think this is really actually an abstract question, because the large waves of migrants coming in those boats are typically made up of young men who are sent in to create a basis for a future family sponsorship.

Mr. Don Davies: I want to shift to the designated safe country provision. Of course the people who come from—

The Chair: We'll have to move on, I'm afraid, sir. We're out of time.

Mr. Lamoureux.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

I do want to pick up on a couple of points, if I can. One is with regard to some of the comments that the minister would have made in response to questions from his Conservative colleagues. He made reference to biometrics. That's a very important issue here before us in the committee. It's also an important issue inside the House, because we're actually debating a bill on that issue.

You made reference to 9/11 and how there should have been something done. That would have happened in late 2001, but back in 2004 the Chrétien government actually allocated several million dollars to conduct and design and implement a program for biometrics. Is the minister aware of that?

Hon. Jason Kenney: No, I wasn't. And I must say that since we've been pursuing biometrics as a policy in the past four years, we appreciate the fact that we have received the support in principle of the Liberal Party.

Mr. Kevin Lamoureux: Yes.

I'm curious about something, and maybe the minister can get back to us. I'll just read something, and at some point, whether that's in the next week or so, you could bring it to the committee or have it sent to my office.

In 2004, CIC allocated \$3.5 million to design, implement and evaluate a six-month operational field trial to explore how biometrics could be used in Canada's visa process and to facilitate entry into Canada, enhancing program integrity and client service. The specific objectives can be summarized as...

And this comes from one of Immigration Canada's websites.

Why did it take so long to be able to take that initiative? Here we are in 2012, and now we're dealing with it in the committee. I think there would probably be some benefit to the committee actually having the results of that study. Would you not agree?

• (1700)

Hon. Jason Kenney: I'll look into that study.

I can tell you that my previous deputy minister, Dick Fadden, who's now the head of CSIS, was the Prime Minister's advisor for national security at the Privy Council Office at the time of and following 9/11. He told me when he first briefed me on biometrics that the previous government had chosen not to pursue it.

Madame Deschênes could perhaps comment on the \$3 million.

Ms. Claudette Deschênes: Well, of course that was the study that has permitted us to plan what we're about to roll out using good public service initiatives. We wanted to make sure that whatever we're going to roll out will be feasible, will give us what we want, and so on. So it was the basis of the subsequent request for more money to—

Mr. Kevin Lamoureux: But Mrs. Deschênes, you've had that report for how long now?

Ms. Claudette Deschênes: We'll we continue to work on it, but like everything else, you don't turn it around in two days. We are now at the stage of having brought in a contract for a company, and we have an RFP that has just closed in terms of the visa application centre.

Mr. Kevin Lamoureux: Okay, that's fine.

Ms. Claudette Deschênes: So it's been in planning and then there will be the delivery.

Mr. Kevin Lamoureux: I also want to ask something, again because we're debating the legislation currently. We have the *Ocean Lady* and the *Sum Sea*, two ships that landed in Vancouver. I'm wondering if the minister can provide some hard numbers as to whether any individual who came in on either of those ships has been deemed not a legitimate refugee.

Hon. Jason Kenney: I'll get back to you on the precise numbers, but the answer would be yes, because the acceptance rate for asylum claims of Sri Lankan nationals this year has been running in the 55% range, which means that about 40% to 50% are determined to be unfounded.

Between the two vessels combined, I believe that 36 individuals have been identified as inadmissible or likely inadmissible due to membership or suspected membership in a proscribed terrorist entity or criminality.

Mr. Kevin Lamoureux: Can the minister make a commitment to get those hard numbers to the committee, ideally before the bill arrives in committee?

The Chair: Mr. Yeates, they'd come to the clerk. Thank you.

Mr. Kevin Lamoureux: I just think that would help, and I do appreciate the commitment to do that.

Can the minister give any indication as to whether in the last ten years there have been any arrivals other than those two that the minister would have deemed as irregular? It's quite possible that I might have missed some. I've been the critic for only a little while, and that hasn't been brought to my attention.

Hon. Jason Kenney: Yes, but I can't say with certainty without looking very closely at detailed circumstances.

I've mentioned, for example, a flight that arrived from Prague at the Toronto airport in May 2009, on which there were over a hundred people who made immediate asylum claims. All of the claims were almost identical. They were clearly coached and organized. That would be the kind of evidence that would lead to an assessment as a smuggling event.

Similarly, we've had cases of so-called "coyotes" bringing sometimes dozens of illegal immigrants across the land border, typically the Vermont-Quebec border, going through back roads and through the forests for a fee. These are smugglers. It's similar to what's happening in the U.S.-Mexico border.

So it wouldn't just be marine arrivals; there could also be terrestrial or air arrivals.

The Chair: Thank you.

Mr. Menegakis.

Mr. Costas Menegakis: Thank you, Mr. Chair.

Minister, I know you didn't have a chance to finish your presentation to us, but I took the time to read the rest of your submission. I read in the submission that as a result of the perimeter action plan, we will be establishing a common Canada-U.S. approach to screening travellers before they reach our shores.

Of course, at first thought, it would seem to me—and I think it's pretty obvious—that the approach of screening people before they board a flight or whatever method of transportation they board to come to Canada would just be a good proactive management approach. Can you elaborate a little bit on that for us, please, specifically on the electronic travel authorization?

Hon. Jason Kenney: Yes. Sorry that I didn't get to this, because quite frankly this is probably the single most important policy advancement, in terms of immigration security screening, that we proposed.

Electronic travel authorization is a system that has been implemented by Australia, New Zealand, the United States, and now the U.K. The European Union within the Schengen space intends to implement an ETA. That means essentially that people who are planning to fly, into Canada in this case, would first be required to receive electronic authorization. They would make an application online. They would pay a modest fee—I think in Australia it's the equivalent of \$10—and the biographic information they submit would then be checked against our watch lists.

If there is a hit, if there is evidence that they had been deported or there are concerns about criminality, terrorism, or security, then we would take a closer look at the application and the person's identity. In the vast majority of cases—at least based on the experience of our allied countries—the vast majority of applicants for ETA would be approved almost automatically. This is a computerized system, so in most cases they could expect within a couple of minutes to get back a positive confirmation of their electronic authorization to enter the country. They could then share that with the airline in order to get authorization to board the flight.

The great advantage of this program is that it allows us to extend a form of immigration security screening to visa-exempt countries, to the roughly 50 countries from which we do not require temporary resident visas. Let me point out, for example, that if you look at the “underwear bomber”, the “shoe bomber”, and some of these other security... For instance, there were German nationals involved in 9/11 who were originally nationals of Middle Eastern countries but who had attained European nationality. You can have people coming from visa-exempt countries who represent an elevated security risk, and creating an ETA will help us to identify those individuals.

• (1705)

Mr. Costas Menegakis: Thank you, Minister.

I want to talk a little bit about that and about biometrics, and particularly how biometrics is an improvement over the current system. I know that we've heard a lot about it before, and I'm very happy to see that we have some broader support for the biometric initiative.

In particular, how many countries would we share information with, and how would we be looking to increase and improve the list of countries we share that kind of information with?

Hon. Jason Kenney: Well, we have something called the five-country conference, which already is a platform for information sharing, particularly on asylum claimants: that's Canada, the U.S., the U.K., Australia, and New Zealand. We have very complementary laws and systems.

We already have an information-sharing agreement that has helped to identify, for example, bogus asylum claimants. In one case, there was a Somali national who made failed refugee claims in Australia and the U.S. and then showed up in the U.K. trying to make a third claim. He was identified. That's the kind of usefulness of this information sharing.

The main initiative now is expanding information sharing with the United States in the context of “Beyond the Border”, the continental security perimeter action plan, but we would not preclude more robust information-sharing agreements with other liberal democracies that are respectful of privacy rights and serious about national security.

Would you like to...?

Ms. Claudette Deschênes: Also, our biometrics are fingerprints, and they will be checked against the RCMP system. The RCMP has major information sharing through Interpol and other things. There's a whole variety of other countries. I think the RCMP did come to the committee before. We're going to be building on that. Therefore, again, in regard to the other countries that have shared fingerprints and so on, that will be one of the key ways for us to expand our knowledge.

Mr. Costas Menegakis: Yes, we did indeed hear from the RCMP, CSIS, and CBSA—acronyms again—and certainly we saw a willingness, even for cross-department communication, to ensure that we secure the borders as much as possible.

Minister, if I may, I'd like to ask a question about one of the issues that Bill C-31 actually addresses; that is, dealing with people who are claiming refugee status and who come from countries around the world that have democracies much like ours. Can you tell us really how effective you think that would be?

Hon. Jason Kenney: One of the reasons we proposed additional reforms to our asylum system through Bill C-31 is that since the adoption of the Balanced Refugee Reform Act in June of 2010, we have seen a growing wave of unfounded asylum claims coming in, particularly from member states of the European Union—last year, 5,800 EU claims—which has created the bizarre situation that we're getting more asylum claims from the European Union than we do from Africa or Asia.

I mentioned this in my speech to the UN High Commissioner for Refugees 60th anniversary meeting in Geneva, and there were visible gasps in the audience. The high commissioner himself said that was the single most remarkable thing he had heard during the conference.

It just strikes us as being, at best, peculiar. Virtually none of those EU asylum claimants actually show up for their hearings. Since we've had the visa exemption for the Czech Republic, Hungary, and other European countries in 2008, about 95% of claimants have abandoned or withdrawn their own claims. That is to say, through their own admission, they're saying that they made claims but they didn't need Canada's protection.

So clearly we need flexible tools to address highly organized waves of unfounded claims coming from democratic countries, where life may not be perfect, but if you are a citizen of an EU member state, you can move. If you need protection, you can cross into any one of another 27 states. Why is it, I ask myself, that there were I think zero asylum claims from the EU in Australia last year, and I think about 30 in the United States, but 6,000 in Canada?

• (1710)

The Chair: Thank you.

Madame Turmel, welcome to the immigration committee. I hope it's not too much of a shock to the system to come from the offices of the leader of the official opposition to the immigration committee, but we're pleased to have you.

You have up to five minutes.

[*Translation*]

Mrs. Nycole Turmel (Hull—Aylmer, NDP): Thank you, Mr. Chair.

It is a pleasure to be with you.

[*English*]

I want to ask a question of the minister. Under Bill C-11 you had an independent committee with a role to establish safe countries. At the time, you said this was a great idea. I want to quote what you said at that time:

Regulations would also require that a designation can only be made if an advisory panel including at least two independent human rights experts recommends it.

These amendments go a long way in providing greater clarity and transparency around the process of designation.

Now this is part of Bill C-31, as you know very well, so here's what I want to know. Were you wrong at the time on the clarity and transparency when you said it, or are you wrong not to remove it...? So one way or the other...

Hon. Jason Kenney: I was wrong then. *Mea maxima culpa*.

I think, apropos to the last answer I gave, we have since then seen just this huge and growing wave of unfounded claims coming from democratic European countries. We have realized, since the adoption of Bill C-11 in 2010, that the process for designation was too cumbersome, too slow-moving, and that if we were to grant a visa exemption to a European country and saw a huge spike in claims, it would take us too long to be able to use the tool of designation to address such a spike.

So this is really about responding to an unfolding reality of highly organized waves of false claims from liberal democratic countries.

Mrs. Nycole Turmel: I have another question, and it's about clause 19. It seems there's a consensus in the legal community that clause 19 will make it possible for the minister, through the RPD, to

cease the permanent residency of a refugee for the reason that conditions have changed in the country of origin. You said that this is not the case.

Now, we know that some people coming from different countries—Chile, El Salvador, the former Yugoslavia—are really concerned about it. Is it your intention to make it possible to remove the PR status from refugees because conditions have improved in their home country? And if not, are you open to amending the bill to make this explicit?

Thank you.

Hon. Jason Kenney: Thank you, Madame Turmel, for giving me the opportunity to clarify a great deal of misunderstanding on this point.

In point of fact, section 108 of the Immigration and Refugee Protection Act already allows the minister to apply to the Immigration and Refugee Board for the cessation of protected persons status, or the revocation of permanent residency on various enumerated grounds, including a change in country conditions.

So there is no new power accorded to the minister under Bill C-31. Cessation of protected status or revocation of permanent residency can only be decisions made by an independent member of the IRB, not by the minister.

The only change that's made under Bill C-31 is that cessation of protected status and revocation of permanent residency could be made in a one-step process at the IRB rather than a two-step process. After all, if you're going to cease the protected status of someone who obtained it fraudulently with the intention of subsequently removing their permanent residency, the view is that it's much more sensible to do that in one stage rather than two.

• (1715)

Mrs. Nycole Turmel: At the same time, as I said, it seems not clear for people. Is there a way to amend it, or to put it in a way that is clear?

Hon. Jason Kenney: I would be open to constructive suggestions of committee in that respect. If there is misunderstanding, it does concern me. I want to be absolutely clear to refugees, whether resettled or successful asylum claimants who have permanent residency in Canada, that it is not our intention to arbitrarily or in any way revoke people's permanent residency. There is no new power to do so in the bill.

If there are suggestions about how to clarify that when the bill comes to committee, I would certainly be open to such suggestions.

Mrs. Nycole Turmel: Okay.

Hon. Jason Kenney: I'm told that there have been only 200 cases of revocation of permanent residency for landed refugees in the past decade. So the tool that already exists in the Immigration and Refugee Protection Act is used in only extraordinary cases.

The Chair: Thank you.

Mr. Trost, a new player to the government side, welcome.

Mr. Brad Trost (Saskatoon—Humboldt, CPC): Thank you, Mr. Chair. There was a time when I actually was a permanent member of this committee, even if it was only for a few short months. It's good to be back here, since Saskatchewan is now one of the major players in immigration in the country.

Mr. Minister, there was a bit of an article in the news not long ago about a foreign criminal in Canada who had sexually assaulted a disabled woman. While all sexual crimes are disturbing, this one was apparently more disturbing than most. What was also very disturbing about this was that he has been allowed to stay in Canada due to two unrelated sexual assault cases that were pending. How is someone like this, a sex offender, going to stay in Canada, and for how long? And the notes I have say that this is not a unique case.

Now, biometrics are going to be used to keep criminals outside the country. What about criminals inside the country? What about those who are already here? What about those who engage in criminal activity after they are here in Canada?

Hon. Jason Kenney: That's a very good point. My opening statement didn't mention that it is our intention, further to a Conservative Party platform commitment, to come forward with a legislative package to streamline the removal, the deportation process, of convicted foreign criminals in Canada. We are working on that package. The Minister of Public Safety and I will be coming forward with amendments perhaps later this year to streamline the process.

The case you mentioned is a perfect reference point for this. The reason this fellow in Calgary, who is a Lebanese national, was able to victimize, I think, a third sexual assault victim in the past couple of weeks is that first of all in his initial conviction he received a sentence of 18 months, and IRPA says that a foreign national who receives a sentence of less than two years may appeal his inadmissibility to the immigration appeal division of the IRB. He goes to the IRB and that takes six to eight months. If he loses there at the IAD, he then seeks leave for judicial review of the negative IAD decision by the Federal Court, which takes another six to eight months.

So a convicted, even dangerous, foreign criminal can extend their stay in Canada for a couple of years by using what I would call a loophole, this redundant appeal. My view is that everyone, including foreign criminals, deserves their day in court. They don't deserve years in court in Canada. Too often the system is abused in order to prolong the stay in Canada of even convicted dangerous foreign criminals, which is why one of the things we're looking at doing is saying that if you're a foreign national convicted of a crime in Canada you don't get an IAD appeal on a negative admissibility finding. That's to streamline the process.

We're looking at other changes as well. I would refer you to a speech I gave at the law faculty of the University of Western Ontario about a year ago on the broader proposals for streamlining deportation of convicted foreign criminals from Canada.

• (1720)

Mr. Brad Trost: My colleague Mr. Weston would like to squeeze in one question.

Mr. John Weston: Thank you, Mr. Trost.

The Chair: Mr. Weston, I'm going to hold you to within the five minutes.

[*Translation*]

Mr. John Weston: Thank you, Mr. Chair.

[*English*]

Mr. Minister, Mr. Davies and MP Hedy Fry and I were together on a panel in Vancouver just last week. It was at an organization called MOSAIC. There were probably 70 people in the room, many of them refugees, lawyers, people who specialize in assisting people. Many of them had been refugees themselves. I think Mr. Davies and I would agree that there was certainly a lot of compassion for humankind in the room. There were also many comments about how dedicated you are and how you have been committed to your task.

If there was a criticism in the room it was that the changes that you envision involve a lack of compassion, that somehow Canadians were going to suffer a step back in our reputation as being compassionate people. My sense was that in fact your changes are designed to protect our system so that we can continue accepting refugees. I wonder if you could just reflect on that debate. I'm proud to stand behind these provisions, because I think they are both efficient and compassionate, but I wonder if you could comment.

Hon. Jason Kenney: Thank you.

If you're referring primarily to our reforms to our dysfunctional asylum system, our refugee system, I would underscore that Prime Minister Harper's government is deepening and broadening Canada's humanitarian tradition of protection for refugees. We are increasing by 20% the number of resettled refugees who we accept as part of our immigration plan.

We already receive one out of every ten resettled refugees worldwide. We have 0.05% of the world's population, but we receive 10% of the world's resettled refugees, and we're actually increasing that number. When our increase is fully implemented, we will be receiving more resettled UN convention refugees per capita than any other country in the world.

We are contributing more than we ever have to the good work of the United Nations High Commissioner for Refugees, which helps people in a protracted situation of displacement from their country. I think we're now, if I'm not mistaken, the fourth-largest donor to the work of UNHCR.

We are increasing by 20% our support for the integration of government-assisted refugees through the refugee assistance program, and let me say here that I think MPs know that one of the least popular government programs is income support for resettled refugees. You know those angry e-mails we get from a lot of our senior citizens in our audience, which are based often on a myth? We're actually increasing that program by 20% because it's been frozen for a decade and we want to help those often high-needs resettled convention refugees when they get here.

With respect to the asylum system, as a result of our reforms, clearly bona fide refugees in need of our protection will no longer have to wait for up to two years to get a hearing and certainty on their status in Canada. They will get that in a couple of months.

So the proverbial refugee from Iran who steps off the plane with the scars of torture fresh on his back will no longer be told to check back with us in two years, but will have protection and certainty and a permanent future in Canada in a matter of weeks. Also, for that refugee who goes to the IRB and for whatever reason has his initial claim rejected at the first instance, he or she will now, for the first time, have a full fact-based appeal at the new refugee appeal division, creating a new process for additional procedural fairness, if you will, for the vast majority of failed asylum claimants.

So I can stand up on the world stage and say, with absolute honesty, that our government is deepening Canada's tradition of protection for refugees, both asylum claimants and convention refugees around the world.

• (1725)

Mr. John Weston: Mr. Minister, I'm very proud to be a Canadian on hearing those remarks.

One of the hallmarks of your work is that you engage the Canadian public in what you do. One of the programs is the most wanted list. Two criminals have been deported recently through the help of Canadians who were responding to the appeal of the most wanted list. One of them was somebody from the Congo: Abraham Bahaty Bayavuge, who had been deported in 2006 and came back again.

As someone who has worked in the Congo with Canadian Food for the Hungry, I find it an outrage that we would be hurting our bilateral relations by suggesting that people can get back in once we deport them. I'm wondering what your response is.

I understand that some people, having been deported, have got back in five, ten, fifteen, or even twenty times. Will biometrics be helpful in excluding people, in identifying people who have been deported so that they can't come back in again?

Hon. Jason Kenney: Yes, it will. I have a long list—not with me—of cases of foreign criminals who have been convicted in Canada and deported abroad, and who have come back in under fake documents, were deported again, came back in, presumably under fake documents, and were deported again, in some cases multiple times, with some of these individuals coming back in to commit serious crimes yet again in Canada.

Quite frankly, you know, we get a lot of criticism for different issues in the way we operate this, the world's largest immigration

program per capita, but I don't think we get enough criticism, quite frankly—

The Chair: Maybe at that point we should move on.

Hon. Jason Kenney: Let me just finish my sentence.

The Chair: Okay.

Hon. Jason Kenney: I don't think we get enough criticism for having allowed dangerous foreign criminals to stay in Canada for years and to cycle back in to the country. I think the changes with respect to biometrics, electronic travel authorization, greater information sharing, and accelerated removals of convicted foreign criminals should have been done a long, long time ago, and it's well past time. I hope that when all these measures come forward throughout the course of the next year or so we will get cooperation in Parliament for their expeditious adoption.

The Chair: Thank you.

Mr. Davies.

Mr. Don Davies: Thank you.

Minister, I think I can help you with that request for criticism.

I wanted to talk about the designated safe countries provision under Bill C-31. This is the proposal you have in your bill that would allow you, on your own—without the committee that you've now said you were wrong to have praised for being transparent and clear—to designate a country as safe for certain refugees.

Now, we know that these people who come from a safe country will have no appeal to the refugee appeal division, only to Federal Court. I'm aware that you're not a lawyer, but I assume you're aware that an appeal to the Federal Court is not an appeal on the merits of a decision; it's an appeal only on procedural fairness grounds.

You've also said that this complies with a statement of the UN High Commissioner for Refugees and that he approves of the practice of designating certain countries as safe. However, the UN High Commissioner actually said that if a country designates certain countries as safe, there must be an appeal on the merits of any initial decision, something that your bill explicitly does not have.

So why did you remove the appeal to the refugee appeal division from the previous bill for refugee claimants from so-called safe countries when you agreed that it was a good thing in the past, and in violation of the statement of UN High Commissioner for Refugees?

Hon. Jason Kenney: I reject the premise of the question.

Mr. Don Davies: Which part do you reject?

Hon. Jason Kenney: Well, I think all parts.

Mr. Don Davies: Can you explain to us what part of that was not true?

The Chair: Please let him continue.

Hon. Jason Kenney: I'm looking for the actual quote—I'd be happy to get it to you—from António Guterres, the UN High Commissioner for Refugees, who has said to me privately and has said publicly that—to paraphrase—designating certain countries not normally known to produce refugees for accelerated treatment is a perfectly legitimate tool in an asylum system that complies with the 1951 convention.

Mr. Abraham, his representative, said at this committee in 2010 much the same thing. As long as you don't bar access to asylum based on a country designation, as long as the designation is used to accelerate the treatment of a claim, it is a legitimate use.

• (1730)

Mr. Don Davies: I just want to know, because if I'm wrong, I want to be corrected. Did they say anything about there being an appeal on the merits of the decision in the case of a safe country? Because we can check that. Do you—

Hon. Jason Kenney: Mr. Guterres absolutely did not. If you want to point to me anything in the UN convention that talks about an appeal, let me know what it is, because there isn't anything. The requirement of the convention is essentially this: a commitment of non-refoulement. A country must have a system available to assess the legitimacy of a claim as to whether someone has a well-founded fear of persecution on various enumerated grounds.

We provide every claimant, under Bill C-31, with access to a—

Mr. Don Davies: So we can find—

Hon. Jason Kenney: —fact-based claim on the merits of their claim at the IRB. There is no refugee appeal division for any claimant now. The creation of the refugee appeal division, which will be available to the vast majority of failed claimants, is a new provision that we did not initially propose in Bill C-11 in 2010.

Mr. Don Davies: I know.

Hon. Jason Kenney: We don't think it's necessary for people who are making claims from countries not normally known to produce refugees.

The Chair: I think that's the end, Mr. Davies.

I want to thank you, Mr. Minister, Madame Deschênes, Mr. Yeates, and Mr. Linklater, for coming to both parts of this meeting. Your comments have been greatly appreciated. You are all excused.

As you can probably tell, we are not having an in camera meeting now. We will have an in camera meeting on Tuesday, April 3, at a place to be announced, for an hour, and then we will have a meeting via teleconference with representatives from the German government on the security report.

This meeting is adjourned.

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