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Chair

Mr. Borys Wrzesnewskyj

Standing Committee on Citizenship and Immigration

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• (1100)

[English]

The Chair (Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.)): I call the meeting to order.

Welcome, Minister McCallum and the department officials. Over the last few years, we've watched the horrors of the Syrian civil war unfold and the consequent waves of hundreds of thousands of refugees. Perhaps the image that's most seared in Canadian minds is that of the body of baby Alan Kurdi washing ashore after his family's unsuccessful attempt to find peace and security outside of Syria.

Minister, your mandate letter states that "Canadians are open, accepting, and generous", and over the last few months we have seen Canadians open up their hearts and open up their homes to tens of thousands of Syrian refugees. I know that this has been a challenging time for you and of course for the department officials. In fact you have met those challenges in, some would say, a miraculous way.

The mandate letter also says that you are to report regularly on your progress towards fulfilling our government's commitment and to have meaningful engagement with parliamentary committees. We're very appreciative of the fact that you so expeditiously responded to the committee's request that you appear before us.

Pursuant to the motion adopted by the committee on February 16, 2016, that the minister appear before the committee on citizenship and immigration at his earliest convenience, the minister is here today, this February 23, 2016, to discuss the ministerial mandate letter.

I would now invite the minister to proceed with any opening comments he may have.

Minister.

Hon. John McCallum (Minister of Immigration, Refugees and Citizenship): Thank you, Mr. Chair.

[Translation]

I am very happy to be here with you today. It is the first time a Minister of Immigration, Refugees and Citizenship has appeared before this committee. The word "Refugees" has been added to the title of the department by the Prime Minister.

[English]

I think it's significant that the Prime Minister added "Refugees" to my title, because it signals strong support and respect for refugees and the role they play in our country, as I think can be seen by the actions we have taken today.

I am pleased as well to introduce two of our assistant deputy ministers, Dawn Edlund and Catrina Tapley.

I would like to make a fairly brief presentation and then be open to questions.

As the chair indicated, perhaps the first thing to talk about are the Syrian refugees. I'm an economist, and have typically been involved in dollars-and-cents issues, one might say. This is more a matter of the heart, a matter to define who we as Canadians are. I think that message has gone out. I think Canadians have responded very warmly. As I have said many times, I see this as a national project, not a federal government project. We have seen the response of Canadians from all walks of life across the country.

I think our message has also gone out around the world. The photograph of the Prime Minister meeting the first plane really did go around the world, to the point where, when I was in Jordan visiting a UNICEF centre, the little children there who knew nothing about Canada, and were not applying to come here, told me they had heard that our Prime Minister had met Syrians in Toronto a few days ago. If little refugee children in Jordan knew about it, I think many people around the world did.

I can also say that we are making good progress. As of the 21st of February, 23,098 Syrian refugees have landed, so I think it's safe to say that we're well on track to hit our 25,000 commitment by the end of this month.

After that, or indeed all the time, I would say, the major challenge has been not so much to transport the people from there to here, as it is to settle them well in Canada. That is and has been our major challenge. Nothing of this nature goes perfectly smooth. There are always hiccups along the way, but I think it is going well in terms of helping the refugees find housing, learn English or French, get jobs, and settle down as regular Canadians, just as has been the case with previous waves of refugees in our history.

• (1105)

[Translation]

As the chair said, I have been open during this process. I shared good and bad news with the media, when there were problems related to exit visas or other issues. I mentioned them.

[English]

My idea has been to go together on this trip with Canadians. If it's a national project, I think Canadians should know the ups and the downs along the way. I hope I've been open with Canadians on that, as I think I'm being open with you today.

The idea was for me to talk about what's in my mandate letter. I won't talk about everything in the mandate letter. I'm very happy to answer any questions you may have, but I'd like to just describe a few points. Some of the things in the mandate letter are pretty simple to do. It's like black or white, on or off. You turn off a switch or you turn on a switch; for example, refugee health care. We have re-established that to the point where it's the same now as it was in 2012. We've also added additional benefits in terms of payment for medical exams overseas and inoculations, which are good for the refugees and good for Canada's public health. That's done.

The Citizenship Act we will do in coming days. As we have said many times, we believe there should be one tier, not two tiers of Canadian citizenship. A Canadian is a Canadian is a Canadian. Certainly that central aspect of this bill will become evident very soon.

There's one element in my mandate letter that is much more complicated, much more difficult to achieve, and more time consuming. It's not just turning something on or turning something off. That has to do with improving the processing times for family class immigrants. If I had to say what my number one priority is, that would have to be it. Over the last 10 years, the processing times for virtually every class of newcomer, with the exception of economic immigrants, has mushroomed, has escalated to the point where I think it is unacceptable for Canada to ask spouses to wait typically 24 months before they are reunited, versus waiting periods like six to eight months in other countries to which we compare ourselves, like the U.K., the U.S., and Australia.

Not just for spouses but for family class in general, my top priority is to bring down these processing times quickly. We will have targets for this that we will post and we will work extremely hard to achieve those targets. We had an ambitious target of 25,000 for Syrian refugees, and we will have an equally ambitious target to reduce the processing times over coming years for family class immigrants.

The committee is master of its own work. Ministers certainly don't tell you what to do, but I would suggest that you might want to look at this whole process of high levels of processing times and how we will achieve reductions, because I'm working on this on what one might say are three fronts.

First I'm talking to you, and you may or may not decide to do a study to be a part of this effort.

Second, I will be having a retreat with senior members of the officials of my department plus political staff to brainstorm on this to work towards setting goals; to work towards doing our processes radically differently, faster, and more efficiently in order to achieve objectives; and before too long, to set objectives for bringing down those processing times.

The third front is that I will be announcing relatively soon an external advisory group of experts who will also help to achieve this radical reduction in processing times for family class immigrants.

With my department working closely with me and with my staff to achieve this, plus this external group, plus if it is your desire, your own work in this area, we can work on these three fronts, and I think we can achieve meaningful progress in the not too distant future.

●(1110)

[*Translation*]

Mr. Chair, I think my preliminary remarks have been long enough.

I would now be pleased to answer the questions of members of the committee.

Thank you very much.

[*English*]

The Chair: Thank you, Minister.

Pursuant to a routine motion adopted by the committee on February 16, 2016, we'll now proceed to rounds of questions beginning with the Liberal Party.

Mr. Sarai, you have seven minutes.

Mr. Randeep Sarai (Surrey Centre, Lib.): Welcome, Minister, and thank you for taking the time to appear today before our committee.

As you know, Surrey Centre welcomes up to 40% of all refugees who come into the Lower Mainland of British Columbia. We have learned, through the media, that the previous Conservatives were slow to roll out their response to the crisis in Syria.

Incredibly, we learned that there were some reports that the government hand-picked refugees before allowing them entry into Canada. My constituents and others across the country are alarmed to hear that in 2015 refugees were chosen, not based on vulnerability or need but rather which faith group or ethnic group they came from.

Are you able to speak to this and confirm if this was true?

Hon. John McCallum: You mentioned the Lower Mainland. I would congratulate you and the Surrey community for all the work you have done, and the Sikh community in particular. I was out there early on and they are one of the communities that came forward in a really strong way to support this initiative.

We're kind of into sunny ways, so I'm not dwelling on the acts of our predecessors. I talk about the mushrooming processing times over the last decade, without saying which government was in power over the last decade, so I'm not dwelling too much on whose fault it is why we are where we are. I will say, however, that it's not the fault of the public servants in the department who were faced with declining budgets and the reallocation of resources away from family class.

In terms of hand-picking refugees, that may or may not have been the case. I'm not focusing on that myself. I'll tell you what our policy is. We take refugees from the United Nations list who are defined as vulnerable according to the United Nations, and we invite people from that list. That is totally irrespective of religion and other characteristics, so we are religion-neutral, shall we say, in terms of our selection of refugees.

The previous government had a different view, but I have not looked into that in any detail. I'm more focused on moving forward.

• (1115)

Mr. Randeep Sarai: Following up on that, it looks as though we're on track to hit our government's goal. As you had said, 24,000 have already arrived and we're almost at the target of 25,000. Communities across Canada have responded overwhelmingly to help these new Canadians. These new immigrants are eager to start their lives and want to contribute to Canadian society, but are somewhat challenged when it comes to language and job training. However, there is some concern on how we can ensure that they are integrated into communities such as Surrey Centre.

Are you able to elaborate on the government's efforts to facilitate integration and language training for these new Canadians?

Hon. John McCallum: Yes. As I said, although the media attention was often—at least for a time—on how many we would get here in what period of time, the main challenge has always been not that issue but how well we will receive them, welcome them, and integrate them, so that they, like other refugees from other countries in the past, will as quickly as possible become fully functioning Canadians or permanent residents with a job, a family, and everything else.

The government-assisted refugees, as I've said, are particularly vulnerable. The typical government-assisted refugee from Syria speaks not a word of English or French, often has not much education, and frequently has not been on an airplane until they came here. For them, they're in a brand new, totally different environment. Unlike the privately sponsored refugees, they typically don't know a soul in Canada, so they're on their own in that sense. We have to make sure that they're not on their own—we in Canada and not just the federal government, because as I said, it's not a federal project—and that at the settlement level it's at least as much provincial government settlement agencies and others that are there to help them get the housing, get the language training, and get the jobs.

I have been doing many things to try to promote that process on each of those three fronts. In particular, on the language training, I think we have some additional funding that we can provide, because that's a *sine qua non*. I know that in some parts of the country—notably, I believe, British Columbia—there is a shortage. There are some bottlenecks. I hope to be able to address those.

The Chair: Mr. Sarai, you can have a brief question with a brief answer. Thank you.

Mr. Randeep Sarai: I'll be quick.

On top of the priorities given to you by the Prime Minister is one to develop a plan to address the ballooning processing times for citizenship. As you know, hundreds and perhaps thousands in my riding have been waiting years in queues for their applications to be processed.

We have just learned from the Treasury Board and the parliamentary budget officer that previous Conservative governments made cuts to many of the departmental programs that dealt with applications. Are you able to tell this committee what the effects of those cuts by stealth have been on applications of spouses, parents, and live-in caregivers?

Hon. John McCallum: As I say, I'm trying to look forward more than backwards, but it is certainly a fact that the budgets of the department, particularly in family class, were cut, and that this is one of the reasons that the processing times have gone as high as they have.

But I think my job is to look more forwards and less backwards. We start from where we are. For whatever reason, we have the hand that we were dealt, and we have to play that hand to the best of our ability. That is why I'm hoping to have this two- or three-part process through the external committee, through my department, and possibly through this committee, to work as hard as we can to bring those processing times down as quickly as possible.

Partly, it will involve more money. We have committed more money in our platform, but in large measure it should be up to us as a department to improve the efficiency of our processes to achieve those ends.

• (1120)

The Chair: Thank you, Minister.

I will now proceed to the Conservative Party.

Ms. Rempel, you have seven minutes.

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Thank you, Mr. Chair.

My comments relate to the minister's mandate letter under the section of leading “government-wide efforts to resettle 25,000 refugees from Syria in the coming months.”

Earlier this year the government made a decision to waive the immigration loan program or payment requirement for Syrian refugees. The minister's parliamentary secretary is on the record saying that the government is treating Syrian refugees differently from other cohorts. Questions have been raised as to what criteria are being used to define when the government treats one class of refugees differently from another. This raises an interesting question. Under subsection 15(1) of the Charter of Rights and Freedoms, it says that:

Every individual...before and under the law and has the right to the equal protection...of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or...physical disability.

Subsection 15(2) says:

Subsection (1) does not preclude any law, program or activity that has as its object...

It goes on and so forth. The case law in this is very interesting. What I find interesting about subsection 15(2) is, how would you apply the test of the charter to two different cohorts or multiple different cohorts of refugees from around the world who are seeking refuge in Canada? Arguably they all are disadvantaged per the reading of subsection 15(2). Like the minister, I also have a background in economics. I'm not a lawyer, but I think this is a very interesting question not only for the fairness... I know my colleague from Surrey just asked questions. We've had questions from Surrey council with regard to this program, but we also have the budget coming up. I think this is an important question in terms of overall costing of the government's program.

Given that I think this is a very interesting area of study, Mr. Chair, I move:

That, pursuant to Standing Order 108(2), the Committee study the government's recent decision to waive the Immigration Loans Program repayment requirement for Syrian refugees; that the Committee examine whether waiving this requirement for Syrian refugees and not for other refugee cohorts constitutes a violation of Section 15 of the Canadian Charter of Rights and Freedoms; that this study be comprised of no less than four meetings to be held prior to May 1, 2016; and that the Committee report its findings to the House.

The Chair: Ms. Rempel, would it be possible to request that we defer this debate around this motion to committee business?

Hon. Michelle Rempel: I realize that portion of the meeting is in camera. I think this is a very important question to raise in public today, and that's why I've moved it.

The Chair: Would you entertain that a portion of our in camera meeting be in public in the afternoon? The minister is here for a limited time, one hour, and I know that many of the committee members would like the opportunity to have the minister answer questions of tremendous significance—as is yours. Perhaps we could consider debating your motion in public during the second hour when the minister is no longer here so that we don't cut into this opportunity for all committee members to ask questions of the minister.

Hon. Michelle Rempel: Perhaps we could just extend the minister's time here by 15 minutes to accommodate this discussion right now since I've moved the motion.

The Chair: Minister, are you able to remain for an additional 15 minutes today, along with your department officials?

Hon. John McCallum: Yes.

The Chair: The motion is in order.

Yes, Ms. Kwan.

Ms. Jenny Kwan (Vancouver East, NDP): If you need a seconder for the motion, I'll second it.

The Chair: No, we do not.

Ms. Jenny Kwan: If you don't need one, I'll speak to the motion. I would gladly speak in support of the motion. I do think it's a relevant and important motion.

I was also interested in asking the minister a question about whether he or his government have reached a conclusion regarding the waiving of the transportation and medical costs for all refugees. The government made the decision for Syrian refugees who arrived before November 4, 2015, to have that cost waived, but any refugees from Syria arriving after November 4, 2015, would not have their costs waived. That has caused incredible hardships for some families.

I met with families who have come forward. They have been here for eight months. They're on income assistance at a rate of \$1,400 a month, of which \$950 goes to their rent and they have \$450 left. They're getting a bill each month for over \$600 for their transportation and medical costs. There is so much stress for the families. It's unbelievable.

We're creating a two-tier system. I would argue that it's not just for Syrian refugees, but for all refugees.

I hope the government moves on this. The minister said on November 19, 2015, that the government was considering it. Perhaps there's an update. The motion might not be as relevant if the government and the minister can confirm today that they have arrived at a decision with regard to that.

Without that decision I think this is an important and relevant motion. I would be very happy to support it and the work that needs to be done around it.

● (1125)

The Chair: Minister, there was a question from Ms. Kwan. Would you like to respond to it, or should we proceed with further discussion?

Hon. John McCallum: If you wish, I could respond—

The Chair: There's a point of order.

Hon. Michelle Rempel: On a point of order, Mr. Chair, could I have a ruling from you and the clerk on the ability for witnesses before committee to comment on motions that are before the committee?

The Chair: I've been advised that as a member of Parliament, the minister can comment and respond.

Hon. John McCallum: In that case, Mr. Chair, I would like to say I find it heartwarming that a member of the Conservative Party would invoke the charter. I congratulate the Conservative Party on that commitment to the charter.

I would also make the point that we do not believe that our actions have in any way violated the charter. Section 15 of the charter prohibits discrimination based on specific characteristics, such as race, or national or ethnic origin, that are markers of vulnerability to prejudice or disadvantage. When the government introduces a new measure that is beneficial to a particular group, this distinction does not necessarily amount to discrimination within the meaning of section 15. In addition subsection 15(2) of the charter allows the government to undertake or introduce ameliorative programs for disadvantaged groups.

In other words distinctions in treatment do not amount to discrimination. While I congratulate the Conservative Party for its new-found commitment to the charter, I would argue that in this particular case the actions of the government do not constitute a violation of the charter.

The Chair: Mr. Sarai.

Mr. Randeep Sarai: I would move the motion be revised to state that we study the federal loan program going forward, and study how we can assist those who are participants in the loan program as of now, but not based on a charter issue.

That was the specific request of the two city councillors from the City of Surrey, which was to study the refugee transportation loan program as a topic for the subcommittee.

The Chair: Ms. Rempel.

Hon. Michelle Rempel: I don't support the amendment. The original form and substance of the first motion dealt specifically with the potential charter violation related to the government's handling of the immigration loans repayment program. I appreciate that the minister may decide to comment on his government's interpretation of the charter in this situation, but I think it behooves all committee members to remember that the committee is the master of its own destiny, and therefore, we are entrusted to take on studies that can look at anything we want. I think this is a very interesting question, one that can't be resolved by a simple wave of the hand by a minister at the table. When we're looking at applying this particular program to different cohorts of refugees, I think it would be very interesting to hear from immigration experts and legal experts from across the country. When we talk about the amelioration of conditions of disadvantaged individuals, as the minister has raised, or groups that are disadvantaged because of race, national ethnic origin, etc., whether or not there has been a charter violation when the government has not clearly stated its criteria for applying this in this particular situation.

I don't accept the amendment. I think it's a way for the government to try to avoid a very interesting question. I appreciate the support of my colleagues from the NDP. There have been questions on whether or not this particular decision creates two classes of refugees. It's potentially precedent-setting in terms of how Canada's immigration system goes forward. I think if the immigration committee should be doing anything, it should be looking at whether or not a government program and a decision are violating the charter from the perspective of setting a precedent going forward. The motion as it's worded right now asks a very pertinent question and its report could actually have an impact on how Parliament functions.

With that, I do not support the amendment, and I strongly hope that my colleagues opposite would support the motion as it has been presented.

● (1130)

The Chair: Ms. Kwan.

Ms. Jenny Kwan: Thank you very much.

I put a question to the minister, which I thought he was going to answer and which might help inform this debate. The question was about whether the government has made a decision on providing and waiving the cost for all refugees, whether they're Syrian refugees who arrived before November 4 or after, or those who are from other countries. If we could have an answer from the minister on that, I think that would very much inform our motion going forward.

The Chair: Mr. Minister.

Hon. John McCallum: The short answer is that we do not yet have a decision on that. We are looking into it. There are costs associated with it, but we are actively engaged in looking into that very question.

The Chair: Ms. Stubbs.

Mrs. Shannon Stubbs (Lakeland, CPC): I'll just concur with my colleague that this is an urgent and important subject for the committee to discuss and debate. I think all of us, as we welcome refugees to the Canadian family, want to ensure that there is equality in our services and our support for people coming to our country. It seems to go to the very heart of what it means to be Canadian and to

the foundation of our system. I just encourage the committee members to engage in the debate of this motion.

The Chair: Thank you.

Ms. Kwan.

Ms. Jenny Kwan: Thank you.

Again, to inform our debate, I'm wondering if the minister would have a time frame for when his government would arrive at a decision. When he says there are costs associated with it, I wonder if he has information on how many refugees who are impacted are Syrian refugees from before November 4, and how many are from other countries. If we had a general number of how many people we're talking about, I think that would also inform us in our debate on this motion.

The Chair: Mr. Minister.

Hon. John McCallum: I don't have these numbers with me, but I will do my best to get them to you. When I'm talking about the costs, if we eliminate the refugee loan program and if from now on the government pays the airfares of all refugees coming to Canada, then it's not just a matter of this particular situation, with the pre-November 4 people or the non-Syrian people today.

We're talking about changing a program that has been in effect since 1951, and eliminating it. That would be an ongoing cost going forward. As I said, we are examining that actively. It's a question of whether we have the funding to eliminate this travel loan program or whether we would want to use such funds for other purposes. I can tell you that this is something under active investigation.

The Chair: Mr. Chen.

Mr. Shaun Chen (Scarborough North, Lib.): Thank you, Mr. Chair.

I'm quite supportive of the amendment; however, I do not support the original motion. I'm rather content with the answer I heard from the minister with respect to achieving equality. Different groups are treated differently. With respect to differential treatment the government is looking at ways it can move forward based on the resources that are available.

I do believe that as a committee it's not our role to reach conclusions of law around how the equality provisions of the charter are being applied. That is, to me, a role of the courts. However, I do appreciate the conversation and I'm satisfied with what I heard from the minister.

● (1135)

The Chair: Mr. Sarai.

Mr. Randeep Sarai: We are eating into the minister's valuable time. I move to adjourn this debate until later. It's been more than 15 minutes and we're eating into the minister's time. I believe that even the members of Her Majesty's royal opposition and the other parties have pertinent questions that we should utilize this time for.

I move that the debate on this new motion and the amendment be adjourned.

Hon. Michelle Rempel: I have a point of order, Mr. Chair.

I don't believe that you can move a motion to adjourn debate on a motion in committee, only to adjourn the committee. I'm wondering if my colleague is, in fact, moving a dilatory motion to adjourn the committee while the minister is sitting here.

The Chair: Ms. Rempel, I'm advised that the motion is out of order.

We will continue.

Mr. Sarai.

Mr. Randeep Sarai: I believe that, as Mr. Chen stated, the debate on the charter is not within the purview of this committee. I believe if it is, a charter issue should be studied by the justice committee and others. This should be more on the programs itself.

I think the amendment should prevail, and again, I suggest that we adjourn this motion, not the committee itself but this motion to a later time.

The Chair: Your motion is not in order.

Ms. Kwan.

Ms. Jenny Kwan: Let's try this on for size, in the spirit of sunny ways.

It appears to me that we can address both concerns. Ms. Rempel's motion speaks to the need to understand the legality of a current policy that's in place. In that context, for a government to operate, and therefore, the committee working and going forward, it must examine that question.

If we're able to set that question aside for a legal opinion, that would assist us in our work going forward. That would bring us to the next phase of the work that needs to be done.

What information do we need to gather to support the government in moving forward in addressing this critical issue? In my personal opinion, and I'm not a lawyer, the policy, as it stands right now, in this application of only applying it to one group of refugees, based on the timeline, creates a two-tiered system. Refugees by nature, the very definition of who they are, when they apply for the programs, speaks to their urgency and the great need that they have, which is to flee their country. That situation applies to every single refugee, no matter when they arrive and from what country. That is a critical issue that we need to examine and to ensure that the principle of fairness is applied to everyone.

I heard in the House of Commons yesterday from a member who said that there was nothing more important for all members of this House than to apply the principle of fairness in the work that we do. In the spirit of sunny ways, I wonder whether or not we could move in the direction of having this committee deploy its resources to get a legal opinion on this question. Once we have that information, we will then be able to go forward with that work.

That would be my suggestion of a friendly amendment.

The Chair: Ms. Rempel is next, and I caution that we are rapidly approaching the 15 minutes.

Hon. Michelle Rempel: Great, I'll address my colleague, Mr. Sarai's concern about the committee mandate.

Actually, the Standing Committee on Citizenship and Immigration has the power to...and in its mandate is written "study issues of its own choosing". Under the list of what may be done under that is "statute law relating to CIC", and other matters relating to the mandate, management, organization, or operation of CIC. In terms of the argument that this does not fall within the committee mandate, it's actually right there. I think it's pretty obvious that this motion falls in there.

With regard to the comment from my colleague from the NDP, I appreciate her comments and her support on this. On the request for a legal opinion, I think that was the objective of the motion as it was written. I think it would be very interesting—and I'd love to work collaboratively with my colleagues across the table—to bring in legal experts to talk about whether this would in fact constitute a charter violation. I think that is very timely.

As well, I know there were concerns with regard to budget. The minister raised concerns about the budget. This type of a report would help the minister decide whether the program should stay as it has been for the last 30 years, or change in the context of the government's upcoming budget, which I know has a lot of requests for funding.

Then, with regard to some of the other components, my colleague from the NDP did ask the minister a question with regard to whether she would support the motion, if there has been a decision made on this. The minister clearly said that there hasn't, but more concerning is that he said he didn't know the numbers of people affected. I think that these are all points that could be studied within the scope of the motion as presented.

To reiterate, if my colleague—

• (1140)

The Chair: Ms. Rempel, we're being very flexible. We're now approaching seventeen minutes.

Hon. Michelle Rempel: Mr. Chair, as a point of order, I do have the ability to continue speaking when I have the floor at committee.

But to continue, and I am closing, I do support the motion as it is put forward. I think it's a very important question and it's one that the government has not been able to answer. I hope that my colleagues support it.

I don't support the motion as amended, and I certainly hope that my colleagues... If they would like to look at changing the date, perhaps moving it to June, I'd be okay with that. However, I do think it's a motion of great importance and I hope that my colleagues will support it.

The Chair: Thank you.

We are moving to a vote on the subamendment.

Hon. Michelle Rempel: Mr. Chair, I call for a recorded division on this as well.

The Chair: We will begin with the subamendment from Ms. Kwan.

The subamendment would add, “and that a legal opinion be sought as to whether waiving this requirement for Syrian refugees constitutes a violation of section 15 of the Canadian Charter of Rights and Freedoms”.

Ms. Kwan.

Ms. Jenny Kwan: Just to clarify, that would be a “written legal opinion”, which might help expedite the work that we’re doing. Once we have that legal opinion, then we can move forward to the other amendment.

The Chair: Thank you for that clarification.

Ms. Rempel.

Hon. Michelle Rempel: If my colleague could clarify the subamendment that she’s proposing.... Is it to the amendment proposed by the Liberals, so that the Liberal motion would stand with her subamendment being attached to it?

The Chair: Correct.

Hon. Michelle Rempel: That actually wouldn’t change the form and substance, except that we wouldn’t be allowed to have witnesses in the scope of the study to talk about the charter violations. I can’t support it.

The Chair: We will proceed to vote.

Mr. Ali Ehsassi (Willowdale, Lib.): Mr. Chair, I am wondering if I could propose a three-minute recess before we all decide where we stand on the amendments and the subamendment.

The Chair: I believe that technically we’ve begun the vote, so we will proceed with the vote on the subamendment.

Mr. Shaun Chen: Mr. Chair, I’m sorry. I was expecting the motion to be read out again. Could that be read out? Also, given the context of it being an amendment to another amendment, I would like the other amendment also read out, please.

● (1145)

The Chair: For clarity for everyone, I’ll read the original motion, the amendment, and then the subamendment.

The original motion is:

That, pursuant to Standing Order 108(2), the Committee study the government’s recent decision to waive the Immigration Loans Program repayment requirement for Syrian refugees; that the Committee examine whether waiving this requirement for Syrian refugees and not for other refugee cohorts constitutes a violation of Section 15 of the Canadian Charter of Rights and Freedoms; that this study be comprised of no less than four meetings to be held prior to May 1, 2016; and that the Committee report its findings to the House.

The amendment reads, “That, pursuant to Standing Order 108(2), the Committee study the government’s recent decision to waive the Immigration Loans Program repayment requirement for Syrian refugees; and going forward, that the Transportation Loans Program be studied as it relates to all refugees”.

The subamendment adds, “and that a written legal opinion be sought as to whether waiving this requirement for Syrian refugees constitutes a violation of Section 15 of the Charter of Rights and Freedoms”.

We will now proceed to the vote.

(Subamendment negated [See *Minutes of Proceedings*])

The Chair: We will now proceed to vote on the amendment.

Mr. Shaun Chen: On a point of order, Mr. Chair, can I have some clarity on whether this amendment replaces the original motion or adds an extra part to it?

The Chair: I believe you may have a copy before you, but if you don’t, it replaces the portion that reads:

...that the Committee examine whether waiving this requirement for Syrian refugees and not for other refugee cohorts constitutes a violation of Section 15 of the Canadian Charter of Rights and Freedoms; that this study be comprised of no less than four meetings to be held prior to May 1, 2016; and that the Committee report its findings to the House.

Should this amendment pass, the motion would then read, “That, pursuant to Standing Order 108(2), the Committee study the government’s recent decision to waive the Immigration Loans Program repayment requirement for Syrian refugees; and going forward, that the Transportation Loans Program be studied as it relates to all refugees”.

(Amendment agreed to: yeas 6; nays 3 [See *Minutes of Proceedings*])

The Chair: We will now vote on the main motion as amended.

(Motion as amended negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

Mr. Shaun Chen: I have a point of order, Mr. Chair.

We have an agenda here. We’ve invited the Minister of Immigration, Refugees and Citizenship to appear before this committee. It was the will of this committee, as we decided at our last meeting, to invite the minister so we could hear what the government is doing and that would help inform our agenda as a committee moving forward. I’m rather disappointed to see this continuation of motions and—

● (1150)

The Chair: Mr. Chen, it’s not a point of order, and we are returning to the committee business as it was in the agenda.

Ms. Kwan, you have four minutes and 37 seconds remaining.

Ms. Jenny Kwan: Okay, then I’m going to plough through my questions very quickly.

My first question is related to Bill C-24. The minister will recall that during the campaign the Prime Minister announced in the *Sing Tao*, *Ming Pao*, and *World Journal* media in the Lower Mainland of Vancouver that he would repeal Bill C-24 should he form a government. Will the government act accordingly and repeal the entire Bill C-24?

I’m going to ask my questions very quickly and I’ll let the minister answer them all at once.

My next question would be on the legacy files. When the Conservative government's Balanced Refugee Reform Act came into effect in December 2012, it created a two-tier system for refugee claimants who applied under the old laws before 2012 and the new claimants in terms of the time for them to process applications. More than three years have passed. Claimants under the old legislation are still waiting to receive a verdict, whereas new claimants receive a decision after only a few months. According to the Immigration and Refugee Board of Canada all legacy files, as we call them, should be finalized by 2018.

My question to the minister is this. Will there be change in addressing this? If not, why are refugee claimants from 2012, who are now integrated into Canadian society, still waiting for a decision on whether or not they can stay in Canada, when last year's claimants already know their fate and can breathe easily? If there were a change, I wonder if the minister can advise when we can see that change take place.

My next question deals with the resettlement services. At a technical briefing on February 3, 2016, an official said that Syrian refugees who had arrived here would not have to wait more than two weeks to be permanently settled. I've met many families who've waited more than two weeks, and they're still waiting. Some of them have missed appointments with immigration officials because the officials simply didn't show up three weeks after they've been here. My question to the minister is this. How many immigration officers does he have working on the ground to process the applicants, the new arrivals? How many settlement workers are on the ground in each of the cities to provide resettlement services to the refugees?

Hon. John McCallum: There are a number of questions there.

I might just mention in response to an earlier question that the number of Syrian refugees pre-November 4 is approximately 3,000. That's a partial answer, and we will endeavour to get the rest of the answer soon.

In terms of Bill C-24, this will be coming soon, and we will make very major amendments, as we committed to in the election. We like one or two things in Bill C-24, like the lost Canadians provision, so we would not want to repeal that element of it, but we will certainly honour our campaign commitment.

In terms of the settlement of refugees, I don't have exactly how many settlement workers there are in every community across the country. I can tell you that those settlement agencies are working extremely hard to get the job done and that we are also expanding the number of cities that are settlement communities, to Victoria and other places to be announced very soon. A lot of effort is under way on the part of all those cities and settlement agencies.

I can also say on the settlement issue that we have recently acquired numbers, and 52% of refugees who have arrived from Syria so far have proceeded to permanent housing. That is a precise number, which my department only recently obtained. That will give you an additional piece of information.

Finally, on your question on the IRB, they have received funding to reduce their legacy cases, and they continue to work on those legacy cases, as well as new ones that are coming before them.

• (1155)

The Chair: Ms. Kwan.

Ms. Jenny Kwan: To follow up on the legacy file, the reduced workforce actually had significant impact. When the minister says that they have received funding, is the timeline for that funding still going to be 2018 for all these files to be processed, or is that going to expedite it?

On the Syrian refugees file, the minister doesn't have the numbers on the number of workers. I wonder if he has the information on what the average timeline is for a new arrival to see an immigration officer, and second to that, to see a resettlement worker to help them find permanent housing.

Hon. John McCallum: Well, they certainly see immigration workers on arrival at the airport in Toronto or Montreal.

The question of the funding of IRB, in terms of going forward, is something we are currently considering in the lead-up to the budget.

Ms. Jenny Kwan: In terms of the resettlement piece, yes, they see them at the airport. But I'm talking about the subsequent meeting, where they actually get the additional information to move into the resettlement phase.

Hon. John McCallum: They arrive in Toronto or Montreal. They stay in a hotel, usually for a few days. Then they are transferred to other cities across the country where they are met by their resettlement agencies, which work to find permanent housing, language training, and other things for those refugees as quickly as possible.

The Chair: Very quickly.

Ms. Jenny Kwan: Okay.

I can tell the minister this. The families I've met have had appointments set up with an immigration officer three weeks after they have arrived. Then the officer doesn't show up; they don't know when they're coming.

In terms of resettlement, in one hotel at least, there were 37 families, and 10 of them remain. They've been here since December in the same hotel. Twelve have been moved, with one hour's notice, to another hotel. With the other folks who have found permanent housing, it was actually done by volunteers who were helping.

I wonder if I can have a further discussion with the minister—perhaps not at this time—to see how we can address some of these issues.

Hon. John McCallum: It is true. I said 52% of refugees who have arrived have found permanent housing. The percentage is below that in Vancouver.

Vancouver does seem to have certain issues that other cities do not have. For Vancouver, the number is 31%. I acknowledge there are issues in Vancouver, and I or my staff would be happy to discuss them with you. If you have specific cases, then bring those to my attention.

The Chair: Thank you, Minister.

Mr. Tabbara, I understand you will be splitting your time with Mr. Chen.

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): That's correct.

Minister, first of all, on behalf of myself and all the refugees, asylum seekers, service providers, and dedicated health care professionals in the field I want to thank you for restoring the interim federal health program. Canadians were ashamed of the previous government's petty actions in denying health care to refugees. Our actions have restored the pride we take in our national generosity.

There is a lot more work to do. In particular, I'm referring to the infamous Bill C-24—as you just mentioned—which created a two-class citizenship: one class for those born here, and another class for those who choose Canada as their home and earn their Canadian citizenship.

Minister, how soon can we expect the government to introduce legislation to repeal the provisions of Bill C-24?

Hon. John McCallum: In the coming days, and not very many, is my answer to when we will introduce changes to C-24.

In terms of the interim federal health program, we really had no choice but to repeal it. I'm glad the Conservatives have found a new commitment to the charter, but their own interim federal health program was entirely inconsistent with the charter when the judge said that it constituted cruel and unusual punishment and was, therefore, unconstitutional and contrary to the charter.

We had no choice but to get rid of it for that reason, but we wanted to anyway because we think it's only right that refugees receive health care. It was economically ridiculous for the federal government to save some money only for the provincial governments to have to spend more money. So net, it cost taxpayers money. It was unconstitutional, and it's certainly the right thing to do to provide health care.

Finally, on the subject of the charter, clearly the interim federal health program was unconstitutional. We now have concern that the designated countries of origin—the discrimination between refugees in terms of what kind of appeal they may have—which the Conservatives set up, may also be unconstitutional, and there have been some court cases. As a result of that charter uncertainty, we are actually reconsidering whether to keep the designated countries of origin at all.

In the election we committed to setting up an independent panel to determine which countries should be on that list, but now, in light of court challenges to the constitutionality of designated countries of origin in the first place, we may even remove them, in which case we would not need any outside body to advise on which countries, because we wouldn't have any designated countries of origin.

This is something that is charter related—and we've been talking about charters, so I raise it—on which we have not yet come to a decision. But the whole issue of designated countries of origin clearly does raise charter issues that we are reviewing now.

• (1200)

The Chair: Mr. Chen.

Mr. Shaun Chen: Thank you, Mr. Chair.

It's my understanding, Minister, that your ministry is coordinating with governments at the provincial and municipal levels to facilitate the settlement of 25,000 Syrian refugees.

Can you explain how those responsibilities are being divided among the various levels of government in collaboration with the federal government?

Hon. John McCallum: Yes, I'm delighted to, and to say I'm collaborating with them is an understatement. I've spoken several times to every one of my provincial counterparts, and collectively they oversubscribe to the 25,000, which means there's a lot of enthusiasm at the provincial level. I've spoken to more than 30 mayors, all of whom have expressed enthusiasm. All are participating in one way or another.

There's also a key group in there that is vital, which is the settlement agencies. They are working through the federal government, but with all levels of government, and they in a sense are the driving force for the settlement. As we get into things like health care, schooling, language training.... Language training is partly financed by the federal government, but a lot of those things are more in the provincial area.

The federal government is coordinating on a day-by-day basis through its government operations centre, where we have provincial people embedded. We are coordinating daily with our counterparts from other levels of government, but the settlement agencies, which are not governmental, also play a crucial role.

The Chair: Mr. Chen, you may proceed.

Mr. Shaun Chen: Just to tag on as well to my colleague's question around Bill C-24, under the previous government the language requirements were made extremely challenging for new immigrants applying to become Canadian citizens. I know that in my riding of Scarborough North, which has one of the highest populations of new immigrants, it's extremely challenging for families who are sponsoring grandparents or parents to have them successfully transition to Canadian citizenship.

How will you and your ministry address this system to make it more inclusive with respect to the strict language proficiency requirements that are currently in place as a result of the last government?

Hon. John McCallum: Okay, that's a really good question.

I said it was coming in days, and not very many days, so I don't want to say exactly what we're doing today because it will not be many days before we do say that.

I would say that I hear you on the language issue but I would also say that there are two sides to this debate. On the one hand, one does want to be inclusive and not to impose unreasonable language tests on people. On the other hand, one also wants to recognize that in order for immigrants to settle well, to integrate, to prosper in Canada, it certainly helps if they can speak English or French.

We have to find a balance between those two elements and we seek to achieve that balance in the bill that we will be presenting in a small number of days.

•(1205)

The Chair: Thank you, Minister.

Ms. Rempel, you have five minutes.

Hon. Michelle Rempel: I thank you, Mr. Chair.

My questions will be directed to Ms. Tapley.

Ms. Tapley, it's my understanding that you serve in the role of assistant deputy minister of the strategic and program policy sector at Citizenship and Immigration Canada. Is that correct?

Ms. Catrina Tapley (Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration): That's correct.

Hon. Michelle Rempel: Excellent.

Ms. Tapley, it's my understanding that in their campaign platform the government said they would immediately lift the Mexican visa requirement. Is that correct?

Ms. Catrina Tapley: That's correct.

Hon. Michelle Rempel: Ms. Tapley, it is my understanding that, thus far, a formal review of the Mexican visa situation by technical experts in the public service has not yet been conducted.

Is that correct?

Hon. John McCallum: Go ahead.

Ms. Catrina Tapley: That's correct.

Hon. Michelle Rempel: Then, Ms. Tapley, in that situation it's my understanding that if a decision has been made without undergoing this particular review we would be making a policy decision that has not yet had a public service review that would look at the quantitative and qualitative indicators that are used to determine a country's eligibility for visa exemption.

Is that correct?

Ms. Catrina Tapley: Although a formal visa policy review for Mexico has not been officially launched, it doesn't mean that we haven't done a considerable amount of work with respect to Mexico. For the issues around the visas, much of that work is under way. These are discussions that we are having with the minister at the moment and it would be inappropriate for me to comment further on that.

Hon. Michelle Rempel: Thank you.

Ms. Tapley, do technical experts in the public service believe that the Mexican passport is a reliable indicator of identity and nationality?

Hon. John McCallum: We've come to a consensus that's enough questions for Ms. Tapley.

Hon. Michelle Rempel: On a point of order, Mr. Chair, on page 1068, Bosc and O'Brien says, "Witnesses must answer all questions which the committee puts to them."

The motion states that department officials be invited to this committee. Witnesses are sworn in and I've asked a question. I don't believe that the witnesses get to determine when a member's question is answered or not.

Hon. John McCallum: Mr. Chair, we'll bow to that authority and Ms. Tapley will continue to answer the questions.

The Chair: Thank you.

You were correct.

Hon. Michelle Rempel: Thank you.

I'll ask the question again.

Do Canadian technical experts in the public service believe that a Mexican passport is a reliable indicator of identity and nationality.

Ms. Catrina Tapley: We believe that the Mexican passport is indeed a reliable indicator of nationality. It doesn't mean that there may not be some other issues with that, but we would certainly respect Mexico's sovereignty in issuing those documents. Absolutely.

Hon. Michelle Rempel: Also, for Ms. Tapley, do Canadian technical experts in the public service believe that Mexico's border management practices, for example, the tools and measures in place to manage external borders and prevent illegal migration, indicate an acceptable risk for a visa exemption or an unacceptable level of risk?

Ms. Catrina Tapley: There are number of issues that are under discussion within the department, with other departments, and with the Government of Mexico. Those are issues we are discussing with the minister at the the moment.

Hon. Michelle Rempel: What issues have been raised so far in these discussions?

Ms. Catrina Tapley: There are a number of issues with respect to our own asylum system and issues around that. There are other issues with respect to some things that the honourable member has raised.

Hon. Michelle Rempel: Does Ms. Tapley believe that these issues constitute a conflict with the Liberal campaign commitment to immediately—using the word "immediately"—lift the Mexican visa requirement.

Ms. Catrina Tapley: Those are issues that we are discussing with the minister at the moment.

Hon. Michelle Rempel: Ms. Tapley, do Canadian technical experts in the public service believe that there are weaknesses in screening and enforcement measures at Mexican ports of entry?

•(1210)

Ms. Catrina Tapley: I think that would be inappropriate for me to comment on, Mr. Chair.

Hon. Michelle Rempel: I'm surprised, Mr. Chair, that one of our senior public servants wouldn't want to comment on this, given that the minister is here to discuss his mandate letter, and the commitment to immediately lift the Mexican visa requirement is clearly in there, but I'll continue.

Does Canadian assessment of security matters in Mexico, including particularly organized crime drug cartels, indicate an acceptable level of risk for a visa exemption or an unacceptable level of risk?

Ms. Catrina Tapley: Mr. Chair, these are issues that we are considering in terms of our advice to the minister and what we provide to the minister at the moment.

The Chair: Thank you.

Your time is up, Ms. Rempel.

Mr. Ehsassi, you have five minutes.

Mr. Ali Ehsassi: Thank you, Mr. Chair.

Thank you ever so much, Minister, for appearing before this committee. I'm sure I speak on behalf of many Canadians in congratulating you for the energy that you have brought to the task at hand. It has been incredible to see your approach to incoming refugees from Syria and to restoring health benefits to refugees, and also your comments today that we will be seeing changes to Bill C-24.

I'm sure that everyone on this committee will agree that the Canada we have today is really the result of the entrepreneurial spirit of many who have come here to live their lives. Immigration is critical to job creation and economic growth for the middle class. The fact is that Canada needs immigration to maintain our population levels, and we do have an aging population and Canadians obviously are living longer lives.

Given all of that, despite all the foregoing, Canadians have been deeply concerned during the past decade about application processing times for various streams of immigration, as you alluded to in your opening comments. To illustrate the point, the processing time for citizenship applications doubled over the past decade. To take another example, which is something that I know you attach a lot of significance to, family reunification processing times are up by 70% for spouses and children since 2007, and then an even a more staggering 500% for parents and grandparents.

Given your invitation that this committee assist in seeing how those timelines can be streamlined, I was wondering if, after having had your consultations with senior civil servants in your department, you could provide us with your early initial impressions as to how the system can be improved.

Thank you.

Hon. John McCallum: Thank you very much for that question.

In terms of your opening preamble, thank you for what you said, but I would also echo that for so many of you. I know that you, Mr. Ehsassi, have been active with large numbers of Armenian refugees, and others around the table have been active as well. It really has been a major collective effort.

Of course, I'd be happy to come back anytime. I said at the beginning that we want to be open with all Canadians on the ups and downs of this process and what we're doing. We don't want to hide things. That certainly includes this committee at or near the top of the list. If the committee wants me to come back to talk about progress in this area or about any other thing, I'd be happy to return.

Mr. Ali Ehsassi: Thank you.

As you know, the Prime Minister's mandate letter specifies the need to develop a plan to reduce application and processing times for sponsorship, for citizenship, and for visas. Have you had time to examine these issues?

Hon. John McCallum: I've spent a certain amount of time on the refugee issue, but I've certainly spent considerable time on this issue, yes, because, as I said, there are many important things to do. If I had to say what the top priority was for me over the next, let's say, two or three years, it would be to bring down these processing times for family members.

We have spoken to experts, we have looked at the figures, and I have received briefings about how they got to where they are and the ways in which this might be addressed. However, we still have a lot of work to do in terms of the nuts and bolts of how we can address this. It's partly through additional funding to hire more officials to interview more people in order to let more in. It's also reforming the way we do our business.

We learned from the Syrian refugee experience that if you put your mind to it, and have a very ambitious target you have to reach, the human mind can figure out new ways to do things. We can do things concurrently, instead of consecutively. We can find ways to shorten processes without increasing risk. We had a major role for the military in the health process.

There are a lot of innovative things that we can do in order to reduce the time it takes to process a given immigrant. The more that time can be reduced, the more immigrants we can process with a given input of human power. Much of our work will be in that area, consulting this committee, I hope, which can, in turn, consult its own experts, our own expert advisers, and most importantly, my department.

I think you would agree that the members of my department, and other departments, certainly rose to the challenge on the refugees. It wasn't always smooth sailing. We had our ups and downs, but it does appear that we'll hit our 25,000 target in just a few days. They have done a fantastic job. With that experience behind them, they can do another fantastic job on this second and equally important issue, which is to reduce the processing times for family class members.

I hasten to add, very quickly, that you don't change a battleship overnight. It will take a number of years to achieve major changes in this area.

•(1215)

The Chair: Thank you, Minister. I'd like to thank you and your officials for appearing before the parliamentary committee on citizenship and immigration today.

As your mandate letter states, we will have an ongoing and continuing engagement with the parliamentary committee. We look forward to progress reports on a regular basis from you.

The committee will now suspend for two minutes and move in camera.

[Proceedings continue in camera]

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