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# Standing Committee on Citizenship and Immigration

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EVIDENCE

**Tuesday, November 6, 2018**

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**Chair**

**Mr. Robert Oliphant**



## Standing Committee on Citizenship and Immigration

Tuesday, November 6, 2018

• (1540)

[English]

**The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)):** I'm calling to order the 131st meeting of the Standing Committee on Citizenship and Immigration as we continue our study of migration challenges and opportunities for Canada in the 21st century.

You will remember that before we did our mission to Uganda and Tanzania, we heard from the World Refugee Council and we thought it would be important both to bring them back as a body and to hear from others from the council, so we will have a second witness from there as well as individuals.

We are going to start with the World Refugee Council. I understand that Ms. Jilani is going to open.

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Chairman, before you start, I wonder if you can advise when the minister will be attending the committee on the interim estimates.

**The Chair:** I don't believe we have a date. We have put in a request, and we have an assurance that he will be attending and that we will make our deadline.

**Mr. David Tilson:** Okay, thank you.

**The Chair:** Go ahead, Ms. Jilani.

**Ms. Hina Jilani (Co-Chair, World Refugee Council):** Thank you very much.

Mr. Chair, it's my privilege to be addressing members of this committee on behalf of the World Refugee Council, which I co-chair with Lloyd Axworthy, a former foreign minister of Canada.

Let me start by saying a few words about the World Refugee Council itself.

It is an independent body that includes more than 20 political leaders, policy advisers, academic experts, business leaders, civil society actors, and human rights activists from around the world. The council was convened by the Centre for International Governance Innovation with the support of the Government of Canada.

Our aim was to produce a good analysis of the situation of refugees around the world, of the issues that are now emerging with this mass movement of people, and of the problems that have beset host countries in particular with this phenomenon that we see. We have prepared the report and are about to launch it next year, but I

would like to apprise the committee of some of the findings and the conclusions we have arrived at.

We recognize that the UN has recently concluded the UN global compact on refugees. The council's work is complementary to the UN global compact on refugees and is designed to build on the consensus that the UN has been able to achieve already.

We think it's worthwhile progress and that it needs everyone's support. However, we are conscious that because of certain weaknesses in the multilateral system at the UN—for instance, the dominance of major powers, the north-south divide in the UN, the bureaucratic and siloed character of its institutions, the fear of undermining the 1951 refugee convention, and the built-in limitations of the UNHCR's mandate—the UN process has not generated the far-reaching change that is so urgently needed.

We believe that the global compact on refugees will not reset the refugee system. In its own words, the global compact on refugees is entirely non-political and fundamentally humanitarian, but as you must have discovered in your own search for the realities of the situation of refugees, the causes of and the responses to forced displacement are entirely political. To quote Sadako Ogata, the former High Commissioner for Refugees: humanitarian problems do not have humanitarian solutions; they only have political solutions. The council aims to produce these political solutions and identify strategies by which they will become a reality.

I would also like to give you an overview of the scale of the challenge that we see today.

The challenge of forced displacement is growing. The UNHCR reports that the number of people displaced globally by conflict and persecution stood at 68.5 million at the end of 2017, the greatest number since World War II. Figures released in May 2018 show that there were 30.6 million new internal displacements in 2017, with a total of 40 million estimated to have been internally displaced as a result of conflict and violence at the end of 2017.

The number of people globally facing acute hunger due largely to conflict and instability reached almost 74 million, pushing more people towards despair and driving more people because of war and conflict. Meanwhile, refugees are woefully undersupported. Appeals for funding consistently fall well short of their goals.

The World Refugee Council contends that the response to the challenges of forced displacement must be a global one, recognizing among the nations of the world common but differentiated responsibilities based on state capacity. Host communities must be supported as they manage refugees, and refugees themselves must have timely access to protection and support.

The refugee issue carries serious tones of gender discrimination and widespread abuse. Present border crossings from Venezuela to Colombia are sites of sexual harassment and assault. At the same time, the role of women in being active participants in coping with refugee issues has been downplayed in government action, particularly by indifference to the absence of education for women and children who have been displaced.

The first words of the report that I just mentioned state: “At its core, the world is not facing a refugee crisis so much as a crisis of leadership, a deficit of vision, humanity and solidarity.” We believe that the report makes recommendations and calls for action in key areas that will bring forward some new and innovative thinking about the issue of refugee situations and such issues as collective responsibility and shared responsibility, and in many practical ways we have suggested how that thinking can be done.

Among the key areas where we have called for action is accountability for perpetrators who act with impunity, often enriching themselves in the process and shielded too often by Security Council vetoes. We believe that accountability is one area to which more attention needs to be paid, with more institutions and mechanisms of accountability at the international level. Better arrangements for accountability that is credible at national levels need to be encouraged.

The other area that we find extremely important is the level of funding for refugees. I hope that my colleague Allan will speak a little bit about this. We are insisting that there must be greater support for those countries hosting a large number of refugees, in a manner in which not only are refugees supported but local populations feel a part of the development and the benefit that come with international cooperation.

We also believe that resettlement is extremely important. It is lacking in any kind of visionary initiatives, both at the international level and at the level of the UNHCR. We believe that the international community has to make better arrangements for resettlement, which must be expeditious so that refugees are not left for long periods in refugee status in which they have no predictable way to see when their plight is going to end.

We also believe that governance reform must be significant and are proposing changes in the UN Secretariat itself. The council will also advocate new approaches to decision-making affecting the forcibly displaced, calling for regionalization and decentralization of policy decisions. We are very keen that regional institutions be involved and be given much more of a role in solutions to the refugee crisis that we see today.

We have also in the report given very practical ways in which the recommendations made by the World Refugee Council can be implemented; these are very feasible, practical, and doable.

I will end here and say that a more effective global response to forced displacement with shared responsibility will result in greater predictability and efficient resource mobilization. It will improve management of borders and of the migration process, with an emphasis on prioritizing the dignity and the rights of both the forcibly displaced and the host communities.

I believe that fixing the system will not only save the lives and meet the needs of the displaced, but will also help countries, including Canada, to better manage pressures for refugee resettlement. In a very real sense, self-interest and the interests of the displaced coincide.

Thank you, ladies and gentlemen.

• (1545)

**The Chair:** You really don't have any time, Mr. Rock, but you can take two minutes if you wish to add anything, just because you're there.

**Hon. Allan Rock (Special Adviser, World Refugee Council):** Well, that's kind of you, Chair. I'm grateful and honoured to be here as well.

I have two quick points.

First of all, the council went to Colombia over the summer. That trip and subsequent research resulted in a report uniquely on the issues arising from the Venezuelan refugees, the largest exodus in the history of the Americas. It's going to rival the Syrian refugee exodus in its volume. The implications are huge for the hemisphere.

We launched the report last week in Washington, including at the OAS. It's only available in the English language, so I cannot table it with you, but I've provided the clerk with details. It's available online.

The second point is that one of the recommendations the council will make is that countries around the world should make it possible to confiscate frozen assets of crooked foreign leaders and use that money for the benefit of the population that they've swindled. Canada and other countries around the world have literally billions of dollars on deposit in our banks or as assets in our jurisdiction. We have legislation—including the legislation you passed last year on Magnitsky—authorizing the freezing of those assets, but then they sit there.

What we're suggesting is legislation—it could be an amendment to Magnitsky or free-standing legislation—that would authorize the Attorney General of Canada, or someone else, with her consent, to apply to a superior court of the provinces for an order authorizing the confiscation of those assets and their repurposing. Either send them back to the country of origin, or, if that country is still in the grip of a corrupt government, provide that money to an international agency like UNHCR, or an NGO that is accountable to the court. Every dollar would be tracked, and the court would get a report as to how the money is being spent. The court would make that order on notice to all interested parties, so you have transparency, accountability and the rule of law, but you'd put these assets to use.

Similar legislation with the same objective is now before the U.S. Congress. The United Kingdom is considering this approach. Switzerland already has a law in place, which is a good precedent.

I close by saying that we are going to recommend that the Government of Canada enact such legislation here and be a model for the world. We can use that money in an underfunded system. There's some symmetry, justice and accountability that arises from that approach as well, and we'll commend it to the committee and to the government.

Thank you, Chair.

• (1550)

**The Chair:** Thank you.

Go ahead, Ms. Lenard.

**Dr. Patti Tamara Lenard (Associate Professor, Graduate School of Public and International Affairs, University of Ottawa, As an Individual):** Thank you for inviting me to talk to you here today.

I appear in two capacities: first as a professor at the University of Ottawa's Graduate School of Public and International Affairs, where my research is on the experience of refugee sponsors, and second as a coordinator of Rainbow Haven, a community organization that sponsors and settles LGBTQ refugees here in Ottawa.

I am excited and proud to tell you today that my group will welcome five new Canadians this month: a single woman as a result of a successful BVOR match and a family of four as a result of a successful private sponsorship of refugees, or PSR, application.

I have three comments today, and they stem from a combination of my activism and my research. Their focus today is on who in Canada is doing so much of the resettlement work, namely volunteers, volunteers who are people like me who have full-time jobs, kids—sometimes it feels like a million of them, but only two—and yoga classes to attend.

My first comment is this—and you know this: Canada is often described as a leader in the LGBTQ space worldwide. Not only do the laws in Canada offer full and equal protection to every member of the LGBTQ community, but Canada on the whole has also been deliberate and consistent about signalling its commitment to LGBTQ rights abroad.

This consistent commitment is the reason that each year my colleagues and I are optimistic that the government will make permanent what is colloquially known as the “rainbow refugee assistance plan”, which gives groups supporting LGBTQ refugees some financial support and exempts us from quotas; however, each time the program comes up for renewal, it's extended only by one or two years.

I know that members of this committee heard from advocates of the LGBTQ refugees last year calling for the rainbow RAP to be made permanent. I read the enthusiasm for that program's being made permanent among both the witnesses and committee members, but one observation is absent from this testimony: the impact of renewal uncertainty on us, the people who do the work, the volunteers. Here's an example.

Two and a half years ago we submitted a PSR application under the rainbow RAP, the one that I mentioned in my introductory comments, and we began that application knowing that the rainbow RAP was due to expire in three months. We had to proceed without knowing with confidence that the program, the funding, and the “outside of quota” spots, which are especially valuable, would be available to us when the application was complete.

This program, like all of the PSR and the BVOR programs, is successful because of the work that volunteers do. The uncertainty of this program's future can cause us, or them, to sponsor fewer refugees or to operate with considerably increased stress. There is to my mind no reason to force us to operate in that kind of uncertainty. The program is not costly, it's not over-used, and it is relied upon by people deeply committed to the LGBTQ community. There's every reason to remove this unnecessary uncertainty and to signal to that community and those of us who work to support it that our work is valued and recognized.

My first recommendation is this: please finally make this program a permanent member of Canada's refugee resettlement programs.

Second, it is my understanding that since the BVOR program was created in 2012, the government has been really hopeful that Canadians will respond positively to the program, and also that except during the peak response to the Syrian war, response to this program has been underwhelming.

I would like to here strongly encourage the government to persist in supporting this program. There are so many reasons to expand the network of Canadians who contribute to the BVOR program: because it contributes to the pro-refugee sentiment that persists in Canada in spite of political forces that press us in the other direction; because it can increase the number of persons in need of protection, especially highly vulnerable ones who are admitted to Canada; and because it is a great partnership between Canadians and their government to work together in creating an environment in which new Canadians can thrive.

In going forward with this program, which I encourage, I have two specific additional recommendations. The first one is this. For this program to be attractive to refugee advocates, the government must do better at assuring us that it is not using us to carry out its own responsibility. In other words, it must find a way to publicly assure us that the principle of additionality is respected as the BVOR program expands.

Much of the willingness of Canadian volunteers to do this work is predicated on the trust that our work is additional to government contributions in this space. I encourage you to focus on supporting the trust relations on which this willingness depends by explicitly reasserting the government's commitment to additionality. The minister's statements on this program are being watched by us, and the commitment to additionality from that office right now is important for all of us to see.

Second, in order to motivate support for the BVOR program, we obviously need to find Canadians who are interested in spending their time doing refugee resettlement work. To do so, we need to understand why they might want to do it, and not just in a surge moment, as in the response to the Syrians; we need especially to understand whether the energy generated for this kind of work during the surge can be harnessed into an ongoing commitment by Canadians to refugee resettlement.

● (1555)

To my knowledge, putting the specific focus on BVOR-matched sponsors has not yet been done, and it is my recommendation that this study be done as quickly as possible. I know a researcher who is very well poised to do this work so that the government can move forward here on the basis of a solid understanding of how best to motivate Canadians to join the project of resettlement.

The program needs a better name. The name is a problem.

Finally, I would like to emphasize, by way of concluding here, that in light of the recently announced new refugee and immigration admission numbers, it's worth remembering that the world is still watching Canada right now. The decision to promote our private sponsorship program globally has made sure of that. Now is the time to be even bolder in this space.

We've just heard comments explaining why resettlement should be an essential piece of the work we do with respect to refugees, so be bold. Study after study in this country indicates that refugees do well or better, on average, than native-born Canadians do. Study after study indicates that their children flourish. I am one such person—if you think that professors count as flourishing—and I am certain that I am not the only child of a refugee in this room.

The United States has in the last two years dealt a devastating blow to global resettlement efforts. This is a moment when Canada can show it still deserves the compliments of the head of the UNHCR three years ago, when he applauded Canadians' generosity in the face of the exodus of Syrians from their country.

To conclude, let me add my voice—or give voice—to the Canadian Council for Refugees' recently released statement and join them in calling for an increase in the additional number of government-assisted refugees to Canada in 2019. This would be a triple win: we can respond to the grave harm caused by our neighbour to the south; we can showcase again that we as Canadians take seriously the need for Canada to do its fair share of global work to support refugees; and you, the government, can signal to us, the volunteers, that you continue to respect the principle of additionality that motivates so much of our willingness to do this work.

Thank you for your time and for your work on this file.

**The Chair:** Thank you very much.

Mr. Sarai, you have seven minutes.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Thank you, all three of you.

Turning to Ms. Jilani, who has come here quite from afar, and the Honourable Allan Rock, my first question is this.

The number of refugees worldwide now is astronomical, probably twice the population of Canada. Also, you've had IDPs; they would triple the population of Canada. As much resettlement as Canada does—and probably Canada disproportionately does more, based on its population, than most countries in the world do—it is still a small percentage of what could be done.

Are there avenues other than settling of refugees so they can avoid these conflicts? I've noticed that there's less of a political will around the world to help settle areas of conflict. Is that the lacking ingredient, or is there something else lacking that is causing such disturbances?

I'll go with Ms. Jilani first.

● (1600)

**Ms. Hina Jilani:** There is now thinking—and you are quite right that this thinking has to be done now—whereby resettlement can be supplemented by other initiatives that will make it easier to give more permanent status to refugees in host countries. That is why the World Refugee Council has emphasized greater support for those countries that are hosting a large number of refugees.

We have suggested creating bilateral and multilateral finance arrangements to ease loan underwriting, to ease the debt burden of some of these states, to help them towards a course of development that will be seen by the local population as a development for themselves, so that the willingness to accept permanent status for the refugees within their own borders will be more acceptable to local populations.

The World Refugee Council makes several such suggestions and proposals, which can, however, only be put into practice if there is a willingness of the international community to work together and to see this as a collective problem wherein everybody contributes to the extent that they are able and to the extent that their resources and expertise allow.

**Mr. Randeep Sarai:** Mr. Rock, can you say particularly whether there is a global willingness to work on these issues, or is it a very few countries that are paying attention to them while everyone else is neglecting them?

**Hon. Allan Rock:** As you know, the United Nations is conducting the global compact exercise, both for refugees and for migration. I understand that there's some difficulty getting consensus on the global compact on refugees. Migration seems to be going somewhat more smoothly.

I think the difficulty in achieving consensus on refugees is that there are very different views among the governments of the world, and the UN intergovernmental negotiation system is usually a race to the bottom. I'm sure it will be a worthwhile compact, but it won't be enough. That's why the council wants to come in with recommendations that will build on it and try to raise the level of the objectives.

The council has travelled a great deal in the course of our work. We've been to Tanzania and Addis Ababa; I was in northern Uganda a few months ago, in Colombia during the summer, in the eastern Mediterranean, and in Berlin.

By the way, if budgets allow, may I respectfully say that it would be extremely useful if this committee could travel as well and see for yourselves what's out there—not only the refugees, but also the host communities and what the attitudes are that we're dealing with.

In Berlin, for example, we met with the business community, with NGOs, with refugees themselves, and with spokespeople from government. The views are very disparate, but it's important for us to listen to them.

Coming to your question, I have two observations from what we've seen.

First, the host countries—Uganda in the case of South Sudan, Jordan in the case of Syria, Colombia in the case of Venezuela—are coping, some better than others. Uganda and Colombia are remarkably generous in the way they're receiving and accommodating refugees, but the other category consists of countries in which it's not going so well. I'm thinking here of some countries in Europe in particular where attitudes are not positive and there's a great deal of resistance, and where there's a concern that refugees are going to undermine culture, threaten security, or take jobs.

The World Refugee Council has recommendations that we hope can deal with that problem. Here are just two quick examples. In Jordan, in order to encourage refugees to remain in Jordan and in order to assist the government of Jordan with its political problem with the number of refugees from Syria, the European Union entered into an agreement by which it lowered the tariff on Jordanian goods being exported to Europe on the condition that the Jordanian government issue work permits to Syrian refugees. That's a win-win for everybody, and it's helping out.

The other thing that is going on is that the international financial institutions are starting to make concessional financing available to host countries to assist them, and that's helping too. In answer to your question, though, attitudes are variable, and I think what's required is some leadership. I think Canada is well positioned to provide it.

•(1605)

**Mr. Randeep Sarai:** Ms. Lenard, thank you for your work. Canada is actually blessed to have a lot of people who volunteer their time and welcome refugees. We're one of the rare countries in that regard, in having a higher demand for refugees than we can actually accommodate.

Canada has a refugee resettlement pilot program that you mentioned, the rainbow refugee assistance program. From your experience, do any other resettlement countries have a targeted program for LGBTQ individuals?

**Dr. Patti Tamara Lenard:** My understanding is that the Scandinavian countries actively welcome and slot their urgent spots for LGBTQ refugees. Finland and Norway, I believe, and also the Netherlands, are three other countries that are welcoming LGBTQ refugees right now.

**Mr. Randeep Sarai:** Do they have any best practices that you might want to share or suggest?

**Dr. Patti Tamara Lenard:** No. In fact, they come here for best practices. The Netherlands was recently here touring to see how we are going forward in that space.

**Mr. Randeep Sarai:** Excellent. Thank you.

**The Chair:** There were six seconds to spare.

Ms. Rempel is next.

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** I have a variety of questions. I'll start with some of the comments that were made around the safety of women in camps and some of the reforms needed around that issue.

Has any work been done through the World Refugee Council on establishing a framework for a UNHCR camp, such as community standards or something like that?

If you are a refugee and have been found to have assaulted somebody or threatened somebody else, is there a way of removing somebody from that camp or sanctioning them? Is there any framework for addressing assault when it happens within camps?

**Ms. Hina Jilani:** Yes. There are different kinds of actions that can be taken, but I think that when these camps are constructed, part of the discipline and the practical measures that are adopted also surround behaviour.

At the UNHCR level, a lot has been done, mostly because of NGO pressure, to manage the camps not only in a way in which potential victims are protected and prevention takes place, but also in a way that makes sure perpetrators can be identified.

Beginning with Darfur, a lot of measures have been taken at the UNHCR level. The World Refugee Council of course takes this very seriously. We have not developed a framework ourselves, but we are encouraging in our recommendations on the whole issue of gender-based violence that during flight, in the refugee camps, and in any period of time, the refugees and the IDP population are—

**Hon. Michelle Rempel:** I just have a quick question for clarification. Within that framework, could you point the committee to the types of sanctions that would currently be used in a situation of abuse?

**Ms. Hina Jilani:** I think criminal law will be the best possible framework, because it will be jurisdictional in that context. There will be certain measures that the UNHCR takes as camp managers if this happens in the camp, but the criminal law of the place where the camp is situated will also apply.

We have seen that in several places. I have been to Lebanon, not as part of the World Refugee Council but in my other capacities, and we have been shown examples of how gender-based violence was undertaken with impunity. In some ways, there are measures being taken to end impunity.

**Hon. Michelle Rempel:** Do you have any data in terms of metrics on how often that occurs, or instances of reporting and justice being served, as opposed to likely incidents of...?

**Ms. Hina Jilani:** Certainly, they—

**Hon. Michelle Rempel:** I guess what I'm saying is that I understand that even in developed countries, many women don't report sexual violence.

**Ms. Hina Jilani:** Yes.

**Hon. Michelle Rempel:** I'm sure it must be a lot worse in a situation like that. I'm just wondering if we're being naive to think—

**Ms. Hina Jilani:** I don't have data or figures to cite to you at the moment, but the data exists, and this data has been collected more systematically in more recent years.

**Hon. Michelle Rempel:** Where would that data be?

**Ms. Hina Jilani:** It would be with the UNHCR. It would be with several NGOs, such as Médecins Sans Frontières. They collect that kind of data.

**Hon. Michelle Rempel:** Okay. Thank you very much.

I know you've done a lot of work with respect to human rights in Pakistan. We've had a lot of cases recently reported to my office around Pakistanis who have fled to Thailand because of religious persecution. Part of the challenge this cohort is currently facing is that they say that they're not getting a lot of help from the UNHCR.

Is this something your organization has been aware of? Do you have any advice on the appropriate advocacy component for that?

•(1610)

**Ms. Hina Jilani:** You are correct that much of my experience is in dealing with the situations of minority communities in Pakistan, and specifically with those who are more persecuted than others. The climate for all non-Muslim minorities is not good, but there are certain minorities, such as the Ahmadiyya community, who suffer much more persecution. I have not seen the UNHCR being very helpful.

**Hon. Michelle Rempel:** Okay.

**Ms. Hina Jilani:** We have found much better responses from individual country missions and the diplomatic community in Pakistan in that regard.

**Hon. Michelle Rempel:** Thank you.

Also, with respect to the World Refugee Council, you spoke briefly about additional sanctions beyond what's included in the Magnitsky act right now, and certainly the Rohingya genocide is something that is of great concern to the entire international community. Is the use of the Magnitsky act to sanction individuals who are deemed responsible for significant atrocity crimes against the Rohingya people something that your organization would be advocating for right now?

**Ms. Hina Jilani:** We will certainly be advocating for the use of whatever we can find in terms of any framework that is available for bringing an end to impunity. We do believe that the recent efforts of the International Criminal Court to deal with the situation of the Rohingya through that particular channel of international criminal law will be very useful. It needs to be supported and needs to be given more strength.

**Hon. Michelle Rempel:** I'll close with a bit of a broader question.

What are your observations as an organization on the Dublin agreement, the recent negotiations that have been occurring in the EU in terms of potential broader-scale changes in Europe with regard to resettlement policy or the processing of asylum claimants? Is there anything that Canada should be aware of that you're either concerned about or very supportive of in terms of how that renegotiation has been going?

**Ms. Hina Jilani:** Our report does see some of these as very positive. We do believe that those can generate much more useful practices.

**Hon. Michelle Rempel:** What would those be specifically?

**Ms. Hina Jilani:** I can't give you specific instances at this point. I'm just referring you to the report—that we do take those into consideration.

**Hon. Michelle Rempel:** Which one is that?

**Ms. Hina Jilani:** This report is being launched next year, that the World Refugee Council has.... The interim report has already been put forward. There is an interim report, and I will certainly make sure that the committee has a copy of the interim report.

**Hon. Michelle Rempel:** That would be great.

**Ms. Hina Jilani:** Some of these measures—not all of them, obviously—that have been taken at the European level or other regional levels could be useful for Canada to study.

**Hon. Michelle Rempel:** Are there any areas of concern?

**The Chair:** I need you to wrap up. That's your last question.

**Ms. Hina Jilani:** I'm not sure that I can think of anything in particular that comes to my mind right now. Of course, there are many things to be concerned about, but I'm afraid I can't immediately think of anything.

**Hon. Michelle Rempel:** Thank you.

**The Chair:** Ms. Kwan is next.

**Ms. Jenny Kwan (Vancouver East, NDP):** Thank you very much, Mr. Chair, and I thank our witnesses for their presentations.

I would like to touch on the situation around Venezuela or, if you will, Central America. The United States has deemed that domestic violence—or gang violence, as an example—would not be a valid reason for people to seek asylum in the United States. Most recently, the President declared that they're moving towards legally defining sex as immutably assigned by the genitals that a person is born with. Therefore, transgendered people would also be faced with persecution in the United States.

To that end, in this context of internally displaced people and people being displaced, Canada does have a safe third country agreement, which really just prevents people from entering Canada through regular border crossings. I wonder if I could get some comments from you around that. Also, do you think the United States at this point in time is a safe third country? If not, do you think Canada should be suspending the safe third country agreement?

•(1615)

**Hon. Allan Rock:** Lloyd Axworthy and I have already published an opinion to the effect that the time has come to bring that agreement to an end. I was in cabinet when that agreement was entered into. It was entered into on the basis that the United States was at that time a safe place for a refugee and that a refugee safely in the United States could be turned back for that reason.



I don't believe that the United States is any longer a safe place for that refugee. The evidence has been accumulating since January of 2017 that it's unsafe. Each month brings a new declaration, a new step or a new absurd position from the American administration that puts those people in greater peril.

I think that agreement should be suspended and that we should no longer regard the United States as safe for those purposes.

**Ms. Jenny Kwan:** Thank you very much, Mr. Rock.

Ms. Lenard, do you have anything to add to those statements?

**Dr. Patti Tamara Lenard:** Just that I agree.

I was a defender of keeping the safe third country agreement for a long period of time after all the people with whom I share connections had switched to the other side, which was that it was time to abandon the agreement. Actually, I think we need to abandon it before the winter so that we can be treated to many fewer people crossing the border and losing their fingers as they try to come through irregular border crossings to get to Canada. We can save lives and fingers by suspending it quickly.

**Ms. Jenny Kwan:** On the global context, thank you, Mr. Rock, for your suggestion on the action that we need to take, particularly in targeting the frozen assets of crooked foreign leaders. Your recommendation to us is really to bring in legislation to allow for those monies to be unfrozen and utilized for humanitarian purposes. To that end, aside from Canada doing this internally, what should we be doing internationally with the global community on this issue?

**Hon. Allan Rock:** Well, I think what the council dreams of is a day when there's a worldwide web of legislation of this kind and crooked leaders know that there's no place where their money will be safe.

I mentioned Switzerland. Worried about the integrity of their banking system, they put into place informal measures, starting in 2001, requiring banks to discover the beneficial owner of money on deposit, providing for the freezing of assets and providing for going to court to ask for confiscation. They codified that in legislation in 2015.

That's a model for us. We recommend some changes, but I think the ideas there are a great precedent. We're going to encourage all countries to adopt similar legislation so that there is no safe haven for purloined assets and these crooks will know they can't get away with it. I think that's the ultimate objective.

**Ms. Jenny Kwan:** Thank you.

I'd like to move to what was talked about in terms of vulnerable communities. These are the people who are internally displaced in their own countries, particularly the LGBTQ community in countries where it is a criminal act for them to be who they are, yet we don't have an internally displaced stream here in Canada for resettlement purposes. We do have a pilot program, which should be made permanent, and thank you, Ms. Lenard, for that recommendation.

With respect to other countries, until resettlement takes place by Canada or other countries, is there something else that can be done? For example, could shelters be established to be in place to provide supports for these vulnerable populations? I say for the LGBTQ community, but it's also for people who are faced with sexual

violence, for example. Is there something we can do with the international community to address that issue?

**Ms. Hina Jilani:** Yes, I'm sure that something can be done. There must be more commitment towards the vulnerable communities, especially the LGBTQ community. Look at the situation of those who are either internally displaced or in refugee camps in countries where their lives are not safe. Who will take responsibility for their protection? Those host governments are not going to be taking on that responsibility.

As I said in answer to an earlier question, most of the frameworks for protection that are for action against those who perpetrate any kind of violence on these communities will be within the local context. The jurisdiction will be that of the host country, so their criminal laws will apply, and that's a very dangerous situation for them.

There are no shelters for women who are suffering domestic violence within the IDP community or the refugee community. At the same time, the UNHCR or the international bodies responsible for groups of refugees in a particular country will not take the responsibility for their protection from any kind of criminalization that happens, because the laws of a particular country are hostile to these communities.

• (1620)

**Hon. Allan Rock:** Can I add something very quickly? We think of refugees in camps, but we have to remember that a very significant proportion of refugees are not in camps.

In Colombia, for example, we saw a million Venezuelans cross the border, which is 2,200 kilometres long, and disappear into the country. They speak the same language. They're indistinguishable from Colombians, so they blend in—except that they don't. They have difficulty working. They have difficulty being accepted. They have difficulty supporting themselves. That forces a lot of people to become marginalized. It forces women in particular to resort to the sex trade to support themselves or their families. It also makes them very vulnerable to traffickers and others who want to exploit them. It makes them vulnerable to the drug cartels, which want to use them as mules.

What we've urged in the case of Colombia, in response to the Venezuelan crisis, is that we find a way as quickly as possible to regularize the refugees who are not in camps but are in the regular population. Allow them to work. Allow them access to education and social services. That's a question of funding, and we have recommendations on funding. We recommend that payment to UNHCR should be compulsory in the UN. It should be mandatory. It shouldn't be a voluntary pass-the-hat, because that's not working. We recommend that the private sector become involved and issue refugee bonds to raise money that way.

I will wind up by saying that it's not just the camps.

**The Chair:** Thank you.

Mr. Whalen is next.

**Mr. Nick Whalen (St. John's East, Lib.):** Thank you very much.

It's really interesting to have this conversation. Certainly when Ms. Rempel raised the issue of the Dublin agreement, I wondered what your thoughts are on having a Dublinesque agreement for North America.

Canada is shielded largely from the flows of migrants by the United States, which absorbs somewhere between 11.3 million and 22.1 million people, depending upon whose numbers you want to look at. Canada doesn't absorb nearly its percentage of regular migrant flows compared to the U.S.

Is there some way that we could codify rules throughout our hemisphere that would allow us to better manage these flows so that Colombia wouldn't have the whole burden, Brazil wouldn't have the whole burden, and the United States wouldn't have the whole burden? We would try to find some equitable way to share this burden with them and support the irregular migrants, either by making them regular or in some other fashion.

**Hon. Allan Rock:** You put your finger on the very central recommendation at the World Refugee Council: that there be true burden-sharing, responsibility-sharing; that we shouldn't impose on host communities, because they are neighbours, to take all the refugees; that the world should step up and recognize that we're all in this together; and that there should be, as Ms. Jilani has said, common but differentiated responsibility, so each of us contributes in a different way.

Give us a rational partner south of the border, and we'd be delighted to sit and talk to them about some kind of arrangement of that kind. I think it has to be in the future.

We speak about the number of refugees. It's reliably predicted that given climate change, there will be 250 million refugees by 2050. That's not very far away from now. Countries faced with drought and rising oceans and major weather catastrophes are going to produce those refugees. We have to find a way to share the responsibility, and I think that's exactly the formula we need.

**Mr. Nick Whalen:** You have all recommended getting rid of the safe third country agreement, yet if even a small fraction of a percentage of the 11.3 million to 22.1 million people came to a regular border crossing in Canada feeling they could claim asylum and not be immediately turned back, that would cause a fair amount of hardship and overwhelm our system, which is already quite strained, but which does deal with the irregular migrants in a responsible way.

In the case of Ecuadorians, even if a small number of them come next year, when their ability to stay in the U.S. expires.... A new arrangement is necessary. Simply eliminating the safe third country agreement unilaterally would potentially throw our system into chaos.

**Ms. Hina Jilani:** I don't know much about what the arrangements are at the moment, but, as I said, the role of regional organizations is very important. I suppose the Inter-American System needs to step in at some point, because this is not just North America. There are countries in other parts, in Central America and South America, that are host countries, and from which there's an outflow of refugees. I do suppose that regional arrangements need to be made, but these arrangements must be very firmly based on burden-sharing and collective responsibility.

● (1625)

**Mr. Nick Whalen:** In that light, how can Canada better regularize the irregular migrants we're seeing? Are we doing a good job at providing them opportunities to participate in our economy? Can and should we be doing more? The Ugandan example is great if you're not LGBTQ. If you aren't, then, of course, it's quite a good system. What can Canada do better in terms of providing opportunities?

**Hon. Allan Rock:** For one thing, resources are required to speed up the process of the determination of asylum seekers. I think it draws the whole system into disrepute and undermines Canadians' confidence in the system when it takes so very long to resolve a claim for asylum. Canadians are entitled to believe that our borders are secure, that our laws will be respected, and that no one will game the system or take advantage of it. Those who are arriving claiming asylum are not breaking the law; they're asserting a right. In response to that asserting of the right, we should have a system available that determines their claim quickly and effectively. Unless we do so, we're putting the system at risk.

**Mr. Nick Whalen:** I think there's a larger philosophical discussion we don't have time for.

Very quickly, Ms. Lenard, I agree that we need to use the BVOR program better. Maybe we could see the levels come up in the future if it's used more.

I want to share my time with Ms. Zahid, because she has an important question.

**Mrs. Salma Zahid (Scarborough Centre, Lib.):** Thanks, Nick.

Thanks to all three members of the panel for coming out today. My question is for Ms. Jilani.

It's really an honour to meet you in person today. You have been, and are, a role model for me. Growing up in Pakistan, we watched your work and the work of your sister on human rights and women's rights very closely, and I really admire you for that. It was shocking news for me to hear about your sister this February. Thanks for your work for the last three decades on human rights.

You're a member of The Elders also, and The Elders have called on Myanmar to allow the return of the displaced Rohingya. Could you please address what needs to be part of the lasting return for the Rohingya, and what Canada and our allies can do to encourage that?

**Ms. Hina Jilani:** I think the first thing the international community needs to do is have a common agenda to present to the Government of Myanmar to make sure that the return is possible and safe. At the moment, I think some of the steps that have been taken are far from satisfactory.

I have met the Rohingya population in Bangladesh, and I don't see any confidence in that population that they will be able to return and live there with safety. Myanmar is going through an ethnic conflict in any case; I think the Rohingya issue is deeper than just the Rohingya and the prejudice against the Rohingya population.

I think lengthy work needs to be done with Myanmar. The problem for the international community and for me as an Elder, as part of a group that's working on this, is also that these refugees cannot stay in Bangladesh for a long time. There also we see a lot of problems happening.

I think the best thing is diplomatic overtures with the Government of Myanmar and more pressure on the civilian government to enforce some kind of restraint on the military in the provinces where these ethnic conflicts take place. The Rohingya population perhaps may be safer in larger cities, but it is in those very areas that these people have fled from that the danger still exists.

• (1630)

**Mrs. Salma Zahid:** Thanks a lot.

**The Chair:** Thank you. We need to end this panel here.

Thank you very much. Ms. Zahid echoed what I wanted to say to you, Ms. Jilani. Your sister's death I think rocked the world, and you continue her legacy as two very formidable champions for human rights. Thank you for doing that and carrying on that work. You will remain in our thoughts.

**Ms. Hina Jilani:** Thank you very much.

**Hon. Allan Rock:** Thank you, Mr. Chairman.

**The Chair:** Thanks to all of you.

We will suspend for a moment.

• (1630)

(Pause)

• (1635)

**The Chair:** Can I bring us back to order, please?

We're going to reconvene this second panel with Professor Milner. We've invited him particularly around the issues of the global compact and his work, partly because I read a good article in the newspaper about his work. I thought that was quite important, and I think it's going to help us lay a framework as well—

Yes?

**Hon. Michelle Rempel:** Just as a point of clarification, is this constituting half of the meeting for the...? Were we given notice that this was constituting half of the meeting?

**The Chair:** No, because it's part of the study. It would be simply part of the study.

**Hon. Michelle Rempel:** I would move that the committee instruct the chair to give participants notice when he is planning on arbitrarily assigning half of a meeting to this particular issue.

I move it, and my rationale is this. I think it is a topic that the chair himself argued was a subtopic within, and if all we see is a witness's name, not understanding that this was part of a sub-study scope, I think it's just kind of beating around the bush. Perhaps we could have better prepared. I would ask my colleagues that perhaps, just out of courtesy, the chair would inform committee when he is doing such a thing.

Also, my understanding was that we had had some time to talk about witnesses for this, so I'm wondering how witnesses were selected for this sub-study and why we only have one person on a panel. When this is half of a meeting and we have only one witness here, that seems like a bit of a waste of time—

**The Chair:** I will tell you that we are doing it because the parties did not submit witnesses by the deadline. When I received zero witnesses by the deadline, which the committee knew about and you agreed to, I continued to work.

**Hon. Michelle Rempel:** Well, Mr. Chair—

**The Chair:** That's what I needed to do as the chair of the committee to keep the work of the committee going. I will just tell the committee in public that zero witnesses were presented by the parties.

**Hon. Michelle Rempel:** Mr. Chair, in that scenario, wouldn't it be incumbent upon yourself, given that this just happened on Tuesday, I believe?

**The Chair:** The deadline was last Friday, and no, I don't babysit.

**Hon. Michelle Rempel:** I'm not asking for babysitting, Mr. Chair. I believe that was an incendiary remark. We're trying to...

I believe you're supposed to be neutral. I am saying that given the weight of this topic, if there was a concern about the witnesses or certainly if you're scheduling witnesses who have requested to appear on this topic, it would be courteous—not out of any sort of particular motive that you've just described—to let people know that you are now using half a meeting for this topic.

In the future, I would ask that when you are assigning to the sub-study, you give committee members appropriate notice.

**The Chair:** The analyst just reminded me that there is notice in the briefing notes.

How else, exactly, do you think you should be notified of deadlines for witnesses, other than the briefing notes, or that this is with respect to the global compacts?

**Hon. Michelle Rempel:** Again, my initial question and clarification was about if you were allocating this as half of the meeting.

**The Chair:** Yes.

**Hon. Michelle Rempel:** You have said that. In the future, I would just say that... We have three and a half meetings left, right? If you could just note in the briefing notes when you are actually taking that time away so that we don't have this conversation each meeting, that would be wonderful.

**The Chair:** Yes.

I had Mr. Tilson first. Did you take your hand down?

**Mr. David Tilson:** No.

**The Chair:** We'll go Mr. Tilson and then Mr. Maguire.

**Mr. David Tilson:** Mr. Chairman, if you're saying that none of the three parties submitted witnesses, I'm concerned that we have too many meetings.

**Ms. Michelle Rempel:** We had originally said two.

**Mr. David Tilson:** If that's the case, I don't think that automatically gives the chairman the right to set up witnesses.

With due respect to you, sir, I think that if that's the case, then you don't have that right, and what should have happened and still should happen is that a subcommittee meeting be called to discuss this matter that we've run out of witnesses, or if there are no more witnesses at the deadline, that a subcommittee meeting be called so that this issue can be discussed and perhaps a review be done of whether the study is going on too long.

•(1640)

**The Chair:** I will explain to the committee that Professor Milner was actually on the original list of witnesses submitted. We have been attempting to schedule him, but he has an extensive travel schedule.

**Mr. David Tilson:** Mr. Chairman, I—

**The Chair:** I'm actually going to rule you out of order at this point because we do not have any topic of business on which you are doing your intervention.

**Mr. David Tilson:** Well, I'm speaking to the motion. There's a motion on the floor, and I have a right to speak to the motion. You can't rule me out of order. I'm speaking to the motion.

**The Chair:** The motion—

**Mr. David Tilson:** You can't rule me out of order. I'm speaking to the motion.

**The Chair:** The motion was not presented in a manner that was understandable to me as the chair, and then it was changed three times.

**Mr. David Tilson:** Well, perhaps you should ask the mover to clarify it if you don't understand, Mr. Chairman.

**The Chair:** If the mover would like to make a clear motion, I would entertain it. However, we do not have a clear motion on the floor. Just to clarify, using the words "I'd like to make a motion" does not, in fact, make a motion.

**Mr. David Tilson:** But you can't rule something out of order just because you don't understand.

**The Chair:** Actually, I can. I can rule your intervention out of order. I can.

**Mr. David Tilson:** Well, Mr. Chairman, you are out of order, and I'm saying this with all due respect to the witness. I'm not challenging the witness. I'm challenging you for taking it upon yourself to arrange for witnesses when you don't have the right to do that. The parties, the three caucuses, have the right to arrange for witnesses. If there were no witnesses, you should have called a subcommittee meeting and asked the three representatives what they intended to do.

**The Chair:** The call of a subcommittee meeting is totally at my behest, Mr. Tilson.

**Mr. David Tilson:** That's not true, sir.

**The Chair:** It is. It is.

**Mr. David Tilson:** Well, you've chosen not to call it and to just do things on your own. Is that what you're trying to tell us? You don't have a right to do that.

**The Chair:** What I am saying is that Mr. Milner is a witness selected by the committee. He was asked to come to the committee in October. We have attempted to schedule him. He is now available.

**Mr. David Tilson:** Sir, I'm not challenging the witness. I'm challenging you, that you have acted—

**The Chair:** I'm not sure what the challenge is, because he was submitted—

**Mr. David Tilson:** The challenge is that you've acted improperly.

**The Chair:** Okay, the chair has been challenged.

Is that a formal challenge?

**Mr. David Tilson:** Yes.

**The Chair:** Okay. Then we need to vote to sustain the chair. It is not debatable.

All in favour of challenging the chair, please vote.

(Ruling of the chair sustained)

**The Chair:** Thank you. I will continue.

I will give Ms. Rempel a chance to.... If you would like to put in a motion that is clear about instructing me to.... I think I got the point, but then it changed as you continued.

**Hon. Michelle Rempel:** Chair, when the original conversation happened—and I believe it was in public, so I'm not—

**The Chair:** Yes.

**Hon. Michelle Rempel:** Okay.

I think a lot of the motion, from my understanding, could be discussed with.... Many Canadian departmental officials have been working on that particular issue. I think having the minister appear is important. My assumption is that the chair would be arranging witnesses who were from GAC, IRCC, the minister, and perhaps even our rapporteur, Ms. Arbour. I think that was more the spirit behind it. We could easily fill two meetings or more with Canadian officials, which you had already decided, so this isn't about babysitting, as you've characterized it; it's just that we have only one witness here. We have one witness, when we could have had a panel of many other departmental officials and whatnot.

I just find that a poor allocation of time, especially—

**The Chair:** The departmental officials have been requested to come, and they are being scheduled.

**Hon. Michelle Rempel:** Okay, so—

**The Chair:** Mr. Milner was requested to come some time ago and was able to come today. We thought, "Isn't it lucky"—he may not think so now—"and fortuitous to the committee that he is able to be here." He is a Canadian expert on the compact, is involved in it, and has already been scheduled.

Frankly, no other witnesses had been submitted—witnesses have now been submitted and officials have been requested—and that is why we are doing this.

The reality, just to remind the committee, is that you put a deadline of December 10 for us to accomplish this task. For us to get this task done, it is my job as the chair to make sure we have four meetings on this topic. That's how we're doing it.

•(1645)

**Hon. Michelle Rempel:** I would just note that the spirit of the motion, when we agreed to it and agreed to change the scope of the topic, was not to allow the chair to arbitrarily arrange meetings without having some input into it. Otherwise I would have moved the motion to have it as a separate study.

This is why I find it odd that there wasn't a bit more thought given to planning.

Against my better judgment, I would say, depending on how you answer this, that if you intend, as the chair, to perhaps put together a panel that is a bit more robust than just one person for the remainder of the three-and-a-half meetings, which you have now deemed, I think that's probably more in the spirit of what that motion was. Frankly, this seems like a squandering of the time.

**The Chair:** I believe about 12 witnesses have been submitted about the compacts, plus departmental officials.

**Hon. Michelle Rempel:** Then why do we have a panel with one person on it?

**The Chair:** He was able to be here today.

**Hon. Michelle Rempel:** Okay. I would ask that if we are not able to schedule the other witnesses or the department officials.... What I don't want to see is another panel like this, with this person having been on the list for the broader study. If the briefing notes can deem that we are now losing half the meeting or whatnot, that would be good going forward.

**The Chair:** I hear your point.

**Hon. Michelle Rempel:** Do you accept it, Chair?

**The Chair:** I accept that at times a panel of one is appropriate or a panel of six is appropriate, depending on the topic and what you want to get out of them.

**Hon. Michelle Rempel:** I would disagree, because it does impact the amount of time that we have to question. If the government chooses to put all of the officials on one panel...I would just say that if we have a panel of six and it's all departmental officials, then opposition parties have less time to question department officials, which is a tactic I see employed often by this government. I would not like to see that happen in this case.

**The Chair:** There's some irony here that I won't draw our attention to.

Mr. Maguire, even though I'm not sure we have a motion on the floor, would you like to contribute?

**Mr. Larry Maguire (Brandon—Souris, CPC):** Mine was just a comment, Mr. Chair.

When we began this particular session, it was indicated by you that there were no witnesses for this session. I fall into the same line as my colleague Mr. Tilson, which is that if no parties put any witnesses forward, why are we having a meeting?

**The Chair:** I would say to the committee that it's far more complex than that. Many witnesses have been submitted for the large study, of which the global compacts are a sub-part.

**Mr. Larry Maguire:** I realize that.

**The Chair:** There was a request for three witnesses for this panel today. Two were not able to come. We decided to go ahead with the professor's expertise because I thought it was valuable to the committee. I also thought that the committee would have much time to question him, but that is disappearing.

I have Mr. Tabbara, and then Mr. Whalen.

**Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.):** I have a final comment. Thank you, Mr. Chair.

I agree with you. We had other witnesses. Maybe some were not submitted, but we had other witnesses. There was only one available today. I think it's incumbent on us to not waste any more time and have the witness testify so we can ask certain questions.

Going forward, I think we all—all parties—should all be submitting witnesses on deadlines and respecting those deadlines. Also, depending on the types of witnesses we have, I agree that you can have one or you can have four or five, as we've seen in the committee.

I think we should get on to questioning.

• (1650)

**The Chair:** Thank you.

Go ahead, Mr. Whalen.

**Mr. Nick Whalen:** I withdraw my comment.

**The Chair:** Professor, we had already agreed that you would speak a little longer than the seven minutes because we only had one witness. I'm going to keep to that commitment we made to you for you to give us your wisdom. Then the committee will ask you some questions.

**Professor James Milner (Associate Professor, Department of Political Science, Carleton University, As an Individual):** Thank you, Mr. Chair. I'm grateful for this opportunity to appear before you today.

As you have encountered in your study, the global refugee regime was created in the aftermath of the Second World War to serve two functions: first, to ensure protection for refugees, and second, to find a solution to their plight. UNHCR as an organization was established to work with states to realize these aims.

Despite enduring support for the norms of the refugee regime and the growth of UNHCR over the past 60 years, the regime is unable to predictably deliver on its core mandate. Around the world, incoherent and ad hoc responses to refugees result in uncertainty and instability for refugees and states alike. Likewise, as the committee would have seen in its visit to Tanzania and Uganda, 85% of the world's refugees remain in the global south in their regions of origin and spend an average of 20 years in exile.

Why do we have this situation? I propose today to give a diagnosis of why we see these challenges with the functioning of the global refugee regime, to highlight some potential uses that the global compact might play in addressing these shortcomings, and then to make some suggestions in terms of roles that Canada might play in building on the opportunity of the global compact to reinvigorate the global refugee regime. I've been working on these issues for about 20 years.

My work on the politics of the global refugee regime leads me to conclude that the regime's inability to reliably fulfill its mandate is the result of three key factors.

First, states retain ultimate control over the quality and quantity of asylum they grant to refugees on their territory. This is fully consistent with the principle of state sovereignty, but it has resulted in inconsistencies in the application of global refugee policy across states. It has contributed to a rise in restrictive asylum policies around the world since the late 1980s. Co-operation within the global refugee regime depends on political will but also leveraging the interests of states.

Second, outcomes for refugees are shaped by politics in policy fields that fall outside the scope of the refugee regime. Outcomes for refugees are now often shaped by decisions made within regimes relating to travel, labour, development and security, each of which can claim authority over certain aspects of refugee movements. In some cases, regime complexity has opportunities. As you would have seen in Uganda, development governance can leverage the participation of actors that can create opportunities to encourage self-reliance for refugees and encourage their contribution to local and national economies, but in other areas, it may enable actors to shift decision-making on responses to refugees into regimes that better suit their interests, thus eroding the authority and efficacy of the global refugee regime. The regime needs the ability to more consistently and effectively engage with related policy fields and to leverage these fields to articulate win-win outcomes, both for refugees and for states.

The third challenge is probably the most fundamental, in that the regime contains no binding obligation on states to co-operate to ensure the functioning of the regime. While countries of first asylum have an international obligation not to forcibly return refugees to a country where they fear persecution, there is no binding obligation on other states to share the costs associated with the provision of asylum. While there's broad agreement by states on the principle of international co-operation and responsibility-sharing, there is no binding obligation on states to co-operate to find solutions to refugees. In the absence of such a mechanism, responsibility for refugees is the result of accidents of geography, with states in regions of refugee origin hosting the vast majority of the world's refugees.

The resulting inequalities raise not only ethical questions but deeper political questions as to how international co-operation can be mobilized in an environment where front-line states cannot rely on support to respond to the arrival and prolonged presence of refugees. In fact, the perceived lack of international co-operation over the past 30 years has prompted several states in the global south to introduce more restrictive asylum policies. It has exacerbated north-south tensions within the refugee regime, and resulted in low levels of trust and confidence between major refugee-hosting states and donor states.

The global compact on refugees, which is currently before the UN General Assembly and is facing difficult passage in New York, presents us with an opportunity to address some—but not all—of the governance gaps currently facing the regime.

• (1655)

First, if implemented, the compact can provide incentives to refugee-hosting states to adopt approaches to refugees that promote protection and solution. Here, it can help rebuild trust between

refugee-hosting states and other members of the international communities.

Second, the global compact on refugees includes mechanisms that connect refugee issues with broader discussions of development, policy and practice. This is a necessary innovation that can lead to substantial change.

Third, the global compact for refugees calls for a ministerial-level global refugee forum to meet every few years to mobilize high-level political engagement in the process of resolving refugee situations. This mechanism allows for the building of political will and the mobilization of collective action to respond to a shared issue of common concern. As with global issues such as trade and the environment, refugee situations are best resolved through sustained collective action. Political will is required to ensure that this piece of the rules-based international order is able to effectively address this shared challenge and overcome collective action failure.

The global compact will not address all gaps in the global refugee regime. It remains a voluntary, non-binding agreement and does not ensure that international co-operation is reliable and effective in all situations. As such, it's not a panacea. However, it does provide a potentially important opportunity to demonstrate the value of collective action, to rebuild trust, and to reinvigorate confidence in the rules-based international order.

Is there an opportunity for Canada to lead in the global compact? I would say that Canada has already been leading in the development of the global compact, and I'm happy to talk about that in the question time. I think Canada has an opportunity to lead in the implementation of the global compact, both to enhance the refugee regime and, critically, to demonstrate its credentials as a defender of the rules-based international order.

As I discussed with Canadian missions in Kenya and Tanzania two weeks ago when I was in East Africa, and as I argued at the global heads of mission meeting in Ottawa last May, Canada can mobilize existing immigration, development and humanitarian resources in a way that helps implement the global compact and responds to shared interests with major refugee-hosting states. This would enhance Canada's relations with such states and leverage protection and solutions for refugees.

Where, specifically, can Canadian leadership help maximize impact? I'd point to two opportunities.

First, within the global compact there's a commitment to host a ministerial-level global refugee forum in late 2019 or early 2020. Canada can offer to co-chair that first ministerial-level meeting. Over the next year, Canada could lead efforts to build a north-south coalition of states committed to demonstrating the benefits of collective action. It could rebuild trust in the global refugee regime, and it could leverage a solution for refugees. This is for the benefit of states and refugees alike.

Second—and I think this is lower-hanging fruit—Canada can conduct a review of the immigration, development, diplomatic and humanitarian assets it currently has committed to major refugee-hosting states and regions. Canada should then propose the convening of a platform, another mechanism in the global compact, in situations where Canada can lead with other states in leveraging change through the complementary use of existing resources in co-operation with other states.

This is how Canada led with unlocking the situation with the Lhotshampa Bhutanese refugees in Nepal. A similar logic can be used to roll out this mechanism. This approach has enabled Canada to lead in resolving specific refugee situations in the past. It has resulted in positive outcomes for refugees and the states that host them. It has also significantly enhanced Canada's standing in the international community. We've done it before, and I believe that support for the implementation of the global compact for refugees provides us with the opportunity to do it again.

Thank you very much. I look forward to your questions.

[*Translation*]

**Mr. Ramez Ayoub (Thérèse-De Blainville, Lib.):** Mr. Milner, thank you for being here. My apologies for the wasted time that we could have used to ask you more questions and to benefit from your expertise. Sometimes, there is politics even in the most thoughtful committees.

You highlighted three specific points.

As I understand it, states see no benefit in cooperating to facilitate the application of the global compact on migration. One of the collateral effects of that is the withdrawal of the United States. Three countries have withdrawn from the compact. The decisions of our next-door neighbour have repercussions around the world but particularly for us, given that Canada has a safe third country agreement with the United States.

How do we manage and keep our global leadership, as you said in your recent comments, without the benefit of economic support based on the number of refugees? We are already receiving a significant number. Other witnesses have said that it is a drop in the ocean. Clearly, it is very little in terms of the demand.

How do we manage to reconcile it all, so that Canada can become a leader, as you suggested in your recent comments?

• (1700)

**Prof. James Milner:** Thank you very much; that is a wonderful question. If I may, I will answer it in English.

**Mr. Ramez Ayoub:** No problem.

[*English*]

**Prof. James Milner:** There are two elements of that question that I think are fundamentally important: one is the question of how you encourage co-operation in the absence of an obligation to co-operate; then, second, how do you ensure the functioning of a regime where the hegemon of that regime is clearly withdrawing from that regime?

Let me take those two in turn.

One, on the question of how you ensure co-operation in the absence of binding obligations, the argument would be incentives.

You find those situations in which existing assets and the bringing in of new partners can leverage change, and you make those success stories.

What you saw in Uganda, in terms of the investment in allowing refugees to contribute to the local economy and that being seen as an economic contribution to Uganda, got Ethiopia thinking about the potential utility of attracting concessional loans from the World Bank to open up a special economic zone so that 800,000 refugees were no longer in camps but working in special economic zones. That has now had an impact on Kenya, etc.

This global climate is not one in which we're going to have new treaty obligations that bind states to new commitments. When António Guterres was the high commissioner for refugees, now the UN Secretary General, he mused, in his last time with the executive committee of the UNHCR, about how it would be great if there were an additional protocol to the 1951 convention that made international co-operation a binding obligation. That's not something we're going to realize.

However, I think an opportunity that's before us with multilateral development banks, with the World Bank, with national and regional economic actors now seeing the economic opportunities that derive from engaging with refugees as a driver of local and national development, creates opportunities to create new incentives. I think that's the pathway to ensuring co-operation, because it doesn't appeal exclusively to humanitarian principles; it appeals to the interests of states. I think this is how we can generate momentum to be able to see co-operation without a binding obligation to co-operate.

How do you do that in the context of the absence of the United States? Here I'd speak to the global compact on refugees.

The United States has formally withdrawn from the global compact on migration. We've also seen, within the last two weeks, the United States expressing a reluctance to be part of a consensus omnibus resolution to the UN General Assembly that endorses the global compact on refugees. We're not entirely sure how that's going to play itself out. It's happening right now in New York.

It's very clear that the United States has already indicated its intention to reduce its engagement in the global refugee regime, specifically in the context of the numbers of refugees that it resettles. It's going somewhere from the area of 90,000 to 100,000 a year down to 20,000 to 30,000 a year. There's an immediate question of numbers when it comes to refugee resettlement: How do you make up the shortfall?

I think more critical is funding to UNHCR. The United States, as a matter of policy, contributed 38% of funding to UNHCR, and it's mused about cutting that support in half.

More important is the question of political leadership. It can't fall on countries like Canada to make up that gap in immediate monetary or numbers terms. I think what it does is create opportunities for new forms of leadership.

The United States has been the hegemon within the refugee regime. It has determined outcomes. As a matter of principle, the deputy high commissioner has always been an American. It may be that this is an opportunity where that impact, this level of influence, of the United States within the refugee regime, which has been so significant for more than 50 years, changes. It may result in a very different refugee regime, possibly a more nimble regime, but I think there are opportunities in terms of other actors who are willing to play a leadership role.

The critical point I would make is that it doesn't necessarily mean significant new resources; it involves thinking creatively about the application of the assets that we currently have in play.

• (1705)

[Translation]

**Mr. Ramez Ayoub:** Thank you.

How much time do I have left?

[English]

**The Chair:** You have one minute.

[Translation]

**Mr. Ramez Ayoub:** The second point you mentioned, with regard to refugees, is that politics plays an important role in the results. How do we assess the integration of the refugees in terms of quality? I use the word quality, but it also includes quantity, expressed in years and generations. The first generation of refugees is actually not perhaps the best integrated, given that, in some cases, the refugees arrive as mature adults. However, the situation is different for the second and third generations.

How can we determine whether our plan for refugees involves quality?

[English]

**Prof. James Milner:** That's another excellent question.

I know time is limited. You may have encountered this in the context of Tanzania, where you've had Burundian refugees present since 1972. They spoke Kiswahili. They had local businesses. De facto, they were integrated, but in the absence of legal status they weren't able to perform the citizen functions of being integrated.

This is an issue of great debate in terms of economic integration. I'd point you to the work of the Refugee Economies project at the University of Oxford. You may have come across it in preparations for your time in Uganda. I would point to the debate in terms of legal integration versus social and cultural integration.

The simple answer to the question is that the measure of integration depends on who you ask and what interests they want to advance in that argument. Since the 1970s, there's been a rich debate on the conditions under which the presence of refugees and refugee assistance programs contributes to the local economy. Part of integration is being able to contribute to the economy, to be able to invest in the local economy, and to perform citizenship rights.

The simple answer is that legal status is the clear benchmark measure of integration—having durable legal status—but beyond that there are the social and cultural questions of integration, and this is debated in Canada as much as it's debated in Kenya.

**The Chair:** Thank you.

Ms. Rempel is next.

**Hon. Michelle Rempel:** Thank you, Mr. Chair.

In terms of where the agreement is at right now with its most recent draft, how does this compact define refugees? More specifically, what changes have been made to that definition in the context of previous agreements, such as the Geneva agreement and whatnot?

**Prof. James Milner:** That's a great question.

The process in coming to the text of the UN global compact has two parts. There was annex 1 in the New York Declaration for Refugees and Migrants from September 2016, and that adds fairly generic definitions of who is a refugee and what have you, mostly in line with the 1951 convention. It started the clock on a two-year process of consultations in Geneva on a program of action for implementing annex 1, the CRRF.

It was in those conversations that—

**Hon. Michelle Rempel:** Could you just spell out some of the acronyms you're using every once in awhile?

**Prof. James Milner:** CRRF is the comprehensive refugee response framework. This is annex 1 of the New York declaration.

When it went to New York, it started this two-year process. The idea was that we have this comprehensive refugee response framework, and now we need a program of action to implement it. This is where 193 member states plus NGOs—

**Hon. Michelle Rempel:** Just for time, because—

**Prof. James Milner:** Simple.

**Hon. Michelle Rempel:** —we only have a few minutes, can you just talk specifically about where the most recent draft is at in terms of refugees?

**Prof. James Milner:** There was an effort within consultations in terms of where IDPs fit in this. One of the big questions is whether IDPs fall between the global compact on refugees and the global compact on migration. Second, what about individuals who move as a result of climate change?

There is a paragraph in the global compact, paragraph 12, that says in the text moving its way through the General Assembly right now—let's see if it's intact at the end of next week—that the primary focus of the global compact on refugees is refugees, but that the model of the global compact is also applicable to other populations on the move.

This is something that a number of states, UNHCR and civil society did because of concern from refugee-hosting states in the global south that these obligations are not only applicable to refugees, but now to a whole other population. As the Honourable Allan Rock—who's here—said, by 2050, 250 million people will be moving as a result of climate change.



There was real hesitation for refugee-hosting states to take on more obligations. This was compromise language to be able to say that through practice and over time, there's a parallel discussion in terms of governance and response to IDPs. There's a parallel discussion on governance in response to those who move as a result of climate change.

There is a hope that over time and through practice, the mechanisms of linking the humanitarian and development responses, of working with displaced populations and host communities, and of empowering refugee women and girls and refugees to participate in the governance process will be there, but it's very ambiguous within the document.

• (1710)

**Hon. Michelle Rempel:** Right now in the draft, if I were to summarize, is it the same sort of definition that would be in the 1951 convention, or has it been expanded?

**Prof. James Milner:** They've done a bit of both, so it's a bit of a non-answer.

**Hon. Michelle Rempel:** Okay.

**Prof. James Milner:** In the introduction it says that this applies to refugees, who are defined in the 1951 convention and is defined in regional agreements. They list all the various places where we have seen...The 1951 definition isn't the same as the [*Inaudible—Editor*]

**Hon. Michelle Rempel:** That's a lot of... If I'm communicating this to somebody, is there a simple way or a simple spot in that agreement where a refugee is defined? If you were going to say that to somebody who has no background on immigration at all, how does the compact define a refugee?

**Prof. James Milner:** The compact doesn't define a refugee. If I were to summarize it, I would say that if you read through all the legalese, what the global compact says is that a refugee is someone who has crossed a border for fear of persecution or generalized violence. It takes that shorthand definition.

**Hon. Michelle Rempel:** What you're saying is what has been expanded is the definition of "persecution".

**Prof. James Milner:** Sorry; say that again.

**Hon. Michelle Rempel:** If I were to simplify it, what you're saying has been expanded in the compact is the concept of persecution.

**Prof. James Milner:** It hasn't been spelled out clearly, because there is—

**Hon. Michelle Rempel:** Okay. Just on to the next question, my understanding is that the concept of resettlement has been very clearly expanded in the agreement. Am I right? I understand that the whole agreement is to share burdens, but that concept has been significantly expanded in the agreement. Would that be a correct summary?

The article I'm looking at says that apart from being a tool for protection of and solutions for refugees, resettlement is also a tangible mechanism for burden and responsibility-sharing, allowing states to help each other's burdens and reduce the impact of large refugee situations on host countries.

The compact seeks to expand the definition of resettlement support—let's say language training, affordable housing and that stuff—to now what I would say are international wealth transfers between nations.

Would that be accurate?

**Prof. James Milner:** No. On that very specific point, I'd say no. That definition of the three functions of resettlement comes from 2001 with the global consultations and the agenda for protection, so that's already been adopted.

What you see in the global compact on refugees is all of the efforts in the evolution of global refugee policy over the last 15 years. There has been an effort to codify it within the global compact. On the functions of resettlement, that's been around since 2001.

**Hon. Michelle Rempel:** Briefly, how would Canada's responsibilities change if the global compact on refugees were ratified?

**Prof. James Milner:** It wouldn't change any specific obligations on Canada, because it's a non-binding, non-legal agreement.

**Hon. Michelle Rempel:** What would be expected from the country of Canada if we chose to ratify it?

**Prof. James Milner:** What would be expected of Canada would be for Canada to continue to be a leader in the global refugee regime, and it would be up to Canada to decide where it's in Canada's interests to manifest that leadership.

**Hon. Michelle Rempel:** What are you hearing in terms of how Canada would manifest that?

**Prof. James Milner:** There are four ways that Canada contributes to the refugee regime. One is financial contributions to UNHCR, second is resettlement numbers, third is in terms of its global involvement in discussions and fourth is the way that it acts in individual situations.

I think what I'm hearing is that it would be great if in response to the question of the U.S. withdrawal, Canada's contributions to the UNHCR and its resettlement numbers went up, but then there is also a recognition that this is not a reasonable expectation.

I think the hope is that there is more value to the global refugee regime for Canada to play a leadership role than to be a cash machine.

• (1715)

**Hon. Michelle Rempel:** What would change if this were signed?

**Prof. James Milner:** It would do two things.

You have a lot of refugee-hosting countries that have invested confidence in the process, and it's an opportunity to demonstrate that collective action works.

Second, it gives normative legitimacy to ideas that have been in the working for a long time.

**Hon. Michelle Rempel:** Such as?

**Prof. James Milner:** Such as linking humanitarian and development responses, engaging the World Bank in responding to the needs of refugees in host communities, and refugee participation in decision-making. These are ideas that have been working. We've done it in some places.

What would change is that it gives a basis upon which we can do that in not just a few places, but in all places.

**Hon. Michelle Rempel:** Thank you.

**The Chair:** I need to end it there.

Ms. Kwan is next.

**Ms. Jenny Kwan:** Thank you very much, Mr. Chair.

Thank you, Professor Milner.

On the question around the definition, it sounds to me that it didn't change that much, but let me just ask you about some specific aspects. With respect to the definition of a refugee, are domestic violence, gang violence and LGBTQ rights still included in the definition with the compact?

**Prof. James Milner:** Yes and no. When the compact was written, some of these questions of who counts as a refugee.... The UNHCR guidelines, for example, on persecution as a result of gender identity and sexual orientation are not accepted by all states. If you put that overtly within the document, you'd have countries like Egypt objecting to it.

The way it was framed is that the definition of "refugee" reflects the current guidelines and policies, so all of the progressive understandings in terms of gender-based violence, violence from non-state actors and persecution based on gender identity and sexual orientation are referenced, but not in an overt way that states would see that as being an encroachment on their obligations under the 1951 convention.

**Ms. Jenny Kwan:** Thank you.

On the question of Canada's role, you mentioned the importance of what we can do within the international context.

**Prof. James Milner:** Yes.

**Ms. Jenny Kwan:** I think it's fair enough to say that Canada is not the World Bank. We don't have a bottomless pit of resources. That said, Canada can play a role, given the position we're in, and likewise with resettlement. Geography and the nature of where we are prevents us from resettling a lot of people.

**Prof. James Milner:** Yes.

**Ms. Jenny Kwan:** The global community does look to Canada, though, to play a leadership role on both those fronts. That is to leverage other international countries and communities to play their role, is it not?

Can you expand on that?

**Prof. James Milner:** This is where there's a very specific recommendation of something this committee can explore.

The easy answer is to devote more money. With the global compact, we have a new way of thinking, of linking development and humanitarian responses. Canada already has engagements and assets devoted to major refugee-hosting countries and regions. In 2008, when it was leading on protracted refugee situations, Canada said that before starting to devote new resources, we should look where we have existing assets. Is there a way we can align and demonstrate impact with existing assets and use that as a way,

exactly as you say—of demonstrating the value of collective action and bringing other actors on board?

Once you demonstrate success with existing assets, it provides a much better evidence base from which you consider how additional assets would result in additional outcomes. It's the leadership role, the convening role, but it's really making sure that there's that evidence base in aligning existing assets to maximize outcomes.

**Ms. Jenny Kwan:** Earlier, the Honourable Allan Rock presented. One of his suggestions is for Canada to make changes to garner resources from what he called "crooked foreign leaders" and to have those frozen dollars redistributed to humanitarian causes. Can you comment on that suggestion and recommendation?

● (1720)

**Prof. James Milner:** I'm aware of the idea; it's in circulation. I'm not the most enthusiastic supporter of the idea, for three reasons.

First, I think the political questions in dealing with refugee-hosting countries and countries of origin.... I know this has been discussed with some leaders involved in the Libya situation, for example, and they say that if this is where Canada goes, it could easily come back on Canada politically, with the idea being that this is being used as an excuse for not committing Canadian resources, so there's an optics question.

There's also a question of distraction. The level of resources that could be secured through the leveraging of frozen assets wouldn't fully address the gap we see in funding and it wouldn't be the access to resources that we would hope. I heard the end of the Honourable Allan Rock's comment that there may be value in the deterrent, that there's ultimately some form of accountability introduced for those regimes that cause displacement.

However, in the politics of it and the resources that would be accrued through it, I don't see it as a priority that can leverage the greatest change in the functioning of the refugee regime.

**Ms. Jenny Kwan:** Would that not be the case if that's the only tool in the tool box, so to speak? Should we be looking at all these different options? To me, for Canada to take a leadership role in this regard does not mean that Canada can step back with respect to our contributions toward humanitarian aid, as an example. We need to continue to do that work. Just because you have one thing going doesn't mean you can step away.

**Prof. James Milner:** Absolutely. I fully agree with that. I think in terms of a very broad range of options.

The concern I have is in some of the ways it has been discussed. It's not a panacea. As it contributes to an accountability framework, it's quite important, but when scarce political will and resources are committed in rebuilding trust and leveraging change and developing partnerships demonstrating the value of a rules-based international system, I would put it lower on my list of priorities.

**Ms. Jenny Kwan:** It's fair enough to say it's not a panacea. These are very complex issues involving many different countries, so I'm not sure if there is a panacea anywhere. Multipronged approaches would be wise, I would think.

On this question, and I wonder whether you want to weigh in, we talked about the United States and the current situation there. I think the politics in the United States have changed significantly, most importantly impacting the migrant community. I don't think anybody can pretend otherwise.

In your estimation, is the United States still a safe third country?

**Prof. James Milner:** The important way to answer that is in the context of action that's taken in response to the situation in the United States. There are definite concerns that should be raised in terms of the protection environment that's in the United States. The question is what it does to Canada's global reputation and Canada's ability to engage in dialogue with a country like Kenya.

If Canada adopts more restrictive approaches to the arrival of 50,000 individuals crossing our border.... There are questions to be asked about the way the response has been coordinated and communicated and what have you, but if Canada responds in a particular way to that movement, what ability does Canada then have to speak to Uganda to encourage Uganda to remain open to the arrival of 800,000 refugees from South Sudan?

In terms of the very specific question of whether I think the United States is a safe third country, I think there are clear and important questions that need to be asked, but I would encourage the committee not to see that question of the safe third country agreement in isolation from Canada's ability to have moral leadership in the international community and in the global refugee regime more generally.

**Ms. Jenny Kwan:** Nothing ever works in isolation, as we know—certainly not in politics. However, I do think that the global community is looking at Canada, given the position we're in and the reputation we've earned. If we don't stand up to a situation that's happening right next door to us, where people are being displaced, domestic violence is not deemed to be a valid refugee claim, gang violence is not deemed to be a valid refugee claim, then how can we stand on the international stage and say that we want to show leadership and rally the other communities to come together to make a joint effort in this regard?

• (1725)

**The Chair:** Answer very briefly.

**Prof. James Milner:** I was just going to say that I think that speaks very much to the question of having coherence between our domestic policy and our international policy and ensuring that Canada has moral authority, which enables Canada to demonstrate that leadership and, frankly, benefit from the global standing that comes from being a leader on such a global issue.

**Ms. Jenny Kwan:** That would require—

**The Chair:** Thank you.

Ms. Zahid is next.

**Mrs. Salma Zahid:** Thank you, Chair.

Thanks, Mr. Milner, for being here today.

I read with interest your comments on iPolitics this January about the situation facing the Rohingya in Myanmar. Specifically, they were about how the past influx of Rohingya into Bangladesh, followed by pressured or forced repatriation to Myanmar without

ensuring their safety and addressing the root causes of that issue, has subsequently led to a large-scale issue. It appears that this cycle may repeat itself. I certainly oppose an involuntary return and believe that in addition to safety, the issue of citizenship and the rights that come with it must also be addressed. That's a very big issue.

Could you address what needs to be part of a voluntary and lasting return for the Rohingya, and what Canada and our allies should do to encourage it?

**Prof. James Milner:** Thank you. It's a really important question. I would underscore that it's not limited to the question of the Rohingya. As you would have seen in Tanzania, it's very similar to the Burundian refugee situation. This is the third time in my lifetime that we've seen a major flow of the Rohingya from Bangladesh, and likewise the Burundians into Tanzania.

I think, really, three things are necessary.

First and foremost—and this is something we're learning—responses to refugees don't purely mean that they physically return home but that there is a stable process of reintegration. It goes back to the question of what integration and reintegration mean. It's reliable legal status and recourse before the law, but also the ability to provide for a livelihood in terms of economic opportunities, land rights and the rest.

Second, I think it speaks more generally to the way we approach the Rohingya and the way we approach most refugee situations. It's been demonstrated over 25 years that taking a purely humanitarian approach—providing basic needs to refugees while they're in exile and hope beyond hope that eventually they'll go home—doesn't work. This is the need to link not just the humanitarian and the development responses, but in the case of the Rohingya it's very much linking the humanitarian and the development with the diplomatic, with the governance, with all of the questions in terms of how the international community engages with the core commitments of the UN charter.

The simple answer, in terms of where Canada can lead, is not to look for the quick exit on the Rohingya situation, but to recognize that it's not just addressing the urgent humanitarian needs, which are clearly there, but also to engage in a process of dialogue to realize the principles of the UN charter in terms of fundamental freedoms and access to citizenship rights within Myanmar.

Now, it seems laughable to say, "Let's have a conversation with the regime in Myanmar in terms of citizenship rights." This is an issue that long predates any of our engagement in this particular refugee situation. It goes back hundreds of years. However, until there is a point where that threshold of being able to enjoy meaningful legal rights has been met, we cannot say that any return is purely voluntary.

**Mrs. Salma Zahid:** Thank you.

My next question is about your presentation in 2016 for the stakeholder panel ahead of the UN Summit for Refugees and Migrants that looked at lessons from past efforts to resolve large and protracted refugee situations.

I was interested in your comments on the International Conference on Central American Refugees and specifically on how regionally developed priority projects, such as investing in health and education facilities in Guatemala and labour market integration in Costa Rica, with \$420 million in funding, helped make the program a success in integrating returnees and improving the conditions that can lead to migration. It was noted at the time that this could serve as a valuable lesson to be applied elsewhere.

Have we learned that lesson, though?

• (1730)

**Prof. James Milner:** We're getting there. A question like that makes my eyes sparkle, so thank you.

What we had at that time in history were two real successes and a massive failure. The two real successes were the CIREFCA, the process in Latin America, and the response to the Indochinese. What we find with both of those responses is that they weren't just responding to the refugee situation, but very actively asking these questions: Which states are involved? Who are the actors involved? What are their interests? How do we leverage the interests of states? What do states want? How do you formulate a response that engages with the very reasonable interests of states and with the protection needs of refugees?

In Central America, what that meant was a regional response that linked development approaches and humanitarian approaches, which was in some cases returned. In a lot of cases, it was the investment of development funds so that nationals and refugees both benefited from the investment.

In the case of the Indochinese refugee situation, the Socialist Republic of Vietnam wanted back into the international community, so there was a very overt discussion of what Vietnam would be able to return in 1989 in exchange for that recognition.

In the case of the Indochinese, there was very much a discussion of regional politics. Resettlement was the lead solution there. In Central America, it was still regional politics, but the response was very different.

That was unlike the International Conference on Assistance to Refugees in Africa in 1981 and 1984, where it was purely about how

much money we could raise to make the situation of refugees less miserable. That went nowhere. It went nowhere because it wasn't linked with the interests of key actors.

The lesson we're starting to learn from that, in a very tentative way, is what we see in the global context, which is that it's not just humanitarian responses: It's linking the political, it's linking the diplomatic, it's linking development, it's linking the economic.

Going back to the question of what the tools are in our tool kit, those are the tools we have in our tool kit, and Canada is well positioned to align all these different forms of international engagement to leverage outcomes for refugees.

**Mrs. Salma Zahid:** Thank you.

I will share my time with Mr. Whalen.

**The Chair:** You have about a minute.

**Mr. Nick Whalen:** I have one quick question.

When we want to engage state actors in helping, many of the state actors we want to help are governed by despots or people who act with impunity. How do we rationalize this need to engage state interests with the very real problem that the very people we need to engage and whose interests we need to align are people who are acting with impunity and causing the problem?

**Prof. James Milner:** That's an excellent question. My simple answer, in the interest of time, and not to be facetious, is let's start with those actors with whom we can have a good-faith conversation about change. We're not going to be able to do it everywhere at once, but I believe there are opportunities where we can start. I would be happy to follow up and discuss what those situations are.

**The Chair:** Very good. I think that's the end.

Thank you very much, and thank you for your patience with us at the beginning.

**Prof. James Milner:** Thank you.

**The Chair:** We will adjourn now and reconvene on November 20.

The meeting is adjourned.







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