



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Citizenship and Immigration

CIMM • NUMBER 126 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, October 18, 2018

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Chair

Mr. Robert Oliphant

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• (1535)

[English]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): We're going to call the 126th meeting of the Standing Committee on Citizenship and Immigration to order. We are continuing pursuant to Standing Order 108(2), the study of migration challenges and opportunities for Canada in the 21st century.

We've had one change today with respect to the first hour. Mr. Yosief Araya has had to cancel due to personal illness, so we have Ms. Bond with us. Thank you for coming.

I'm going to suggest that we do a 50-minute hour, and then move to the second panel and save a bit of time at the end of the meeting for an in camera meeting. We will take that 10 minutes when we're not having that second presentation.

Thank you for agreeing to join us today. We're looking at a very broad study on migration challenges. We're doing it in a way that's not exactly linear. We have a variety of issues coming at us, and we will make sense out of them, hopefully, after the testimony has continued for a while.

This is your time. Thanks.

Ms. Jennifer Bond (Managing Director and Chair of the Global Refugee Sponsorship Initiative, The Refugee Hub): Thank you, and good afternoon.

Thank you very much for inviting me. It's a real honour to be with you today.

My name is Jennifer Bond. I'm a law professor at the University of Ottawa and managing director of the University of Ottawa Refugee Hub. I'm also currently serving as chair of the Global Refugee Sponsorship Initiative.

I plan to focus my intervention today on two things: first, the potential of community sponsorship programs to both protect refugees and transform the world's approach to resettlement in very fundamental ways, and second, Canada's unique opportunity to lead this transformation.

I know you've already heard from a number of other witnesses on the scale and scope of the displacement challenges in the world today, so I'll just open with a few key framing remarks.

First, we're facing a dramatic escalation in the number of people being forcibly displaced. You heard the numbers when our colleagues from the UNHCR were before you. They're enormous.

Second, the global community has failed to mobilize sufficient collective capacity to adequately protect all these people, particularly since they need protection for longer periods of time than ever before. Third, many governments and their citizens have serious concerns about how these large protection challenges intersect with their ability to effectively integrate newcomers so that they enhance existing societies. Fourth—and we all have to recognize this—when integration fails, communities suffer, anti-immigrant sentiment festers and support for the broader protection agenda is challenged.

It's a very complex and a very challenging moment, but over the past 40 years Canada has been quietly developing an incredibly powerful tool that has the potential to make an enormous difference, and that is community sponsorship. Sponsorship is a program or an idea that many of you know well. Many of you have grown up with it all around you in various ways, and a lot of us take it for granted. It's part of what we understand as a normal component of refugee resettlement.

Until very recently, however, we were the only country in the world with any kind of sustained and robust policy model that gives private citizens primary responsibility for welcoming and integrating refugees into their local communities. Most Canadians don't know that. They don't know how unique this program is.

We introduced community sponsorship in the late 1970s, and since that time Canadians have sponsored over 300,000 refugees on top of those who have been resettled by our government programs. This includes over 30,000 Syrians who have arrived to sponsorship groups in over 400 Canadian communities since 2015 alone.

Canada's use of private sponsorship today has a number of different individual programs: private sponsorships, which is language with which many of you will be familiar; BVOR sponsorships; LGBTQ sponsorships; medical sponsorships; and educational sponsorships. We have a lot of different program streams, and each of them is driven by its own unique policy configurations. At the heart of all of them is this fundamental notion that groups of citizens are empowered and responsible for welcoming and integrating the newcomers. That's at the heart of all those programs.

Collectively these programs demonstrate three important things: first, that community-sponsored refugees integrate comparatively quickly, showing improved outcomes over all kinds of indicators in years one, three and five post-arrival. It isn't really surprising if you think about the many benefits that follow when you have a group of 10 or 20 or even 50 people dedicated to helping you find your way in your new neighbourhood. Of course, the forms of this support are many. They include finding and furnishing housing, providing informal language training over a cup of coffee or a shared meal, introducing newcomers to their neighbours or their local barber, helping kids with homework, teaching them how to skate, supporting adults with resumé writing and landing their first jobs—all these little things make a difference in the lives of newcomers.

From a policy perspective, what matters is that the sponsors themselves feel deeply invested in and responsible for the success of their new neighbours. It stops watching from a distance, and maybe even hoping for the best, from a distance, for your new neighbours. Instead, it's also a collective endeavour. Your new neighbour's success is also your success, and that changes the landscape of what this looks like. The data also shows us it changes outcomes for refugees.

Second, and this is really important, community sponsorship has a profoundly positive impact on local communities. If you talk to sponsors here in Canada, they almost always talk about how meaningful sponsorship has been for them. They talk about how it's brought their communities together, how it's addressed their own sense of detachment and loneliness in a chaotic and technology-driven world. They talk about how fulfilling the experience was. The key thing is that it's always about them. It's not actually about the fact that they did something good for the world. It's about how their lives have been improved. This is really noteworthy in the context in which we're facing the bigger problems around displacement.

It's also noteworthy that sponsorship programs have the potential to engage many different kinds of communities. From our experiences here in Canada, big law firms have engaged in sponsorship, neighbourhood book clubs have engaged in sponsorship, along with entire towns, various faith communities and interfaith communities. This is an opportunity to engage many different kinds of communities.

Of course, it's not only the sponsors who are engaged but also the people who are around them. That's really part of the magic of these programs. It's the people who get asked for a car seat or a couch, or a few hours of their time, not from a stranger or a professional agency but from their friends, from their neighbours, and they feel compelled to contribute.

We know from recent survey data that close to two million Canadians have been part of sponsorship groups just in the last three years. That's extraordinary when you consider our population. I find it equally stunning that another seven million Canadians know someone who has sponsored and offered some form of support. Again, this is an extraordinary reach.

This brings me to my third significant benefit. Over time, sponsorship has the potential to translate, block by block, community by community, town by town, a mobilization that

begins in the most intimate of ways. It's about helping families find their way in this new country.

You can take that mobilization and see it translate into strengthened understanding and support for the broader protection agenda. In today's complex and challenging environment, that support is critically important. It's a critical part of what we have to address when we look at the big picture issues that you have all been studying.

Belief that community sponsorship can lead to these three significant outcomes has led to the creation of the Global Refugee Sponsorship Initiative, or GRSI, a unique partnership that brings together the Government of Canada, the UNHCR, the Giustra Foundation, the Open Society Foundations, and the University of Ottawa Refugee Hub. You have in front of you samples of some material that's been produced through that partnership.

Our collective goal is to encourage and support the adoption of community sponsorship programs all over the world, and there is tremendous interest. As I sit here today, the GRSI is currently working in over 15 countries that are interested in exploring the possibility of sponsorship programs. We're also supporting the design and implementation of publicly announced programs in the U.K., Argentina, Ireland, New Zealand, Germany and Spain. That's an interesting list of countries, in part because of its diversity.

Hundreds of sponsored refugees are already arriving in several of these countries, and we anticipate that by the end of next year there will be tens of thousands of sponsors directly supporting refugees all over the world for the first time outside of Canada. The U.K. is leading in this regard. I was recently at an event in London that gave me an opportunity to hear some of the same kinds of stories that have surrounded us for decades in Canada, except they were being shared with Welsh, Irish, Scottish and cockney accents. It was such a meaningful demonstration of what can happen if we find the right policy tools to empower our communities. Communities have many skills, a lot of energy and a lot of compassion. At this moment, with these significant challenges, we have to empower them.

Sponsorship in the GRSI has been included by UN member states in the final draft of the global compact on refugees, and the international community is currently looking very actively at new approaches to the massive displacement problems you have been looking at. They see hope in sponsorship, they are interested in sponsorship and they are looking to Canada to lead the way.

● (1540)

What can we do? I'll close on this point.

We need to share our 40 years of experience generously, with humility and also honesty. We need to talk about what hasn't gone that well. We need to also grow our commitment to capacity building around these programs, finding significant ways not just to describe what we do here but to roll up our sleeves and offer expertise and operational support and sustained accompaniment as states transform their own approaches to welcoming newcomers. What we take for granted is a huge radical leap in most of these countries.

We also need to find ways to build connections between sponsorship groups in Canada and those that are forming all around the world, so that we can leverage the community-based expertise and generosity and energy and skill that are at the heart of our program here as we're trying to support others in developing these programs in new places.

Most important, we need to recognize the transformative potential of a model that for us is normal. I welcome the study you are undertaking here for that reason. It's an opportunity to see what we do well and the spaces where Canada can lead, and this is one of them. Canada is a trailblazer in the sponsorship space. We've been quietly doing what we've been doing for 40 years, but now the world is asking for us to play a leadership role. Given the scope and the complexity of the challenges that the international community is facing, there's a significant opportunity and a real responsibility for Canada to stand up and seize that moment.

Many thanks again for the invitation to be here, and I look forward to our conversation.

● (1545)

The Chair: Thank you very much.

Ms. Zahid.

Mrs. Salma Zahid (Scarborough Centre, Lib.): Thank you, Chair.

Thank you, Ms. Bond, for your testimony, and thank you for all the work you have done.

We have heard from some of our previous witnesses in regard to the study about the relationship between the legal and the irregular migration channels, and how cutting down on the availability of the regular and legal migration streams usually leads to an increase in migrants seeking irregular channels, often at great risk and cost.

Can you please discuss the relationship between the legal and the irregular channels? Are there any legal channels that can be made so that we can discourage the irregular channels?

Ms. Jennifer Bond: I will leave to others who have done more quantitative studying of what happens as we start to move different policy levers and they respond to each other, and I'll restrict my comments here to note that there is an interest at the global level in trying to expand resettlement capacity for two main reasons.

The first is that there are urgent lives at stake. When the international community as a whole doesn't come together to figure out how to protect those lives, desperate people start to move on their own. There is a widespread recognition that if channels aren't created—regularized, safe, available channels for people who are desperate to save their lives and protect their families—there will be increasing pressures on the other forms of movement. That is part of what's reflected in the global compact on refugees. You see states looking for solutions that will try to avoid the pressures that come with irregular forms of migration.

The second—and I really want to emphasize this—is that there is a small number of states in the world who are hosting the vast majority of the 25 million refugees. You've heard about this. I understand you've visited some of these places. There is an intense pressure in those countries on their systems, on their populations, on

their communities, and they are looking for support from the international community to recognize that this is a global problem, a global challenge that needs global solutions. Resettlement is not only about creating channels, not only about saving lives, but also about participating as an active member of the international community and signalling solidarity with the states that are hosting the vast majority of the world's displaced persons.

Those are two main reasons to do resettlement generally. Now sponsorship, I would suggest to you, has a third benefit. The third benefit is this change in the hosting populations. We're not only resettling, but we're also supporting the communities who are welcoming the newcomers, and that over time changes the fabric of those communities and, eventually, of the countries in a way that supports the whole protection agenda, including for people who arrive through irregular channels.

Mrs. Salma Zahid: Resettlement is not always an answer with high numbers of IDPs and refugees, we have heard. What do you think? Can Canada take some measures other than resettlement?

Ms. Jennifer Bond: Sorry, take some...?

Mrs. Salma Zahid: What measures can Canada take other than resettlement to help the increasing number of refugees and IDPs?

Ms. Jennifer Bond: There are a number of different steps that states have identified as being supportive to a comprehensive solution. One of those includes investing in those states that are doing the vast majority of hosting. We know there are continuous budget deficits through all of the international agencies that are offering support in those states. I think that looking very significantly at the humanitarian envelopes and the development envelopes and identifying how that support can be offered is significant.

As you know, the challenges around IDPs are different, because they have not crossed an international border. There is a series of challenging questions for the international community around IDPs, including who is best positioned to support them and what the politics are around that support, but I think that's a discrete population that we also need to consider.

I know you've had some experts in front of you on the IDP issue. I think all states recognize that they have to take a look at their own integration efforts. These programs and our ability to welcome newcomers successfully depend on investments in integration. That is a place where Canada is a leader—we invest a lot in integration—and a place where we can offer a lot of support to the international community as it starts to consider how to expand the responses.

● (1550)

Mrs. Salma Zahid: I understand that you were involved in some of the deliberations around the global compact on migration. Can you please discuss some of the measures included in the compact designed to encourage safe and legal immigration?

Ms. Jennifer Bond: I want to clarify that I was not part of the negotiation of the compact. The compact originated in a state-led process in combination with the UNHCR. The UNHCR has tabled a series of drafts for states, and the global community has had an opportunity to input through a series of consultations in Geneva. I have not been a part of that. I have followed the process closely, and as I've tabled here today, some of my work on sponsorship is reflected in the final draft that has been negotiated between states and agreed to by the UNHCR.

Mrs. Salma Zahid: Are there any legislative or regulatory changes that Canada should consider to discourage irregular migration?

Ms. Jennifer Bond: I understand that your study includes a number of topics, including our domestic asylum system as well as international contributions. I've really come here today to speak specifically on the global contributions and not focus on the detailed legislative changes around our own asylum processes, so I'll defer to some of your other experts on that point.

The Chair: Mr. Tilson.

Mr. David Tilson (Dufferin—Caledon, CPC): Thank you, Mr. Chairman.

I understand that you're emphasizing your position and your comments with respect to the international issue, but in doing that, you must have looked at local sponsorship programs. I'd like to ask you a question with respect to the wait times of the approval of sponsorship groups, and secondly, refugee funding.

As I understand it, sponsorship groups can apply to something called blended visa office referral, which I don't know much about. Hopefully you can tell us. They do all the pre-screening. They prepare to have the refugee confirmation ready. Ultimately, the sponsors have to be approved, and then that's it. The refugee gets assigned to them and is on their way.

I've heard of files, with respect to this process, taking one to four months, or even six to 12 weeks—I'd like to hear your thoughts on that—as opposed to the current of one plus a year wait times that sponsorship groups are experiencing.

As I understand it, the government is committed to taking 1,500 claims per year and is currently 500 short, as they need more sponsors. The government looks after the first six months of refugee funding, and then, I understand there is some Jewish organization that is committed to looking after the second six months of expenses. The sponsorship group, if that's the case, would therefore not have to worry about the costs for the first year.

I don't know how familiar you are with this blended visa office referral, but if you can enlighten us, I'd appreciate it.

• (1555)

Ms. Jennifer Bond: I'm going to take that question in two parts, because I am familiar with the BVOR program—a very unfortunately named program that we refer to in short as BVOR—as a policy mechanism within the Canadian landscape. I am also very involved in the private sector funding you referred to, which for a time-limited moment is subsidizing the sponsors' part of that program. I'll tackle both of those pieces.

The first question you asked was about how the BVOR program works and how it's different in its operational dimensions to what we often call the private sponsorship program. I prefer to call it the naming program, to be clear on what's different.

In the private sponsorship program—or the naming program—individual Canadians or groups of Canadians are able to identify the individual person somewhere in the world who they wish to sponsor. They put that name in and position a series of documents to show why that person should be coming in as a refugee. The Government of Canada then takes responsibility to find that person anywhere in the world to conduct a series of interviews and assess whether they're a refugee. If they are, and if the sponsorship group is approved, they will be able to come through as a sponsorship.

I'll contrast that with the BVOR program, which begins with a UNHCR referral to the Government of Canada. The Government of Canada then does its screening to assess whether this is a refugee who meets Canadian criteria. It also does medical, security and health screening. That person is then offered to sponsorship groups within Canada who are interested in sponsoring.

Because of that very different back end, there's a different operational timeline required between when an application to sponsor is received and when a landing can actually happen. In the one variant, the refugee is pre-approved before she is introduced on paper to the sponsorship group. In the second variant, a name appears to the Government of Canada, and, using its visa offices, it goes and finds them and starts the process of screening. It's very different from an operational perspective.

The other thing that's very different in Canada at the moment is that there is a huge demand to do named refugee cases. We refer to that as the echo effect. There are a lot of people who have arrived in Canada in the last few years who have left loved ones behind. They are currently asking either their own sponsorship groups, or others in the community who they encourage to form sponsorship groups to bring their loved ones to safety. Because of the echo effect, we've had a surge of applications in through this naming program. A lot of those cases we expect will be family reunification cases. That has put a lot of demand on an already slower operation model,

You're absolutely right. The difference in timing is significant. We see wait times of three to five years, depending on the location of the named refugee in the named model. We see landing times of a few weeks in the BVOR model. It's absolutely very different.

I'll speak to your second question on this current moment for Canada's BVOR program. There has been a lot of interest in Canada in retaining this very dynamic sponsorship model. There is a multi-year wait-list that reflects that, but there has been less awareness and less interest in taking BVOR sponsored refugees just over the last short term. There are a number of theories about that, including the fact that the echo effect has encouraged sponsors to support the loved ones of people already here. We can explore that further if it's of interest.

In response to that, a number of community organizations have looked at ways of encouraging the use of the BVOR program and educating Canadian sponsorship groups about the availability of the program. One of those interventions has been led by my organization, the University of Ottawa Refugee Hub. We've partnered with a number of philanthropists who offered to subsidize the sponsor portion of the sponsorship.

You correctly identified a second difference in the BVOR program. Sorry, I skipped over that. In the naming variant, the sponsor bears the responsibility for 100% of the settlement costs for the first year. In the BVOR program, that's split fifty-fifty between the sponsors and the Government of Canada. The 50% that's borne by the sponsorship group is for a time-limited period, being fully subsidized by a group of philanthropists through our organization and a partnership with Jewish Family Services, which is working with us on this.

• (1600)

That has mobilized a long wait-list of BVOR sponsors. Whereas we started a few weeks ago thinking there's a shortage in that space, there's now a long list of people waiting to support BVOR-sponsored refugees, and we have some work to do now to unpack what that tells us about the operational models and the strains on the system.

The Chair: The question was so good and the answer was ever better, so I let you go on a little long.

Mr. David Tilson: I think she's done an excellent job of explaining it to me. I must confess that, until recently, I had never heard of this BVOR program. If your organization is involved in that, congratulations, because it does seem to solve the wait-time problem, although I suppose if it becomes more popular, it won't.

Ms. Jennifer Bond: Thank you.

The Chair: Ms. Kwan.

Ms. Jenny Kwan (Vancouver East, NDP): Thank you very much, Mr. Chair.

Thank you, Ms. Bond, for your work in the community and for being here as a witness today at the committee.

On the issue around the refugee sponsorship program, as you've noted, there are many people in Canada who are very generous and who want to engage in that sponsorship opportunity. However, there are limitations, because they can't actually get a family here and they've been waiting.

To that end, I wonder if you have any recommendations for the government in terms of direct policy actions that can be taken to address this issue. That's my first question.

Ms. Jennifer Bond: Great. Thank you.

While I have explained the operational complexities of the naming program, I do share concern that there is a lot of goodwill and compassion in Canadian communities. There are a lot of Canadians who have fundraised. They have the money available and the interest in sponsoring and they're being frustrated by the very long wait times. I do think it's incumbent on the government to consider what it can do.

There are a number of options. One is to invest in those processing capacities. To the extent that there's an operational barrier, there are obviously ways of increasing our operational capacity.

Second there is, as you know, a levels target, which sets a cap on the number of people who are able to come through sponsorships. There are cost components to sponsoring, and there are a variety of operational components, but that cap could ultimately be lifted in a way that would mobilize and facilitate the ongoing interest by these groups. I'm concerned that frustrating the sponsorship groups by having them wait three, four or five years is actually very counterproductive.

The last thing I'll mention is that I do think it is an opportunity to educate Canadians about the other streams available. In addition to the BVOR program, there are a number of other sponsorship-related opportunities that don't involve naming a refugee. Some Canadians just don't know about them, so I think doing a better job of educating about the range of streams might diversify the interests in a way that is beneficial for all of our overall policy objectives.

Ms. Jenny Kwan: Thank you.

This is what I've heard from the community as well, calling on the government to lift the cap. That is very essential, because effectively the cap is limiting the capacity of Canadians' generosity in this effort. I'm hearing from you that's something that the government should do. The other thing, of course, in tandem with that is that the levels numbers have to match. If they don't match, then without one or the other, it doesn't actually work.

Last, on the question around processing, you're absolutely right. Capacity in processing is key. The government has set, for example, for a spousal sponsorship, a 12-month period for processing. Would you suggest that should be the target of the government for this work, for this stream?

Ms. Jennifer Bond: There are some significant operational challenges associated with refugee-related sponsorships. In part the geographic location of some of these people is quite precarious. We have difficulty accessing some parts of the world where people have named a refugee. It's harder to create a processing target in the same way as is done for other streams in which the application is more paper-based.

I certainly do think investments in that operational capacity will allow us to realize a better average processing time, which would be welcome.

• (1605)

Ms. Jenny Kwan: In the instance of the difficult locations in some cases, where there's not even a processing office to process the work, the government has engaged in the past the UNHCR, the IOM and other international agencies that are reputable to do that work.

In fact, in some of the previous cases with Syrian refugee initiatives on the privately sponsored stream, the former minister actually embarked on that process to get some of the folks processed accordingly so that they could finally get to Canada for resettlement.

Those are the options the government can engage in to make this work in a speedier way. Would you agree with that?

Ms. Jennifer Bond: I think that's right. I think there are a multiplicity of costs that are associated with increasing the processing capacity. Those need to be carefully weighed against the incredible resources that are mobilized in our community.

There are millions of dollars and a lot of Canadians very anxious to engage in supporting refugees at a time when there's clearly an overwhelming need. Figuring out how to leverage that investment, that energy and that compassion in our communities, I think, supports looking at creative models in the way that you're describing.

Ms. Jenny Kwan: In your presentation, you mentioned something we've heard from the refugees themselves, which is how they describe their family units. What they consider as their immediate family is very different from western society's consideration, yet their application for family reunification is very limited. It's limited to spouse, underage children, and then, also parents and grandparents, for whom there are streams to accommodate them.

For a lot of refugees, siblings, for example, would not be included in that. If they have an adult child who has a separate family and was not included in the original application, they're not included in the family reunification stream, and so on. Would you think that it would be wise for the government to consider making changes to how we define family, especially in light of the circumstances of how our communities are changing in a global context, and to look at our immigration policy in that regard?

Ms. Jennifer Bond: One of the things that has happened with the sponsorship stream in particular is this overwhelming use of naming sponsorship cases for those extended family members who aren't able to come through other family reunification mechanisms. I think that the challenge that every country is facing right now is the incredible pressure caused by 25 million refugees and figuring out from a policy perspective which part of that population we're aiming to support on a priority basis. There's obviously significant need.

I'm conscious of the incredible desire of people who are here to reunite with their families. Of course, there are many heartbreaking stories, and those stories are mobilizing sponsorship groups to name family members. They're also creating pressure in our other family reunification streams. However, we have to be mindful that we are also looking for UNHCR referral spaces. This is a different population of non-family-linked cases, where there's an urgent need to move on the basis of some vulnerability. I think there are persuasive policy arguments on the need to also ensure that there's a lot of attention being paid to that stream, so I don't want to suggest that the policy of family reunification should be a priority without also looking at the need to consider UNHCR referrals.

Some people will make an argument for refugees who are going to integrate more quickly because they are the economic drivers. Others will make a very strong policy case for looking at LGBTQ refugees, women at risk, or special interest groups. I'm very conscious of the myriad of policy tensions and the need for a thoughtful consideration of how they work together.

Ms. Jenny Kwan: I'm just—

The Chair: Okay, I'll give you a little quick one.

Ms. Jenny Kwan: I'm actually talking about an immigration stream, not a refugee stream—resettlement for family reunification.

Canada used to have a program that allowed for immigration streams for family reunification, for siblings for example. That's how my family came, by the way, but that policy no longer exists. You cannot make an application for a sibling for family reunification purposes.

If we were to allow for that kind of stream to be reopened, would that not alleviate the pressures for the refugee stream?

Ms. Jennifer Bond: I'm going to revert to my previous answer. I agree with you on the family reunification point. I'll just point to the fact that there's a tremendous number of policy drivers that are being balanced, not only within the refugee policy but within the immigration policy. I agree with you on the need to look at family reunification, but I think we need to do that in conjunction with looking at our approach to all of the streams, including the humanitarian streams, which are equally important and need to be considered in their own right.

● (1610)

The Chair: Thank you.

Just before Mr. Ayoub begins, I'm going to slip in a question here. It's on terminology. I notice your terminology, and I've had trouble with terminology. Pulling back, we had a witness—not at this study but at a previous study we did—who expressed grave concerns about the privatization of our refugee sponsorship program, as though that were negative.

Your use of the word “community” as opposed to “private” seems very intentional. We've called them “PSRs”, “private”, “community”, “naming” or “named,” all those kinds of names. You've chosen “community”. I don't want to put words in your mouth, but it seems that it's because of the benefit that's conferred on both the refugee and the community.

Am I right on that?

Ms. Jennifer Bond: The community language is definitely what's being used in the global context. The reference to private refugees is quite unique to Canada. I think it is a more accurate term. It's not about who pays. It's not about privatizing the cost in the way that term suggests. It's about engaging community and engaging broadly a wide range of citizens.

The Chair: Okay.

We'll come up with a better BVOR, because the emphasis on the visa officer has always bothered me. It doesn't make any sense. I just don't like that name. GAR is a terrible name. One of the recommendations that I'm hoping the committee can work on is getting better terminology, because maybe it's important.

Mr. Ayoub.

[*Translation*]

Mr. Ramez Ayoub (Thérèse-De Blainville, Lib.): Thank you, Mr. Chair.

In your introduction, Ms. Bond, you said that Canada has the chance to become a world leader, which it is doing properly and reasonably. At the same time, we are very critical of our own approaches. Coming from Quebec, I would say we are under even greater pressure in recent years. We are as generous as we are concerned.

So there are two sponsorship programs, one public and one private. What do you think of these two programs in terms of integration, accountability and a grassroots movement? Which is better? Is one eating up the other? Should we devote more energy to one than the other?

Ms. Jennifer Bond: Thank you for your question.

I will answer in English, if you don't mind.

[English]

Mr. Ramez Ayoub: That's fine.

Ms. Jennifer Bond: I understand that question to be about the balance between publicly supported and privately sponsored or community-sponsored refugees. I think the data clearly shows that community-sponsored refugees do better on a variety of integration outcomes, and we also get this really important impact on our communities. My first answer, then, is that robust community engagement is a good model. We should be very dedicated in Canada and globally to trying to get more communities involved rather than tightly held, professionalized, government-funded models.

That said, as with any policy, a whole bunch of pieces have been put together in Canada. Currently, Canada does most of its UNHCR-referred refugees through a government-supported model. I don't want to suggest that my preference for broad community engagement is also a preference for named refugees over UNHCR-referred refugees. I want to distinguish those elements of the Canadian program. I think it's clear that engaging citizens is very positive. I don't think that necessarily means the front-end stream has to be aligned the way it currently is in Canada.

[Translation]

Mr. Ramez Ayoub: The strength of the private sponsorship program is also its weakness: the ability to choose. This program helps individuals who are chosen, or families who choose refugees, family members or friends. On the other hand, the program serves refugees who do not know anyone in Canada and who are therefore not chosen.

We are talking about refugees, people in distress. We also touched on processing times earlier, which are very long. My community welcomed a refugee family recently and it took more than two and a half years. For other refugees we are sponsoring, we are still waiting.

We have heard from other witnesses that some refugees who are in the camps ultimately leave because life is too hard there. It is endless for those who decide to start the process over again. Sometimes we never see them again.

How can we assess the success of a program, and by what criteria? What aspects of the sponsorship programs should be improved, whether public or private and whether they are for refugees with UNHCR identity papers or not?

•(1615)

[English]

Ms. Jennifer Bond: I'm going to again provide two quick answers to those helpful comments.

The first is that in most of the other countries I mentioned, naming or selection is not a feature of the sponsorship model. In the United Kingdom; in Germany, which is not yet online but will be with a 500-person pilot; in Argentina; in Ireland, soon to be online; they will be taking UNHCR-referred refugees and putting them into sponsorship groups in the same way we do with our BVOR program. They are taking the BVOR part of Canada's program and putting that version of it into their own communities.

All of this is to say, I don't think the benefits of sponsorship are contingent on choice. I think there's a number of other policy discussions around whether choice is useful, particularly to accomplish policy goals like family reunification where there's a lack of other infrastructure. I want to separate that conversation from the conversation of the benefits of engaging community.

The second is around how to measure success. It's an excellent question. There have been imperfect metrics that vary significantly by country. Is integration success about employment, early employment, language acquisition, how the kids are doing in school, whether the family is out in the community and engaging? If so, how do we measure all these things?

It's a very active debate. People agree that Canada is a world leader in integration but when you look at the metrics being used it's apples to oranges in many different jurisdictions.

I think sponsorship forces us to add a different series of questions, not only around integration but also the degree of community acceptance. What has the experience of the community been?

When we've been looking at the introduction of sponsorship programs globally and then considering what's happening in Canada as part of that work, we're interested not only in counting resettlement spaces but also counting the number of people who have been touched in a positive way by supporting the newcomer. That is a different way of conceiving resettlement. I want to emphasize from my opening comments that Canada has been doing this, and no one else has. When we look at the collapse of the U.S. resettlement system at this moment, the lack of community engagement has been a crippling component of what is happening there.

In Canada two million to 10 million people have been engaged in refugee protection. The United States has had a much bigger, a much more professionalized system and has had a fraction of the number of people engaged. That's been a real weakness of that system.

I want to emphasize metrics not only about refugee success but also around community success. Do our communities welcome this? Are they being supported in this act of welcome and integration?

The Chair: Thank you.

Mr. Maguire.

Mr. Larry Maguire (Brandon—Souris, CPC): Thank you, Mr. Chair.

Thank you for your presentation. It's most enlightening. You've worked with the Global Refugee Sponsorship Initiative here. Out of that I understand, a guidebook was created. Could you tell us what kind of connections you've had with those sponsorship groups? How many have used the guide? How is it being used? Have you heard of any private community sponsorship groups?

Have you been connected with them in those areas?

• (1620)

Ms. Jennifer Bond: That's great.

The guidebook is a creation of the Global Refugee Sponsorship Initiative that tries to break down the magic of sponsorship into dozens of questions for other countries to look at when they consider these programs. If you haven't seen it you're very welcome to do so. It's available in four languages on refugeesponsorship.org.

The viewership on that site is around 25,000. We know the average length of stay on the guidebook is close to 45 minutes, which is quite long for a website. We did develop the guidebook in consultation with community stakeholders, including a wide consultation with community groups across the country. That's where the expertise on these programs lies. We benefited from their feedback in all parts of that process.

Mr. Larry Maguire: Can you give us an example or a couple of examples of the challenges they face in sponsoring refugees? I'm sure you must have addressed that in the book.

Ms. Jennifer Bond: Sponsorship is hard. It's very human work. Sponsorship groups often experience cross-cultural exchange issues. There's often surprise at the lack of excitement that newcomers will feel after their initial month here. Months two, three, five or six can be really hard. Sponsorship groups don't know how to handle that. Sponsorship groups struggle with language where there are big language acquisition gaps, and with dealing with people who have been deeply traumatized.

The benefit of the program is team problem-solving and wide community support in solving those issues together. We see thousands of different solutions being developed by the sponsorship groups as they face each of those hurdles.

Mr. Larry Maguire: I've been very involved in at least one and have knowledge of more community groups that, in groups of five or other groups, have sponsored and worked with refugees and immigrants coming into Canada. There's a big difference there.

Some of the wait times have been long. You referred to that earlier. We've seen people taking up to seven years to come in from Yemen. The experience I've had, and what you've indicated, is that with the community sponsorships that wait time is cut way down. Can you elaborate on your thoughts on why and what we can do better with some of the government-implemented ones?

Ms. Jennifer Bond: I want to make sure I understood the question. Is it in terms of the sponsorship wait times being seven years?

Mr. Larry Maguire: Yes.

Ms. Jennifer Bond: I think I partially addressed this question. I also agreed with some of the suggestions of your colleague, Ms. Kwan, on improving some of the operational capacity.

It is absolutely right that some geographical areas are underserved by Canadian visa offices. Investing in getting resources there and getting people there on rotation more quickly are operational fixes that would solve that. I think we've also talked about the need to look at the way the operational capacity sits against the parliamentary approved targets.

I see those as the two primary barriers to decreasing wait times.

Mr. Larry Maguire: Thanks.

We've heard that there has been some lack of communication in some areas on government-sponsored refugees. Can you offer us some solutions on that? The community options are great, but what can we do with some of the other areas?

Ms. Jennifer Bond: I think the government-assisted refugees program in Canada is also one of the best in the world. We do have a lot of investment in integration supports, which are available to all immigrants, including our government-assisted refugees.

One of the things that has happened in recent years since the surge in Syrian arrivals in 2015 is a lot of innovation at the community level and, subsequently, some government investment in that innovation, including figuring out how to take the best parts of sponsorship and then try to provide them to government-assisted refugees.

There are some interesting pilot programs now that try to match the sponsorship group types of communities around government-assisted refugees, because my own view is that there's no substitute for that very direct multiplicity of supports. We can invest in other kinds of supports, but nothing's going to change having a neighbour who wants to help you.

Mr. Larry Maguire: I'm going to give my colleague a question.

Mr. Ziad Aboultaif (Edmonton Manning, CPC): Thank you.

Good afternoon. I came back just last week from visiting a Syrian refugee camp in Beirut, Lebanon. As well, I was in Amman and met with refugee families.

We met with families. One of the concerns was that some of the families have been approved to come to Canada and will be located in Ottawa, and one family doesn't want to come to Ottawa. They want to go to Winnipeg, where they have family members or community members who they know. The dilemma is that the decision has been made for that family to be located in Ottawa. What is the solution in cases like this, in your opinion?

• (1625)

Ms. Jennifer Bond: It's a great question. We refer to it as the problem of "destining". Where is the destination for the refugee? There's a different approach in Canada for government-assisted refugees than there is for sponsored refugees. Government-assisted refugees are generally destined to whatever city where they have indicated there's a family tie or any other tie—a friend or some other connection.

Sponsorship is a little more challenging because you obviously need to be destined to the city where your sponsorship group is located. That does create a tension for some newcomers, who are desperate, of course, for a new opportunity to get out of a terrible situation. If the sponsorship group is not in the same location as their family member, that can create a tension.

In Canada, there is a policy not to destine, not to match the UNHCR-referred refugee to a sponsorship group away from the family members, recognizing that tension, but where it's a named case, it's really beyond the control of the policy-making branch. It sits with the sponsorship group and the newcomers to try to triangulate that tension.

Mr. Ziad Aboultaif: Should the policy change by any chance or be updated to...?

Ms. Jennifer Bond: The current Canadian policy for both the sponsored referred refugees and the government-assisted refugees is to take into account in destining decisions the location of any family or close personal links.

The Chair: Thank you.

Mr. Sarai.

Mr. Randeep Sarai (Surrey Centre, Lib.): Thank you, Ms. Bond.

It's quite enlightening to find out that we in Canada have a unique system and one of the best. It's great to know that more than 300,000 have come through that system.

One of the challenges we've seen in various studies here is that when we have a selection-based system—and I'm not critical of the system, but I'm worried—usually communities tend to...not all of them. A lot of them invite refugees from various cultures and different religions and groups, but a lot of times we culturally pick out ones that are more close to us, and what happens is that those with support networks in Canada get invited, but those who might be more vulnerable get left behind because they have maybe no connection in Canada. An example was the Yazidis. They had no roots here, so there was nobody really calling for them, except for one or two groups.

How do you balance that in comparison to government sponsorship of refugees, which turns a blind eye to that and only looks at vulnerability and those classes? This system is great. It's absolutely correct that they have a higher success at integration into Canada and resettlement; however, that is the one concern. Have there been any ways that you think we can address that concern?

Ms. Jennifer Bond: I'll point you to the question from Mr. Tilson around the blended visa officer referred, the BVOR model, which really tries to address that concern by saying we'll take UNHCR-referred refugees, drawing on the expertise in the field to identify the people who need resettlement on the basis of a series of internationally approved criteria, and then we will match them with the best integration tool we have, which is community sponsorship.

That BVOR program in Canada is reasonably modest beside our naming program, but that is the program that is being replicated in other parts of the world. It does speak to the tension that you've just mentioned. Again, I'll come back to the fact that all of these programs have different policy features around who is being

protected, and that's a different conversation about how to balance those different policy drivers. None of those policy drivers prevent us from looking at this broad form of community-based welcome and integration.

Mr. Randeep Sarai: This is great.

I think you need both. I think you need people who want to help those they know. That's essential, but you also want to not forget about those who are left behind. There are a lot of groups who would like to sponsor anyone, obviously, based on vulnerability and that would be helpful.

The other aspect, which is almost what Mr. Aboultaif had stated, is actually the opposite of that. In some cases people want to go to regions like Vancouver or Toronto where they have community, but the need is actually in a lot of other places. Atlantic Canada has done a special study. Atlantic Canada needs immigrants. It has a receding population in many cities and provinces. How can we encourage residents in communities there to sponsor refugees like this and then help them settle and establish roots there?

Have there been successful models or organizations that have done this that we can emulate?

• (1630)

Ms. Jennifer Bond: Absolutely.

I'll point to the number I mentioned: 400 Canadian communities have engaged in sponsorship coast to coast just in the last two and a half years. By contrast, our government-assisted refugees have been resettled to about 32 cities across the country. They go to the major urban centres.

One of the things sponsorship lets us do is diversify the range of communities that can support refugees because they're not as dependent on professionalized services. You don't need a language school as long as your group comes up with some plan to teach language. You can be very creative in what that looks like. The government has to be satisfied that it's a responsible plan, but it's not contingent on a big language school in downtown Toronto, for example.

It addresses, also, that need—not only in Canada; Australia's very serious about this model for the same reasons—to try to deal with depopulation of rural communities, and there are lots of success stories in Canada.

Mr. Randeep Sarai: Would it be a good idea to, perhaps, prioritize those communities that have an abundant need as opposed to others so we can...? Canada is lucky. We're one of the few countries in the world where we have more of a demand for sponsored refugees than we actually have the ability to bring in and settle, under our levels, which is unique to pretty much any country in the world.

Would it be better to perhaps prioritize those that need them the most in those vital areas?

Ms. Jennifer Bond: It's an interesting suggestion.

I think what it does is ask us to consider a different policy problem and see whether this would be a solution. The destining decisions now have not been based on meeting the economic needs of Canada from a population perspective. The policy drivers have been around family reunification, humanitarian stream and what we are trying to do in this global displacement crisis and how we can leverage communities to do it.

I think there could be some risks in terms of prioritizing particular areas or particular parts of the country. Right now there's a tremendous outpouring of interest in the program, so I'd hesitate to quash that by suggesting we're only going to engage communities in certain parts of the country, but it's interesting. I know the Atlantic immigration pilot is likewise trying to think about how we use a traditional immigration policy fix to deal with some other challenges too.

It's an interesting suggestion.

The Chair: I think that's the end. I want to thank you.

Yesterday I was reading a newsletter from a United Church in Toronto, not in my riding. I wish it were. They have had 12 in the last three years, 12 successful sponsorships with teams. They've had seven second sponsorships from the same 12, two in process and four new groups just forming to get ready to apply. One congregation of one church with 300 members has done over 20 sponsorships in three years.

Now they're concerned about everything else—employment, housing, transit, the poor, all of those things—because they've lived the experience. It's one church.

That's my sermon.

We're going to suspend for a moment and thank you for your time with us.

• _____ (Pause) _____

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• (1635)

The Chair: We'll come back to order. Thank you, witnesses, for waiting. I know we had a bit of a slow start today.

We are continuing, as I said in the first part of the meeting, our study on migration challenges and opportunities for Canada in the 21st century. It's a large study to find out what in the world is going on with respect to migration. Is Canada responding to it in the best possible ways? We're a little all over the map. We're looking at economic migration, forced migration and everything in between. Gradually, I am hoping that what will emerge is a comprehensive report that we can submit to Parliament, and that the government will pay attention and make some changes to our overall response to migration.

We're going to begin with Professor Macklin in Toronto, because you're coming to us via teleconference and in case we lose you, it's good to have you go first.

Thank you for coming to our committee again. You're a regular witness for us and it's good to have you here.

• (1640)

[*Translation*]

Professor Audrey Macklin (Director, Centre for Criminology and Sociolegal Studies, University of Toronto, Canadian Association of Refugee Lawyers): Thank you for this opportunity to appear.

[*English*]

I have been asked to represent the Canadian Association of Refugee Lawyers, and I will be making some submissions relevant to their position. I am open to discussing larger issues with immigration, as well, in response to questions.

It is my understanding that a significant issue before the community relates to the safe third country agreement, forced migration, irregular entrants and so on. I think that I will begin by reminding this committee that in 2002, this very Standing Committee on Citizenship and Immigration addressed two issues that are relevant to current concerns and proposals about the safe third country agreement. This was in anticipation of signing that agreement.

The first question that the committee addressed was this: Why not have the safe third country agreement apply inland, that is, at inland offices and so on? That issue was discussed at some length in the committee's proceedings. Here is what the committee said:

The fact that inland claims are not covered is due, in part, to lessons that have been learned from the European experience. In implementing safe third country regimes, some countries had to establish time-consuming and costly processes for inland claims. It is understandable that the government would like to avoid diverting resources to a procedure intended to establish the inland claimants' route to Canada, rather than using that time and money to actually decide their refugee claims.

That is a quote from the committee's report in 2002.

I would suggest to you that there is nothing about the current state of affairs that warrants a different answer to the question of whether one should attempt to apply the safe third country agreement inland or, indeed, along the full length of the Canadian border, which I understand has also been a subject of discussion. It was not feasible then. The committee recognized it, and it's not feasible now.

Secondly, the committee also addressed a concern raised by some experts who testified before it in December 2002 that implementing the safe third country agreement at ports of entry along the land border would simply lead to more people trying to enter irregularly between designated border ports and possibly with the assistance of smugglers.

I should say that this fear didn't seem to come to be realized, at least not until the last couple of years, although there is no evidence that I know of that suggests that there is any significant involvement of smugglers. However, there certainly has been, in the last couple of years, a rise in irregular crossings. Here is what the committee had to say about the risk that the safe third country agreement might, in fact, generate irregular crossings between border posts:

The Committee recommends that, as part of the monitoring of the implementation of the Agreement, the issues of "irregular migration" and people-smuggling be closely watched. Should the Agreement fail to decrease the number of claims being referred to the Immigration and Refugee Board, and should an increase in the number of illegal—

It called it illegal. I'll call it irregular.

—entries to Canada be apparent, the government must be prepared to exercise its authority to suspend or terminate the Agreement.

That is what the committee had to say in 2002. If, in fact, there was an increase in the number of irregular entries because of the agreement, the committee should be prepared to recommend to the government that it suspend or terminate the agreement. Really, I would just encourage this committee to consider heeding the recommendations of its predecessors.

In the debates around this issue, I think it's important to think about what kind of problem one wants to solve here. Is the problem that one identifies irregular entries across the border, or is the problem the arrival of people seeking refugee protection? If the problem is irregular entry, then I think everybody knows that irregular entry would pretty much evaporate overnight if the agreement was suspended, and that the obstacles to doing that, as I understand it, are political, if I can put it that way, not principled.

If the objective is to stop refugee claimants from reaching Canada, I understand then that the fear is that suspending the safe third country agreement will not achieve that goal because more people will show up at designated ports of entry to enter Canada as refugee claimants than currently cross irregularly. I have two responses to that.

First, as an empirical matter, that's not obvious to me, given how well-known, in particular, the Roxham Road crossing has become. If people want to enter Canada to claim refugee status from the United States, I think the publicity around Roxham Road is pretty clear. It's not obvious that suspending the agreement so that people could enter through regular ports of entry would lead to a significant spike in the number of entries.

• (1645)

Second and more importantly, I think, deterring refugee claimants from claiming refugee status in Canada is not a valid policy objective. Canada signed on to the refugee convention in 1969, and it did so voluntarily. No one twisted Canada's arm. Nobody forced Canada to sign the refugee convention.

When it did sign, it promised the international community that, if people reached our borders and met the refugee definition, then they would be protected. When people ask for refugee protection, they're simply asking Canada to fulfill its promise, which is a promise that's not contained in a tweet by the Prime Minister or anything like that. It's a promise contained in an international convention: if you reach our borders and you meet the refugee definition, we won't return you to a place where you might fear persecution.

That's really what I'd like to start with with respect to this debate around irregular entries. There's more to say, and I'm happy to answer questions.

In respect of the difficulties processing refugee claims now and the additional resource demands that imposes, I acknowledge that there are increased resource demands. Not all of them are due to events in the last couple of years around irregular entries. Some of them are the result of prior policy changes under an earlier government that led to thousands of cases being in a backlog that could not be addressed because, effectively, the Immigration and

Refugee Board was starved of resources. Those legacy cases are a problem, but not a problem because of irregular border crossings.

Perhaps in closing I'll just shift course a little, knowing that your mandate is broader than refugees, to just say this. A recent report indicated that refugees over time perform as well or better than native-born Canadians as economic actors. That is to say, after about 25 years, their income earnings actually surpass those of native-born Canadians.

Why do I mention this? I think it's important to consider in the way we talk about refugees and other immigrant classes that there's an implicit hierarchy, that people who are admitted because they have a well-founded fear of persecution are in some sense going to be inferior as immigrants to others, that people admitted as economic immigrants are the better immigrants, and that family class lies somewhere in between.

I only want to point out that the empirical evidence about economic attainment does not seem to sustain that, and frankly, even if there were a slight difference in the economic performance over time, what is remarkable is how little difference there is. That is to say, despite the extraordinary efforts that are put into our immigration system to sift through who we think will be the best economic actors and to admit refugees out of a sense of humanitarianism, if not a sense of rectifying injustice, they all do just fine.

Maybe that's an important message to take forward in thinking about how to improve our immigration and refugee policies going forward, to recognize that the categories that we put people into do not fully comprehend who they are. Refugees are also people who work hard, family class members might have also been fleeing persecution, and economic actors might also have relatives here. The categories into which we put them don't comprehend who they are and certainly don't exhaust or predict the contributions that they make.

Thank you.

The Chair: Thank you very much.

We'll go to Professor Purkey first, because you came the farthest.

Professor Anna Purkey (Assistant Professor, Department of Sociology and Legal Studies, St. Jerome's University, As an Individual): Thank you very much. I'd first like to thank you for the invitation to appear here. It is a privilege.

I am a lawyer by training. In fact, Professor Macklin was my master's adviser years ago. Many years ago I also worked here at the Department of Justice. I am also a professor of legal studies at St. Jerome's University in Waterloo, where my research focuses on protracted refugee situations and forced migration in an international context. It's moving a little bit away from what you have seen this afternoon.

I think perhaps the starting point for my comments is a recognition that human migration is necessary to both individuals and states and that it is inevitable. The drive to seek out a place where one can live and work in dignity, and where one can create a secure future for one's family is stronger than any restrictionist policy. Indeed, the only truly effective way to manage these movements is to increase the number and variety of legal pathways to migration and to focus on facilitation rather than restriction.

Every individual has the right to live a dignified, secure life. Canada, as a member of the international community, has a role to play and, one might even say, an obligation to assist in this.

Between Canada's refugee determination system and our private sponsorship program, as you've heard, Canada is clearly a leader in terms of domestic refugee processing. But Canada also has an opportunity today to be a leader in terms of international refugee governance. If we are to do so, then there are a few points that I think we need to pay attention to.

My first comment pertains to the issue of responsibility sharing. However exemplary our system, the number of refugees resettled to Canada is insignificant compared to both the absolute number of refugees seeking protection and, perhaps more importantly, the number of refugees who find some form of protection in developing countries.

At our peak, we resettled 47,000 refugees, but this pales in comparison to the millions of refugees we find in Lebanon, in Bangladesh, in Kenya and in Turkey. We benefit from the generosity of these states and from the reality that most refugees will seek and obtain some form of protection within their region of origin.

The system, however, is not sustainable without substantial ongoing assistance. This assistance can take many different forms. It can be financial aid. It can be development grants, support to UNHCR and increased numbers for resettlement. But whatever its form, as part of the global system of responsibility sharing, Canada and other states of the global north need to increase our assistance and ensure that our assistance is effective.

Some of the strategies that could be used in order to achieve this goal include, for instance, guaranteeing aid over a longer funding cycle so that host states and international organizations are able to plan, invest and strategize over more than a two-, three- or four-year period. Similarly, support obviously needs to be provided not only to refugees but also to the communities that host and support them, and perhaps most critically, the absolute level of assistance needs to be increased to address the consistent UNHCR budget shortfalls, which mean that many refugees end up not receiving the aid they need and to which they are entitled.

An Oxfam report, by timely coincidence, was released earlier this week. It noted that Canada's international assistance spending is at a near historic low—only 0.26% of gross national income as opposed to the UN's aid target of 0.7%.

Through the fortunate accident of geography—the fact that we live on a very big island—and through the effective use of deliberate policies of deterrence, the global north, and North America in particular, has managed to largely outsource its refugee protection obligations. This isn't sustainable over the long term.

This leads me to my second point, which, since I am a lawyer, is perhaps my pet project. It has to do with law and rights. If Canada is to be a leader in global refugee governance, it must espouse and promote a law- and rights-based approach. In recent years, we've seen what is often referred to as a thinning of international refugee law. Perhaps the best example of this is indeed the global compact on refugees. The compact has its benefits, but ultimately it is a voluntary agreement that imposes no legal obligations on states.

• (1650)

Consequently, there is a risk that the non-binding compact will undermine the existing legal framework under the 1951 refugee convention by prioritizing the charity and humanitarian-based understanding of refugee protection and assistance as opposed to the existing law-based understanding. States cannot be allowed to use the global compact to pay lip service to the principles of international co-operation and responsibility sharing, while ultimately offering little in the way of defined commitments or concrete results, and at the same time failing to meet their existing human rights obligations.

Similarly, the increased use by states of bilateral arrangements, such as safe third country agreements, has the potential to undermine the existing multilateral legal framework, which is critical to an effective response to forced migration, being as it is a challenge that is international in both scope and nature. As a leader, Canada should reaffirm its commitment to the international legal regime that not only ensures and protects the rights of refugees, but ensures and protects the right of all human beings. This includes, for instance, continuing to advocate for the ratification of international refugee and human rights agreements and ensuring that we lead by example, for instance, by ratifying the 1954 Convention Relating to the Status of Stateless Persons, to which we are not a party, and by rethinking the safe third country agreement between Canada and the United States.

My third point pertains to the connected issues of pathways to migration and durable solutions.

In perhaps the greatest tragedy of the current international system, millions of lives are being spent in protracted limbo, where refugees and other forced migrants survive in temporary, insecure situations without legal status or the full benefits of the rights to which they are entitled. The loss and the waste of human potential is staggering. To this end, states must be called upon to think creatively about offering alternative pathways for migration, and complementary protection, for instance, through educational opportunities and alternative work programs, and this in addition to the three durable solutions of resettlement, repatriation and local integration.

If we are to do this, it is also critical that these approaches do not render the status of migrants and refugees even more insecure than they are today and do not undermine the strength and certainty of citizenship. Thus we must ensure that state policies and practices respect the inherent rights and dignity of refugees and migrants despite their status as non-citizens. We must continue to recognize the essential role that legal status and citizenship plays, as well as individual agency and legal, economic and physical integration in the search for durable solutions.

In closing, we are facing an increasing challenge on the international front. The increasing number of nationalist, populist political movements in the world today poses a huge challenge to those of us who seek an international system of migration governance, but it is my hope as an advocate, as a lawyer, and particularly as a Canadian citizen, that the Canadian government will take the opportunity that is presented to it and use this time, use this chance, to lead in this way in terms of the international community, not only in the domestic context.

Thank you very much.

•(1655)

The Chair: Thank you very much.

Professor Liew.

Professor Jamie Liew (Associate Professor and Refugee Lawyer, Faculty of Law, Common Law Section, University of Ottawa, As an Individual): Thank you.

I want to applaud the committee for undertaking this study. Thank you for your invitation.

My name is Jamie Liew. I am a refugee lawyer and an associate professor from the faculty of law at the University of Ottawa. In my limited time today, I am submitting three recommendations for your consideration.

The first is to repeal section 117(9)(d) of the regulations. I am providing to the committee a written copy of research co-authored with two other lawyers that calls for this repeal. It is a regulation that excludes a member of the family class—a family member—who was not disclosed or examined before the sponsor came to Canada. The regulation imposes a lifetime bar to refugees and other migrants from sponsoring their family due to non-disclosure of a family member. That has nothing to do with fraud in 90% of the cases that we examined. Tragic reasons like an assumed death of a child leads to permanent family separation.

This regulation is overly broad and unnecessary given other tools in the immigration legislation. I invite the members to review this paper and consider this impact on refugees and Canada's long-standing commitment to family reunification.

My second recommendation deals with the refugee protection framework and what it should look like. It should not look at its overseas activities as separate from the inland protection scheme. Canada's focus should not be so much on how the requests for refugee protection come to Canada. Much of the public discussion surrounding the issue of managing our border has been to cast resettled refugees as good, law-abiding people waiting in line, while those coming to our borders are queue jumpers, law breakers and

less deserving. The government has a role in shaping the way that migrants are seen in public, through policy and laws. Rather, talking about refugee protection in the resettlement context as the legitimate way and those coming inland as a means to discourage, we are sending a damaging message that is not aligned with our international legal obligations, as Professor Macklin outlined.

I encourage the committee to think about refugee protection, and the effects and links that the resettlement process has with the inland protection system. I am therefore recommending that reforms would allow migrants to go to official ports of entry, putting trust in our well-oiled system rather than crafting makeshift border posts. I have recommended this to the committee in the past, and I have again provided the written submissions to the committee that I provided in July.

My third recommendation is around the issue of statelessness. I want to draw the committee's attention to the fact that the UNHCR states that there are over 10 million stateless people all over the world. Recognizing this as a global problem, the UNHCR commenced a 10-year campaign in 2014 called #IBELONG, to end statelessness by 2024.

Stateless persons have difficulty accessing health care, education and social services. Without status, stateless persons cannot work. They are at risk of being detained, and because there are sometimes no prospects of removing the person to another country, they can be indefinitely held in immigration detention. In other cases, they are removed to a place where they suffer further hardship because they are stateless.

I want to discuss how the lack of citizenship may be the cause of displacement and forced migration. Indeed, the denial or stripping of citizenship is a political tool that encourages discrimination, oppression, and in the case of the Rohingya in Myanmar, genocide.

While it may be clear that some stateless persons may be refugees—the Rohingya, for example—in many situations stateless persons do not meet the requirements in law to qualify for refugee protection.

Canada has provided some relief in the form of policy guidelines for permanent resident applications on humanitarian grounds and the ability to apply to the minister to grant citizenship to a stateless person in the Citizenship Act. These two legal mechanisms, however, are an exercise of discretionary power that is seen as an exception to the rule and are avenues that should not be used as a means of circumventing the normal immigration or citizenship process.

While there are potential avenues existing within the citizenship and immigration framework by which some stateless persons may gain status, many simply do not qualify, or are at the whim of pure discretion. As a leader in refugee protection, Canada can also become a leader in providing protection for stateless persons by creating a holistic legal framework by which stateless persons can have a true chance at accessing not only permanent status, but citizenship, as a durable solution.

•(1700)

Canada can begin by legally defining and investigating the depth of statelessness in Canada. My recommendation is to identify and track stateless persons while creating legal mechanisms geared toward providing a pathway for citizenship dedicated to stateless persons.

Second, it is important to understand that Canada is a signatory to the 1961 statelessness convention, but as Professor Purkey mentioned, not a party to the 1954 statelessness convention. The 1961 convention guides us in preventing statelessness, but the 1954 convention establishes positive obligations. Arguably, aspects of both conventions are becoming customary international law.

Canada has a stateless population of its own that it should address. More research needs to be conducted on how indigenous persons who don't have citizenship want to be recognized as citizens. As well, stateless persons who have a dominant and effective link to Canada, for example by being resident in Canada for a significant portion of time, should be given a pathway to citizenship.

I point out Canada's international obligations here because there has been recent talk about eliminating birthright citizenship. I have conducted research in other countries where birthright citizenship is not present and can attest that there are several reasons this policy should not see the light of day. This discussion is fuelled by the fear that migrants may be engaging in birth tourism. Existing data, however, shows that only 0.1% of total births can be characterized as such. This is not a problem worth eliminating birthright citizenship for.

Second, if we're going to talk about efficient management of the administrative processing of citizenship applications, such a policy would demand more tax dollars toward a complicated process, because everybody would have to apply for citizenship. Proving citizenship will be more difficult, and this policy will create greater numbers of stateless persons within our borders.

I leave you with this. My father was stateless before he immigrated to Canada. He was lucky because at the time he qualified as a low-skilled worker. He would not qualify under today's system. I was born on the heels of his obtaining citizenship in Canada. Had the government of the time not changed the residency requirements from five to three years, I would have been born in Canada while my father was stateless. If birthright citizenship did not exist, I might not have been a Canadian. I am living proof that welcoming stateless persons to Canada with the conferral of citizenship is the best way to build a nation.

Thank you.

•(1705)

The Chair: Thank you very much.

Did you have Professor Macklin, as well? She has tentacles everywhere.

Prof. Jamie Liew: No I don't, but I teach her material in class quite a bit.

The Chair: There's this brand that kind of goes across the country.

We're going to begin with Mr. Sarai.

Mr. Randeep Sarai: Thank you to all three of you. It's always insightful to hear from Professor Macklin as well as from you.

Ms. Purkey, you talked about the safe third country agreement, that perhaps it's time for it to go. Being Liberals, and being liberal-minded people, we are all very liberal in terms of refugee settlement. But once you get in this job, you also learn that there are levels and that there are certain amounts you can absorb. If you take too many, then people have a queue of years and years—and that becomes a challenge.

There's also the argument that you brought up of a rising level of populism. Anti-refugee sentiments arise, and that usually happens when you have an abundance coming in really quickly and they're not able to integrate or settle. Certain groups will rise and use that as an excuse for unemployment or other small issues and pick them out. Usually the best way—and Canada has been very successful at this—is to absorb the amount we take in.

What's your alternative if the safe third country agreement is removed? I fear the floodgates might open due to policies that are prevalent in the U.S. right now, and we wouldn't be able to control much, even though now we have a challenge as well. What would be the alternative to that? Would we just allow everyone to cross over, process everyone and then do it?

It would be a huge burden and you'd be taking over 25, 30 or 40 months to process their refugee claims. In that time, they're starting to have families, lose their roots and establish roots here. Then de facto it becomes almost impossible to remove them if they're not, in fact, genuine refugees. What are your suggestions for how to...? What mechanism could be better?

Prof. Anna Purkey: Thank you very much for the question.

I will refer to Professor Macklin's comments on this as well, in that we don't have any real evidence that doing away with the safe third country agreement would in fact create any huge influx. We've had a substantial influx of people over the past few years, but there's no indication that removing the agreement entirely would change that. Those people are still coming and will continue to come, even under the current agreement.

With regard to the idea of integration and perhaps the push-back against a large number of people, I think we have to also keep in mind how many people we're talking about. This is not a million people crossing the border. This is not what we see in Turkey. This isn't even what we saw in Germany and Austria. The numbers, if you look at them in absolute context, are not that big. They're big for us. However, we are a very large country. We are a wealthy country. If we devote the resources to it, we have the capacity to integrate substantially more people than we are.

In fact, we need to integrate, whether they're refugees or immigrants.... There have been any number of studies fairly recently that have talked about the challenges we have in terms of creating a workforce. Obviously we prefer to choose who comes in, but doing away with the safe third country agreement doesn't remove the security checks that would be there. We will be doing all of that. You're not going to be getting "terrorists" coming in.

With regard to the issue of processing time, again, it's a question of resources. If we devote more resources to it, we can process faster. We were able to do it with the Syrians when they came in.

Mr. Randeep Sarai: With the current flow of irregular crossings, a lot of them are getting visas to the United States and then they're coming in. I think it's in the 30% rate who are currently being accepted as refugees.

You have hundreds of thousands, if not millions, of undocumented workers and people without proper status in the U.S. At any time, if the U.S. changes its policy, they could be potential refugees who could just come over the border. That is the issue that I'm more concerned about. The others are coming in and it's not as big of a number as people think. However, that's the alarming factor. Prior to this current regime, that was probably not something Canadians were worried about. Currently it's a realistic fear, and that's why I'm asking how we can curb it.

I'll go on to Ms. Macklin.

I want to commend you on your comments about the empirical data of a refugee versus an economic immigrant. It is so true. If you look even historically, whether it's Jews who left during the Holocaust, they've become some of the most successful immigrants in the United States and Canada.

I look at some of my parents' friends from India, who were India and Pakistan partition refugees. Some of the wealthiest and most industrious and entrepreneurial people in India and around the world who came out of that were refugees. They started from nothing.

I commend you. It would be very helpful if you had some empirical data to show us about Canadian refugees who have settled and how well they've done.

I recall somebody doing it on the boat people who came to Halifax in the late eighties—I believe 1988—and they studied how well they did. I don't know how many were millionaires, how many had employed others, but if you have more empirical data that you might be privy to, I'd be greatly appreciative.

● (1710)

Prof. Audrey Macklin: The study I referenced is one that the government itself did. It was reported in the media. The evidence is within the government's archive of data.

Mr. Randeep Sarai: I'll ask the analyst to provide that.

I'm going to turn it over to my colleague Ali Ehsassi for questions.

Mr. Ali Ehsassi (Willowdale, Lib.): Thank you very much.

I'd like to thank everyone for their incredible advocacy today.

I should add that I'm just a visitor. I'm not regularly a part of this

Mr. Matt DeCoursey (Fredericton, Lib.): He's a temporary resident.

Mr. Ali Ehsassi: I'm a temporary resident, as my colleague said, on this committee.

The issue that I want to ask you about, both Professor Purkey and Professor Liew, is on the convention on the status of the stateless.

Out of curiosity, what are the impediments that seem to be in our way of ratifying this convention? I note that the Human Rights Council has brought this up. They've made several recommendations to us. What has been the policy rationale, from the bureaucracy I suppose, for not signing on to it?

Prof. Jamie Liew: My understanding is that the difference between the 1961 and the 1954 conventions is that the one we haven't ratified imposes positive obligations, so it really means that Canada has to take positive steps to create a pathway to citizenship for stateless persons. Canada needs to actively take steps to identify, to track, to define and to provide a pathway to permanent status in Canada.

Canada is reluctant to do this because it really means there won't be flexibility in the future to talk about the ways in which we might want to create a more flexible or less sticky citizenship. We've seen discussions and policy and revisions in our Citizenship Act that have in the past created concerns among advocates like me about whether or not citizenship should be as permanent as it is. There have been recent discussions about the idea of citizenship, who qualifies for it, who is deserving and how we can strip citizenship away. These potential policy actions that governments may want to take are restricted further by their being a signatory to this convention.

I think that Canada should take this as an opportunity to be a leader. The UNHCR is embarking on this campaign and Canada's been known internationally to lead in the refugee context, and I don't see how it could be any different with regard to statelessness. I think it is a good time and an opportunity to incorporate in our protection regime a way to define and track stateless persons and to identify ways to provide dedicated protection paths for them.

Obviously, the first step to do that would be to become a signatory and ratify the convention, but I think Canada can make a contribution without doing that as well. However, my preference would be to become a signatory.

● (1715)

The Chair: I need you to end there. I think we will take that and ask for a note on the actual differences.

Mr. Maguire.

Mr. Larry Maguire: Thank you, Mr. Chair, and my thanks to the witnesses for your presentations.

There were a couple of points of interest that I found. Your statelessness, Ms. Liew, was something that I think was important. Ten million across the world and you referred to the number of stateless in Canada. Do you have numbers on...?

Prof. Jamie Liew: My understanding is that, in the 2016 census, there were almost 4,000 people who had self-identified as stateless, but this refers only to people who have self-identified. Without a full, broad study, it's unclear how many stateless persons there are in Canada. Obviously, people who are stateless may not want to become identifiable to the government for fear of becoming removable when they come to the attention of the government.

It's really unclear and I think the government has an opportunity to use its resources to track and identify stateless persons and provide some pathways for them.

Mr. Larry Maguire: That's a very good point. Those are only the legally identified ones and 4,000 is quite a number. As you pointed out, there could be many others who for many reasons do not want to declare themselves.

Ms. Purkey, you talked about the aid program, the guaranteeing of aid over a longer period of time. Could you elaborate on that a bit? I know it would provide more predictability. Is that the major reason for going there?

Prof. Anna Purkey: To a great extent, it is about predictability. It's also about consistency. I think about my students who want to work in international aid, yet you can only get a one- or two-year contract because your job is dependent on the funding cycle. It also means that a huge amount of effort is put into writing grant proposals and spending time seeking new aid, with different organizations or different states competing against one another.

We favour enabling a longer funding cycle because we realize that the challenges of dealing with migration aren't going to be solved in six months. They're not things that are going to be solved in a year. We need to be able to look ahead in order to create some degree of consistency.

Mr. Larry Maguire: I was speaking with some people from the Canadian Foodgrains Bank just yesterday in regard to your numbers, the 0.26% gross now and target of 0.7%. Those are exactly the numbers they have as well, so dollars are needed in some of those areas and it would be a benefit to help with some of those pathways.

It was very staggering to hear your reference to temporary living. Survival in those temporary living conditions is pretty staggering and you used that as a pathway mechanism. Could you elaborate on that?

Prof. Anna Purkey: One of the options that has been raised is looking at the idea of providing temporary protection to people. Perhaps states would be more willing to offer protection if they didn't feel there was going to be a permanent impact on their society.

I have some reservations about that, because ultimately, our objective is to find durable solutions and durable solutions are long term. They're permanent. They allow people to settle and integrate. At the same time, perhaps looking at temporary mechanisms is the least bad of some of the options. If you could give people at least some assurance that they had status and protection for a limited period of time, and it didn't impact our long-term objectives, then at least you wouldn't have this constant feeling of insecurity for many people, this day-to-day, "Am I going to get deported? Am I going to get returned to a country where I risk torture?"

It's not a perfect solution. Ideally, we want durable solutions. We want permanent solutions for everyone. We are not currently in a situation where that is possible.

Mr. Larry Maguire: Ms. Liew, I know, from some of your articles, that you mentioned the Rohingya. Are there measures you think we should be taking to further our support of the Rohingya? I understand you support Canada stripping the citizenship of Aung San Suu Kyi. Can you elaborate on that, and what do you think we could do in those areas?

Prof. Jamie Liew: Certainly, Canada could think about resettling a number of Rohingya from refugee camps, for example, in

Bangladesh. Canada has obviously had a record of doing that. That is one big step to support the weight of the burden that some countries in the region are feeling.

Secondly, engaging with ASEAN and partners in Asia to talk about what a durable solution within that region is. Finally, providing, as Professor Purkey mentioned, aid to the regions where Rohingya are currently living.

It is imperative that we discuss the fact that some of these people are going to be living as stateless refugees in some countries for many years. I personally met some Rohingya refugees in Malaysia. They have been living there for 20 years. This is not a durable solution, because they don't have status. Their children are not educated. Canada needs to have a more engaged conversation about what's happening in countries that are closer to the conflict.

• (1720)

Mr. Larry Maguire: Ms. Kwan and I were at a camp this summer in Africa, where a person had been in that camp for 27 years. She was now looking after her grandchildren in that camp, a very desperate situation. Do you feel that in relation to some of the programming that we provide, it's important to look at the most persecuted people in these areas as refugees to be taken by Canada, as opposed to, say, people referred to as economic refugees?

Prof. Jamie Liew: Certainly, it's difficult to prioritize. I'm not going to judge the government in terms of how it comes to that decision. The people who are living in the most precarious of situations....

I identified the Rohingya as a population, because they're stateless. There is completely no recognition of their personhood anywhere. Alongside the genocide that has been recognized by this government, this is a perfect example of where our resettlement program could kick in, and where Canada can engage in a conversation about what kind of assistance can be given to countries in that region.

The Chair: Ms. Kwan.

Ms. Jenny Kwan: Thank you very much, Mr. Chair, and thank you to all three of our witnesses for their very thoughtful presentations.

I'm going to start with the issue of a safe third country agreement. Minister Blair, actually, a few weeks ago at a different committee, the public safety committee, put on the public record, in response to my colleague Matthew Dubé's question about whether or not the government will eliminate applying a safe third country agreement to the entire border from its discussion and negotiations with the United States, that the answer was no.

The option of applying the safe third country agreement to the entire border is on the table as the government sits at the table when it renegotiates the safe third country agreement with the U.S. I'd like to ask all three of you for your comments about that, and whether or not this is the right approach, or should we just be on the record that this is not an option?

Professor Macklin.

Prof. Audrey Macklin: I'm not going to repeat reasons I think it's an unprincipled response, but just from the perspective of practicality, are we going to build a wall along the Canada-U.S. border? Are we going to put sentries along the Canada-U.S. border? How exactly does anybody imagine that you could implement this agreement across the full length of the Canadian border? If you think, we'll just put them at Roxham Road and in Emerson, Manitoba, then people are no longer going to try to enter at Roxham Road and Emerson, Manitoba.

It's just a completely unfeasible approach, not to mention, who do you imagine will be standing on the other side of the U.S. border waiting to receive people back? The whole thing is just so impractical that even if you aren't persuaded by the principled objections to it, I would think the pragmatic ones should carry some weight.

If I may, just let me add one more point to this. There is the sense, a kind of short memory idea, that the safe third country agreement has always been in place, that it has always ever been thus, but of course, it's only been in place for a dozen years. A dozen years ago, the norm was, you can make a refugee claim at a port of entry at the land border, at an airport or a seaport. Today, you can still make a refugee claim at an airport or a seaport.

The safe third country agreement is an exception to the norm. It's not the norm. Just to repeat, there's no evidence that, if you were to revert to the status quo ante, the usual situation, that there would be a sudden rush to the border. If there's a concern amongst Canadians that there will be, I think it's the job of those who lead this country, it's a job of leadership to dispel the kind of negative information—the scapegoating and the misinformation. It isn't to just take it as a given, as a political fact around which one must organize one's policies.

Thank you.

• (1725)

Ms. Jenny Kwan: Ms. Liew.

Prof. Jamie Liew: The STCA's original purpose was really to reduce the pressures faced by the IRB in terms of the number of claims being made at the time. If you think about that policy reason, why the STCA was put in place, it is obviously failing.

As acknowledged by a member of the committee earlier today, there are people coming regardless of whether or not the STCA is in place. I think the question should be, how do we manage the border in a planned, orderly and compassionate way? This goes back to Professor Macklin's comment about what is most practical.

As well, we should really think about the fact that applying the safe third country agreement really means we're not meeting our international obligations when it comes to refugee protection. We cannot stand here and espouse the way in which the world should be convening and talking about refugee protection when, in our own backyard, we're not complying with international obligations.

I've spoken at length in front of the committee before about the violations that are occurring, that people are being turned back to face risks in their home country and even hardship and trauma within the United States.

Finally, I want to say that we should really trust our system. We have a well-oiled immigration system in place. We should use our legal, official ports of entry instead of these makeshift places and not complicate the matter. Ultimately, our obligation is to process these claims. We shouldn't be focused on how people are coming and trying to stop them from coming. Let's live up to our international obligations.

Ms. Jenny Kwan: Thank you.

Professor Purkey.

Prof. Anna Purkey: I'm not sure there is much of value that I can add, except that I would still reiterate the principled approach as well, in that the premise of the safe third country agreement is that the country that individuals are being returned to is, in fact, safe. We have credible evidence that for many people right now the U.S. is not a safe third country.

That opens the door to really rethinking this agreement and its very fundamental purpose. Moreover, I would say that many of these bilateral agreements have the unfortunate side effect of pushing people into illegality. As Professor Macklin has said, if we are going to put border guards at Roxham, we will have people crossing through fields outside of Calgary or fields outside of Edmonton. We will have people freezing in the snow, because people will cross. People will come to seek safety. We are simply pushing individuals into a more dangerous, more illegal situation by strengthening this particular—some might argue inhumane—policy.

Ms. Jenny Kwan: Thank you very much. I really do appreciate that.

I think it's worth putting on the record over and over again this important point of view, which is why I asked the question. I was quite alarmed to hear Minister Blair, not very many weeks ago, say this on the public record at the public safety committee.

I'm going to move on, because the other piece related—

The Chair: You have 30 seconds.

Ms. Jenny Kwan: Okay.

Statelessness and the action that governments should take, what is the remedy?

Prof. Jamie Liew: There should be a provision of legal mechanisms to provide pathways for permanent status; ie., citizenship for stateless persons. We should be looking in detail about who is stateless and how we can provide some pathways for them and become a leader in this area of protection.

The Chair: Thank you very much.

We have a few minutes for an in camera meeting.

We are going to thank you for your presence. We have several things I want to follow up with you about, so you may hear from us again. This study will go on for a little while.

We'll suspend for a moment as we move to an in camera meeting.

[*Proceedings continue in camera*]

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