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# Standing Committee on Citizenship and Immigration

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Chair: Mrs. Salma Zahid





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• (1105)

[English]

**The Chair (Mrs. Salma Zahid (Scarborough Centre, Lib.)):** I call the meeting to order.

Welcome to meeting number 17 of the House of Commons Standing Committee on Citizenship and Immigration.

Given the ongoing pandemic situation and in light of the recommendations from the health authorities, as well as the directive of the Board of Internal Economy on Thursday, November 25, 2021, to remain healthy and safe, all those attending the meeting in person are to maintain two metres of physical distancing and must wear a non-medical mask when circulating in the room. It is highly recommended that the mask be worn at all times, including when seated. Attendees must maintain proper hand hygiene by using the provided hand sanitizers in the room. Please refrain from coming to the room if you are symptomatic.

This is a reminder that all comments should be addressed through the chair. When you are not speaking, your microphone should be on mute and your camera must be on.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on February 1, 2022, the committee is resuming its study of differential outcomes in Immigration, Refugees and Citizenship Canada decisions.

It is my pleasure to introduce the witnesses for this important study. Today, we are joined in person by Sabreena Ghaffar-Siddiqui, professor and member, Ontario steering committee, Canadian Centre for Policy Alternatives. We are also joined by MD Shorifuz-zaman, regulated Canadian immigration consultant, Guide Me Immigration Inc. The third group of witnesses for today's panel are Sharalyn Jordan, chair, and Aleks Dughman-Manzur, co-executive director, programming and advocacy, representing Rainbow Refugee Society.

Welcome to all of the witnesses. Thanks for appearing before the committee to provide your testimony on this important study. All the witnesses will be provided with five minutes for their opening remarks, and then we will go into rounds of questioning.

We will begin with Sabreena Ghaffar-Siddiqui, representing the Canadian Centre for Policy Alternatives.

Please begin. You have five minutes for your opening remarks.

**Dr. Sabreena Ghaffar-Siddiqui (Professor and Member, Ontario Steering Committee, Canadian Centre for Policy Alternatives):** Good morning.

I have provided Stephanie with some data and research, but in the interest of time, I'm only going to share my reflections with you today.

I think it's important for us to ask what our preoccupation with and predisposition towards the point system of immigration is doing to what immigration is really about, which is building healthy communities. The Canadian index of well-being is rooted in Canadian values. It begins with a belief that our cornerstone value is the principle of shared destiny, that society is best shaped through collective action and that there's a limit to how much can be achieved by individuals acting alone or, I will add, even being alone.

If immigrants and therefore immigration are actually going to be successful, it has to be successful within the community development concept. This brings us to my first point about the relationship between values and policy.

Family reunification has become a mode of migration that the system is clearly very skeptical about, hence the policing, regulation and securitization of it. However, if our Canadian values were reflected and entrenched in policy and in the way that policy is enforced, the question of reunification would be central to it. We would want to build wholesome, healthy communities. We would want immigrants to be in healthy relationships.

Research shows that people who come here through family class migration do better because they don't have to deal with the same level of integration challenges. Sadly, we have commodified the support, for example through ESL and job search support, etc., but we continue to scrutinize the family reunification process. We must remember that we are dealing with human beings for whom having relationships and a sense of belonging begins with family.

My first point is that we need to centre this notion that family reunification is the most important mode of migration.

My second point is about the self-fulfilling prophecy of cynicism. Immigration policy has been criticized as being skeptical of applicants from certain regions. However, I argue that the way the program is being run appears to operate more from a place of cynicism. Some of the biases and microaggressions that have been found to penetrate within the department among the people who are doing this work will naturally be reflected in their assumptions and predisposition towards people who they think want to cheat the system.

For example, when looking at an applicant from rural Botswana, where relationships and marriages are done quite differently, we not only use a Canadian standard to evaluate the genuineness of that marriage, we use an ethnocentric, biased and discriminative viewpoint and expect to find liars and cheaters because of the racial stereotypes associated with that region.

If you run a policy with the assumption that the preponderance of those going through the processes are cheating, that means you are either biased, you are finding what you are expecting to find or the outcome of that process of unification is flawed.

The primary purpose of the policy should be to reunify people, not to find cheaters. However, the number of resources that are put into trying to prove that these relationships are not real is disproportionate. If something is happening on the margins, we can't have entire regions subjected to the same standard. It is rare that someone coming from the U.S. or Europe is subjected to the same requirements of proof. Rejection rates from these countries are also very low. Is that because the marriages are genuine or because the applicants aren't expected to be liars, so they are not asked to provide further proof or scrutinized?

Confirmation bias can lead to finding something you are looking for. The problem would then be the policy, the biases of the people running the policy and the choices they are making in those moments of discretion.

How do we ensure applications are being treated fairly?

Firstly, we need to invest time and energy into identifying the problem. We need to obtain data to show the percentage of reunification cases that are subject to extraordinary demands over time and where these cases predominate. A standardized and normalized demand without any data or policy to support the extra measures taken for some regions should not be sustained as the norm.

The research also has to be carried out by racialized researchers. I'll explain more about that later. We also need to ask ourselves what the value is of asking the perpetrator about the persistence of a phenomenon. If we want to know if immigration officers are microaggressing people, we shouldn't be asking the immigration officers. The methodology needs to centre the voice and experience of the victims.

I'm going to skip some stuff and move on to my last point to consider.

Looking at the complaints from inside the department, we see there are people within these spaces raising alarm bells about the potentially racist culture and environment of these spaces, which points us to diversity, equity and inclusion. We need to diversify the pool of officers, so there's more cultural translation in the department.

The other thing is anti-racism training. Training should not be delivered with the expectation that it will eradicate racism. I can tell you, it likely won't eradicate racism. What it will do is provide an accountability system so that we can hold people to account.

• (1110)

There's also good and bad training. Online module training is bad training. In-person training is good training.

Thank you.

**The Chair:** Thank you, Ms. Ghaffar-Siddiqui.

We will now move to MD Shorifuzzaman, representing Guide Me Immigration Incorporated.

Mr. Shorifuzzaman, you can please begin. You will have five minutes for your opening remarks.

**Mr. MD Shorifuzzaman (Regulated Canadian Immigration Consultant, Guide Me Immigration Inc.):** Thank you, Madam Chair, members and witnesses. Please accept my greetings. May Allah's peace be upon you.

I am an RCIC practising mainly in Saskatchewan for Guide Me Immigration Consulting Incorporated. Let me start with the SINP program with an employment offer, which I feel has been extremely affected by the racist behaviour of the IRCC, differentiating different countries and applicants from different countries in many different ways.

The economy of Saskatchewan is severely affected by the unreasonable, lengthy processing for the PR and temporary work permit applicants supported by the mentioned programs. The primary goal of the SINP program is to facilitate employers with international skilled workers to fulfill the immediate labour needs. However, considerable numbers of SNIP-supported work permit applicants, mostly from Bangladesh, India and a few Asian countries, are denied every month, mainly for a very common reason: "I am not satisfied that you will leave Canada at the end of your stay, based on your personal assets and financial status, or purpose of visit, or ties with the country of residence or current employment or travel history."

Even though the applicants are dual intent and their primary goal is to become a permanent resident, refusing those applications based on those grounds is considered absolutely unreasonable and unfortunate by many Canadian employers. As a result, the helpless Saskatchewan employers and the economy continuously suffer from unpredictable labour supplies that have no real-time relevance to market needs.

I would like to bring your attention to the fact that the applicants who applied through the online PR portal outside Canada are not receiving the AOR, even 16 months after applying, while those who applied for PR applications from inside Canada or some European or western countries have already received their medical request, and are expecting in a few months to get their confirmation of PR, unlike those from Asian countries.

Let me focus a little bit the caregiver program, which can be an example of mistreatment of those foreign workers who work hard to protect the vulnerable in our communities. Unfortunately, the senior and child care pilot programs have become a humanitarian crisis for those helpless workers, who are separated from their families, out of a job, without medical assistance and with no clear pathway to becoming permanent residents. Some of them are outside Canada in the middle of nowhere, as the employment situation may have changed over this long delay.

International students are considered a quick fix for the economy. Many Bangladeshi students complain about the discrimination in their application process for not having the advantage of the student direct stream program despite Bangladesh and Canada having long and robust economic ties.

I also receive a significant amount of feedback from my clients that the study permit approval rates are higher if someone is applying to Ontario, British Columbia or Quebec. If we look at the statistics, we see that the number of students who get study permits in those provinces is much higher than in Saskatchewan. As a result, Saskatchewan is deprived of economic benefits from international students, and also receives significantly fewer post-graduate workers for the labour force.

Finally, I want to bring your attention to the entrepreneur programs. Entrepreneurs, investors and proven successful business people across the world wish to bring their own funds, skill sets and business knowledge to invest in our country. Of course, this program has an escalated growth in job creation, more than any other immigration program. Unfortunately, Canada offers only a few underperforming immigration programs, unlike other developed countries such as England, U.S.A. or Australia.

The Canadian entrepreneur programs are complicated, lengthy and absolutely full of policy barriers. The unfavourable situation is pushing away those investors and innovators to other countries. We are searching for jobs and we are trying to increase the job opportunities, but we are opposing those investors who can create those opportunities.

In my opinion, we need those entrepreneurs to have equal immigration priority, or even higher priority, to compensate for the unforeseen economic pressure from the other immigration programs.

• (1115)

Thank you, Chair.

**The Chair:** Thank you, Mr. Shorifuzzaman.

We will now proceed to Mr. Dughman-Manzur. He will be representing the Rainbow Refugee Society.

Mr. Dughman-Manzur, you have five minutes for your opening remarks. You can begin, please.

**Mr. Aleks Selim Dughman-Manzur (Co-Executive Director, Programming and Advocacy, Rainbow Refugee Society):** Thank you very much.

On behalf of Rainbow Refugee Society, thank you for the opportunity to address the committee.

Sharalyn Jordan and I are joining you from the unceded and traditional territories of the Musqueam, Squamish and Tsleil-Waututh nations.

Rainbow Refugee Society is the proud steward of the national rainbow refugee assistance partnership. With our collaborators in the Rainbow Coalition for Refuge, we have created LGBTQI supportive sponsorship circles in 25 communities across Canada. Our testimony reflects 22 years of direct work with people seeking refuge from persecution related to their sexual orientation, gender identity and expression.

In a global context where the persecution against sexual and gender diversity is pervasive, backlashes against LGBTQI communities are on the rise, particularly in war zones. Canada must fulfill its international human rights commitments to provide fast and accessible pathways to safety and communities of belonging for LGBTQI refugees, irrespective of their ethnic background, race, country of origin or geographical location.

How do we measure human life? Is the life of an LGBTQI person from Ukraine more valued or more worthy of protection than the life of a queer person fleeing Uganda, Sri Lanka, Ethiopia or Afghanistan? Our experience shows that they face vastly unequal possibilities for pathways to safety.

An LGBTQI person from Ukraine can get to Canada faster on a temporary visa and be eligible for settlement services, while an LGBTQI person in Afghanistan does not have this option and there is resistance in providing them with TRPs for travel. Rainbow Refugee, as the steward of the RRAP, saw first-hand, massive discrepancies in processing times and standards between applicants for sponsorship from Africa and South Asian countries compared with those from Europe or the Middle East. In 2017, Ugandans who fled the “kill the gays” bill faced six- to eight-year wait times, Afghans in Pakistan five years, while other regions could process applications in one to two years. In view of this disparity, Rainbow Refugee advocated for equity in processing times and safer pathways for LGBTQI refugees in Kenya.

In 2019, with IRCC, we piloted a pathway using the BVOR program. By 2020 initiatives to equalize processing times were starting to work, but we fear that resource allocation for the return to operational capacity after COVID will again reinforce racism.

We have also seen discrepancies in how applications are processed. The assumptions visa officers bring to their scrutiny reflects unconscious bias, overt stereotyping or ethnocentrism. Officers supply western expectations based on LGBTQI identity and communities as if they were universal, treat bisexuality as if not a fully queer category, or may scrutinize applications for fraud based on nationality alone.

Further, we cannot forget that the refugee pathways do not start when people arrive in Canada. Canada's policies, like interdiction and the safe third country agreement, prevent people who need protection from reaching or crossing our borders. These measures make refugees more vulnerable to exploitation and abuse, and make it more dangerous, particularly so for LGBTQI refugees from global south countries.

The IRCC collaborates with CBSA, an institution with the power to stop people from entering the country, detain or deport. We have noticed that refugees from African countries are far more likely to be detained. Anti-Black racism is further exacerbated for those who are gender diverse or trans. An officer's evaluation of who is a threat or who is unlikely to appear is prone to unconscious bias or stereotyping as well.

CBSA powers to detain and deport people have a major negative impact on LGBTQI refugees that lasts into settlement. People are afraid to call police out of fear that their information will be shared with CBSA. Some endure violence rather than call. Transwomen of colour are disproportionately impacted, yet CBSA remains unaccountable to any civilian oversight body. Any effort to address systemic racism in our immigration and refugee system must create civilian oversight for CBSA.

To conclude, systemic racism profoundly constrains the life chances of queer and trans refugees, and is manifested in policies, pathway scrutiny and supports that enable or constrain mobility and settlement. Systemic racism cannot be measured against intentions. We must look at the impact of the policies and their implementation. The IRCC's commitment to enacting anti-racism must bring an intersectional approach that includes LGBTQI refugees and addresses disparities in pathways and emergency response, bias and assumptions in the scrutiny of applications, and border policies and practices.

● (1120)

Thank you. Both Sharalyn and I look forward to your questions later on.

**The Chair:** Thank you.

Thanks to all the witnesses for their opening remarks.

We will now proceed to our six-minute round of questioning. We will begin with Mr. Redekopp.

Please begin.

**Mr. Brad Redekopp (Saskatoon West, CPC):** Thank you, Chair.

Thank you to all the witnesses for being here today and sharing with us.

I want to start with Mr. Shorifuzzaman, who's actually from my riding of Saskatoon West. You brought up the caregiver program. It's an issue that I and my colleagues in the Conservative Party are talking about. It's important to many immigrant groups, whether they're Filipino, Bangladeshi...all kinds of people.

I've had about 50 tweets about this in just the last few days. You spoke of mistreatment. Can you explain a bit more what you mean regarding the mistreatment that's happening in the caregiver program?

**Mr. MD Shorifuzzaman:** Thank you, Mr. Redekopp, for asking this important question.

I would say, when it comes to the caregiver program.... This program was offered in 2018, and there are many applicants from inside Canada and outside Canada who chose this program to come to Canada—some are vulnerable—with the hope that, after a few months of experience, they would be able to submit their PR application and they would be able to bring their family members to Canada. Unfortunately, however, what happened was the priority of the IRCC shifted to other programs.

I understand that COVID has had a serious impact on business, but I don't know how and why other parts of the government are functioning pretty well after this COVID situation, while if you look at the situation in immigration, the work efficiency is a matter of pushing. What happened is this program has been completely neglected by the IRCC.

These people had a valid work permit. They requested an extension. They asked for the valid status, but their application is pending. There are no decisions on their application, which is why they couldn't even renew their health cards and other basic facilities that they need from inside Canada from the social services department.

What's happened is that they are living in a situation where they do not have any hope. They do not have anything. They have left their family for over four years and they can't even see their family members.

I would say, unlike other programs, such as.... As you mentioned, the people from the Philippines and other countries are the majority of people who came to Canada under this program. There are Bangladeshis and Indians as well. I received over 200 inquiries in the last two weeks and they're asking us to look into this matter.

While we are focusing on other economic classes and other programs, we should always care about these people as well, who are giving their best to protect our communities and the vulnerable.

● (1125)

**Mr. Brad Redekopp:** Thank you.

You also mentioned the study permits from Bangladesh and you talked about discrimination in their applications. Could you speak a bit more about what you mean?

**Mr. MD Shorifuzzaman:** Yes. Thank you, Mr. Redekopp.

If you look at this situation, there is a specific stream, called the student direct stream. This helps a student submit their application, even with a lower IELTS score. Let's say that someone has a score of 6.0, and they can prove that they can transfer \$10,000 Canadian and that they have a \$10,000 Canadian as a guaranteed investment in Canada. If they can show that GIC certificate, the possibility of getting the study permit becomes much higher, because the visa officer thinks that this student has money to support their education.

As I mentioned, Canada and Bangladesh have had very strong and robust economic and cultural ties for a very long time. There are many academic institutions that help their students grow and get their higher education from Canada. We can expect them to come to Canada to get a higher education, but the nature of immigration officials when they're assessing their applications, and the mindset they have, is that they feel that they are giving all these documents just to find an opportunity to come to Canada and stay here.

Remember, we help every student who comes to Canada by supporting them in as many ways as possible, so that they can become part of our economy and they can try to stay here. Unfortunately, a few students—those who are applying from Bangladesh—are examined in a way that says, “Okay, they are just trying every possible way to come to Canada and I don't know why. We can't let them come to Canada, even though they have enough proof of financial support and they have sufficient funds.”

That's why I feel that Bangladesh is discriminated against, like other countries that have that eligibility to submit applications through the student direct stream.

**Mr. Brad Redekopp:** In this last little bit of time, as we're studying racism specifically at the committee, can you share with us any evidence of racism that you have seen?

**Mr. MD Shorifuzzaman:** Yes, absolutely.

I saw the applications that were refused. I submitted over 50 or 60 study permit applications. I found some study permit applications from other nationals that were approved in seven days, but the study permit applications that we have applied for—where the student's ability and ability to prove the requirements for the study permit is even higher than for those students who got their study permit—got declined after five or six months. The reason given was, “We have doubts that you will not return to your home country after your study and you don't have a travel history”. Sometimes the reasons are very—

**The Chair:** I'm sorry for interrupting, Mr. Shorifuzzaman. The time is up for Mr. Redekopp. Thank you.

We'll now proceed to MP Ali.

MP Ali, you will have six minutes. You can begin, please.

**Mr. Shafqat Ali (Brampton Centre, Lib.):** Thank you, Madam Chair.

My question is for Dr. Sabreena Ghaffar-Siddiqui.

Thank you for your time and thank you for what you do for the community.

Immigrants worldwide start life in one culture and, after immigrating, spend the rest of their lives in another generally quite different culture. They start off as an insider in their culture of origin, with an understanding of its norms and mores. After immigrating, they're outsiders in the new culture and are able to maintain some insider status in the subculture communities of their fellow immigrants from their country of origin.

Is there any type of training we can offer the immigration department personnel that would be effective in allowing them to share in the culture of origin insiderness of the applicants whose cases they're considering? Or can that only be achieved by hiring immigration officers from among Canadians who are from those same ethnic and national subcultures?

**Dr. Sabreena Ghaffar-Siddiqui:** Thank you very much for that question. I'll try to keep it as succinct as possible.

What you're speaking about is this idea of cultural competence training, which actually has received a lot of criticism over the years, because we've come to realize that no one can be competent in another culture. You can be aware, but you can't gain competence. That's why my recommendations are more towards diversifying the pool of officers, so that those who have an already existing understanding and awareness of another culture can provide their experience and their expertise.

It's not for not having enough of these people in the department. We clearly know from the Pollara report that the diversity is okay. I heard this even yesterday in a meeting. I heard from somebody working in IRCC that the composition of the department appears to be diverse. The problem is that the people in the decision-making roles are not from those cultures and those regions. The people who have the power in making the decision aren't culturally aware.

This is why, in my recommendations about training, I'm quite skeptical of training, because you can't really train someone in someone else's culture, but what you can do is train them in an awareness. Something that I was going to say but didn't have time for is that, for these training modules that we have online—these diversity, equity and inclusion training modules—people just click to the next, the next and the next. They don't actually retain any information. It's very easy to get trained and get a certificate but really know nothing about what you've just read.

My recommendation is for engaged training, which is more in the workshop-style. You have people who are conversing with other people with other lived experiences, where you're posed ethical questions. As a professor, that's what I do in my classroom. I pose ethical questions that make people think outside the box, and by the end of the session they understand a little better the other perspective.

Again, due to the pandemic, I feel that ideas and perspectives are even more polarized. People are even more so on two ends, on two extremes. The only way that we can come together is if we are engaged in discussion in the same room, on the same web session, but in conversation, rather than in some training module online.

I hope that answers the question.

• (1130)

**Mr. Shafqat Ali:** Thank you, Dr. Ghaffar-Siddiqui.

Here is my next question. In the next few days, I will be speaking with an organization in my riding that the Minister of Mental Health has recently funded to operate crisis lines in supporting the South Asian community across Ontario. Would you have any words of advice that I could pass on to them about dealing with mental health problems created by racism and Islamophobia?

**Dr. Sabreena Ghaffar-Siddiqui:** Absolutely. I think everybody in this room remembers the tragedy that took place in London, Ontario, with the Afzaal family. One thing that I like to point to is that, even though that was an incident of Islamophobia, we know that the person who committed the crime was coming from a place of Islamophobic hate. However, one thing that people tend to not understand is that he actually didn't know if they were Muslims. He suspected they were Muslims, simply by the way they were dressed. They were dressed exactly the same as a Sikh family would have been or a Hindu family would have been.

Islamophobia actually impacts people from across regions around the world. There's a misunderstanding of who's Muslim and who's not Muslim. The first man to be attacked after 9/11 in the U.S., in New York, was a Sikh man who was mistaken for a Muslim man. He was shot and killed. The point I'm trying to make is that South Asians, because of Islamophobia and because of anti-South Asian, anti-immigrant hate, are on the receiving end of a lot of discrimination.

Young people especially, with coming of age and identity, are even more so affected. We are finding, even in my research, that young people are very troubled. They're very scared. If somebody's scared to even go out for a walk with their family, what does that say about their sense of well-being and belonging in Canada?

Yes, I agree with you that those types of programs are very necessary, and we need to focus on them.

**Mr. Shafqat Ali:** Thank you, Dr. Ghaffar-Siddiqui.

Madam Chair, do I have...?

**The Chair:** You have 12 seconds.

**Mr. Shafqat Ali:** Do you want to add something? It's just 12 seconds, so please go on. Is there anything you want to highlight?

**Dr. Sabreena Ghaffar-Siddiqui:** Oh my god, 12 seconds.... It's great to be in this room with you guys.

**Some hon. members:** Oh, oh!

**Dr. Sabreena Ghaffar-Siddiqui:** I like that you laughed and made it more comfortable.

**The Chair:** Before I go to the next person, I think you are the first witness in person after two years. It's really good to have you in person here among us.

We will now proceed to Mr. Brunelle-Duceppe for six minutes.

• (1135)

[Translation]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Thank you so much, Madam Chair.

We have an amazing panel of witnesses here today. I'm not going to have enough time to ask all the questions I'd like to ask.

Having said that, I thank you for being with us. Your testimony will be helpful as we draft the report on this important study.

Mr. Shorifuzzaman, you were responding to the question from my Conservative Party colleague, Mr. Redekopp. You were saying that you saw evidence of racism at IRCC, but you didn't have time to finish your response. So I'd like to give you the opportunity to complete it and give us an example.

[English]

**Mr. MD Shorifuzzaman:** I'm very sorry. I didn't hear anything. Can you please repeat?

[Translation]

**Mr. Alexis Brunelle-Duceppe:** From the top, Madam Chair?

[English]

**The Chair:** Mr. Brunelle-Duceppe, please repeat your question.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Okay.

Can you hear the interpretation?

[English]

**The Chair:** Can you hear the interpretation, Mr. Shorifuzzaman?

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I can hear the interpretation, but I don't know if Mr. Shorifuzzaman can.

[English]

**Mr. MD Shorifuzzaman:** Yes, I can hear you now.

**The Chair:** Mr. Brunelle-Duceppe, please go ahead.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Are you going to start my time again from the beginning, Madam Chair?

[English]

**The Chair:** I'll restart the time.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** You're the best.



I'd like to thank the witnesses. Honestly, we have an outstanding group with us today. This study is extremely important to many of our fellow Quebecers and Canadians. So I thank you for being with us.

Mr. Shorifuzzaman, you were responding to my colleague, Mr. Redekopp. You were saying that you saw evidence of racism at IRCC. I'd like to give you the opportunity to continue responding.

[English]

**Mr. MD Shorifuzzaman:** Thank you so much for the opportunity again.

I see racism in many different ways, especially, as I said, for the applicants or students who are applying from Bangladesh. The data shows that the performance of the Bangladeshi students in Canada—the academic performance and their commitment to the Canadian economy—is significant and remarkable. Despite the fact that when students are applying, we have sufficient evidence to prove that they have the ability to come to Canada and study, the reason we always see in the refusal is basically that the visa officer has a doubt that after finishing their studies they may not go back to their home country.

As I said, that's even though we spend a whole lot of money to make them stay in Canada and be part of our economy when they come to Canada. I understand the law.

The second thing is that, even if you see that a specific visa officer has the capacity to assess visa applications, some applicants from a very specific country who are eligible for student registration programs are getting decisions in two weeks or three weeks. The whole family can live in peace knowing that they will be able to go to Canada and study. Whereas the students who are applying from Bangladesh are applying five or six months before their expected starting class date and still can't take the decision because the visa officers are very busy with so many other applications. Sometimes those applications are transferred to other visa officers, such as in Vietnam or other different countries. Definitely they have their priorities, and they don't want.... I assume, I'm not 100% sure, but the way they refuse the applications, it feels like they don't even spend five minutes to read the whole application. The refusals literally talk exactly against this admission.

That's why I feel that this is a very clear example of discrimination when it comes to study permits for us.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Thank you.

That brings me to a question for Professor Ghaffar-Siddiqui, who is here with us today.

Professor, in your opening remarks, you said that we need to know how to find the problem. However, IRCC is talking about unconscious bias. At a previous meeting, one witness told us that we need to call a spade a spade. As the last witness just said, there is racism within IRCC.

In my opinion, we need to name the problem or we'll be unable to fix it. Do you agree with that statement?

[English]

**Dr. Sabreena Ghaffar-Siddiqui:** I do agree with that statement, but being a professor, I've been trained to always say, "maybe, perhaps, possibly". That's why I respond in that way.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** In your opinion, studies within IRCC should be done by racialized researchers. Since you said you have more to say about this, I'm going to give you the opportunity to do so.

• (1140)

[English]

**Dr. Sabreena Ghaffar-Siddiqui:** The reason I say that is.... There was a book released a few years ago called *Points of Entry: How Canada's Immigration Officers Decide Who Gets In*. It was written by my Ph.D. supervisor. I read it because I had to, because he's my supervisor. However, I found a lot of flaws in his methodology and his regions. He was looking at visa officers around the world. He went there. He sat with immigration officers to determine whether or not bias and racism takes place in these departments. His aha at the end was that there was no racism.

When I read that book as a racialized researcher, there were a lot of things I was picking up on: Does he have the ability to see something that he has no experience with himself? This question of insider-outsider researchers has come up for years. Racialized researchers are always frustrated with the fact that we're not really given the funding to do research about our own communities and our own cultural backgrounds because of this question of objectivity—are we going to be objective?—which is offensive. We've been trained to be objective.

The point I'm trying to make is that white researchers come with a certain set of assumptions, ideas, a certain set of eyes and world views. I believe they are not capable of understanding a situation in its entirety in the way that maybe a racialized researcher would. That's why it is very important, from that critical race theory lens, to come in and produce that research.

Another point to make, because I'm a professor, is that I don't discard that research. All I'm saying is, let's have a balance of—

[Translation]

**Mr. Alexis Brunelle-Duceppe:** In other words, diversity is needed.

[English]

**Dr. Sabreena Ghaffar-Siddiqui:** —some research from white scholars and some research from racialized scholars so we can say, okay, we have a range of ideas here.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Absolutely, thank you.

Do I have any time left, Madam Chair?

[English]

**The Chair:** You have 15 seconds.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I'd like to thank the witnesses. I might get the opportunity to ask them one last question.

Thank you very much.

[English]

**The Chair:** Thank you.

We will now proceed to Ms. Kwan.

Ms. Kwan, you will have six minutes. Please proceed.

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

Thank you to all the witnesses. I really do appreciate hearing from all of you.

I want to ask this question because every witness has raised this, both in this study and in the previous study as well. It is the question of systemic racism embedded within IRCC. The question then is how we get at it. There are different streams that we can always cite. In the caregiver stream, definitely the government's approach is inherently biased and racist and discriminatory, in my view, because it's the only temporary foreign worker stream where they cannot bring their families to come until after much lobbying. Why can't they have landed status on arrival, as an example, when it has been proven that we actually need caregivers here in Canada?

From that perspective, what I think needs to be done—and I would love to get the perspective from all the witnesses—is that the government should bring in an independent ombudsperson to examine all of IRCC's policies and their application so that we can address the systemic racism within IRCC once and for all.

I will start with Mr. Shorifuzzaman first, then we'll go to Rainbow Refugee and then we'll come back to our witness here in person.

**Mr. MD Shorifuzzaman:** Thank you.

I would say, yes, I entirely agree with this, but we cannot forget that the whole process may take a long time and this program can't wait that long. The people who are affected, the applicants, the temporary residents who are affected by this discrimination, they need immediate support. Definitely, yes, we can work through that, but on top of that we need immediate attention by the IRCC to address this problem and solve it as quickly as possible.

**Ms. Jenny Kwan:** Thank you to our witnesses. I don't know who will respond from Rainbow Refugee.

**Dr. Sharalyn Jordan (Chair, Rainbow Refugee Society):** I very much agree that we need to be looking at not just the interpersonal or interactional racism and microaggressions that can occur, but the systemic issue as well. We've heard today how even just how much attention or resources a particular program or stream is given can create massive racist discrepancies.

An ombudsperson would be well positioned to champion that policy overview. For us from Rainbow Refugee, what would be important is that this person have a lens that is truly intersectional, so good critical race analysis as well as having a gender and sexuality analysis to fully reflect the federal government's commitment to a gender-based analysis plus that is intersectional.

Aleks, do you want to add anything?

• (1145)

**Mr. Aleks Selim Dughman-Manzur:** Yes, thank you. I just wanted to add that I believe that an ombudsperson would really help in this matter in addressing where we can go when we're seeing there's systemic racism at play, but I also want to emphasize that as we go upwards into the directorship and management levels of IRCC, we don't see ourselves represented. I don't see LGBTQI or racialized migrant people represented in decision-making positions at IRCC, and I feel that they need to go together. We need to have external oversight and an ability to assess what is going on internally in IRCC, and we also need to see representation in the decision-making power positions.

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

**Dr. Sabreena Ghaffar-Siddiqui:** Thank you very much.

I was going to say the same thing. I think that a fix would be to take some of the people who are working in the departments at lower levels and bring them up and give them positions of authority so that they can assess. What results would reassessment of the same applications by racialized people or people from marginalized backgrounds produce?

As a diversity, equity and inclusion consultant, I always say to people that you can't have HR do DEI work. They're not your friends. They're not there for the employee. You need to have an outside person come in and do that. That's why I agree with you. I think an outside objective position on this is really important.

The other thing I really believe in is blind evaluation, blind experimentation. I don't know if you guys know about that, but within academia, within research, we talk about blind experimentation as being really important because it takes away the biases of the researcher. I am a product or a success story of blind examination. In high school—I'm from the U.K. as you can tell from my accent—we got predicted grades from our teachers and then all our exams go to an external examination board for blind examination. I had all Bs, Cs and Ds predicted. I wouldn't be sitting here as Dr. Sabreena Ghaffar-Siddiqui speaking to you all today if I didn't have an external board of examiners marking my final exams in which I received all As. That's just an example of how blind evaluation can produce drastically different results.

**Ms. Jenny Kwan:** I may be out of time, but if I get another round, or if I don't get another round, I would ask all the witnesses to submit to the committee in writing their suggestions on both short-term and long-term action that needs to be taken.

**The Chair:** Thank you, Ms. Kwan.

We will now get into our second round of questioning. We will have four minutes each for Mr. Genuis and Ms. Lalonde, and then two minutes each for Mr. Brunelle-Duceppe and Ms. Kwan.

Mr. Genuis, I think you will be sharing your time with Mr. Généreux.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** That's right, so I'm going to talk really fast.

Dr. Ghaffar-Siddiqui, some of our determination processes are dependent on UNHCR processes, so if we're going to talk about racism in outcomes, we also need to look at the UNHCR determination processes. Do you have any reflections on whether there is systemic racism or other forms of racism in the UNHCR determination process that we need to take into consideration as well?

**Dr. Sabreena Ghaffar-Siddiqui:** I have not evaluated that area but I would be surprised if there was not racism taking place in any department or organization in which the majority of the people are from the majority.

**Mr. Garnett Genuis:** Fair enough.

Are there any other witnesses who have expertise on that point? If not, maybe we could ask future witnesses. I don't want to put anyone on the spot. If people want, they can follow up in writing on that as well.

To the folks at the Rainbow Refugee group, my understanding is that many refugees who come do so through the joint sponsorship mechanism, which is something that I think works very well. It brings together the involvement of private sponsors but it also reduces the burden on them by having government money come to the table, and when you have private or joint sponsorship that provides an opportunity for those sponsoring organizations to advocate and work with individuals who may be experiencing discrimination.

Can you speak to the joint sponsorship model and how you have found it to work in practice?

• (1150)

**Mr. Aleks Selim Dughman-Manzur:** Thank you.

I imagine you are talking about the the joint assistance sponsorship program.

**Mr. Garnett Genuis:** Yes, exactly.

**Mr. Aleks Selim Dughman-Manzur:** The joint assistance sponsorship program is designed especially to bring in people who may have more challenges settling in Canada. They come as government-assisted refugees, and then IRCC has a partnership with a community organization and that community organization provides emotional support and other settlement supports to the person.

Usually those sponsorships last a year or two years. At Rainbow Refugee we've been advocating that racialized trans people in general come through that program or be assigned that program because one year of settlement support is not enough. It's never enough for that to happen.

We also have a cosharing model, which is the Rainbow Refugee assistance partnership. We are the stewards of that partnership, and through the Rainbow Refugee assistance partnership we have 50 cosharing spaces in a year. That means the government provides three months of support and a start-up fund. There's a lot of co-operation between IRCC and—

**Mr. Garnett Genuis:** That's great. I'm sorry to cut you off, but I have to share the last bit of my time.

I would just really plug that I think the sharing model between government and private organizations is a great opportunity. It can leverage the best of both worlds. We should think about using that model more.

It's over to you, Mr. Généreux.

[*Translation*]

**Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC):** Thank you very much, Madam Chair.

Dr. Ghaffar-Siddiqui, your candour is a breath of fresh air this morning. Frankly, I find it very elegant of you and you're probably right.

Anyway, I have a question for you.

Do you think there's a real difference between a human being and an algorithm in a computer in terms of determining whether someone can, should or might come to Canada?

[*English*]

**Dr. Sabreena Ghaffar-Siddiqui:** I have always been in favour of human beings as opposed to algorithms, but when I speak of blind experimentation, maybe that is something that is to be considered. The way I see it is this: Why not try it and see what the results are? Why not try it and then compare? If we use an algorithm, will it produce different results?

At the end of the day, we're talking about human beings, so the preference is for human beings to assess the situations and circumstances of other human beings.

[*Translation*]

**Mr. Bernard Généreux:** On the Standing Committee on Official Languages, we're also—

[*English*]

**The Chair:** Unfortunately, Mr. Généreux, the time is up.

We will now proceed to Ms. Lalonde.

Ms. Lalonde, you have four minutes. Please begin.

[*Translation*]

**Mrs. Marie-France Lalonde (Orléans, Lib.):** Thank you very much, Madam Chair.

I'd like to thank all the witnesses with us this morning, either virtually or in person.

[*English*]

My first question will be for Ms. Ghaffar-Siddiqui, if I may.

The Pollara report indicated the following: “Experiences of racism at IRCC include microaggressions, biases in hiring and promotion as well as biases in the delivery of IRCCs programs, policies and client service.”

In your view, where should the department devote more of its attention in order to identify and resolve instances of microaggression?

**Dr. Sabreena Ghaffar-Siddiqui:** Are you asking whether it should be focused on employee experiences and feelings of belonging, or applications...?

**Mrs. Marie-France Lalonde:** Both.

**Dr. Sabreena Ghaffar-Siddiqui:** Both. Okay.

If employees don't feel a sense of belonging and comfort, and we care about diversity but we don't care about inclusion and equity, then the retention rate of people working in those departments is going to be very low. People are going to come in and then they're going to leave. They're going to come in, get a job, not feel happy and then leave. You're going to lose people, and we need people to stay in order to build that experience and understand the system better. We need those people to provide that cultural translation and move up the ranks to then be the officers who can better assess the applications.

I feel like you have to start with your family. You have to start with the people who are part of your family, which is your department. That family will then have more of the tools necessary to work on the application.

**Mrs. Marie-France Lalonde:** Thank you very much.

In your experience, what forms of microaggression fundamentally impact the decision-making process?

• (1155)

**Dr. Sabreena Ghaffar-Siddiqui:** The main point I will make about all of this is that if there's a microaggression... I need to clarify, in case people don't understand this, that a “microaggression” doesn't mean it's small. All it means is that it happens in small interactions.

When you talk about systemic racism, you talk about it happening on a large scale, with big statistical analyses. With microaggressions, the examinations are more interactive and small-scale. Microaggressions are still really impactful, but they're happening within people's conversations. For example, when somebody hears that “these are the dirty 30 countries” or “people from here are usually liars and cheaters”, the person on the receiving end who is from one of those countries is impacted, because now you are offending them as well. It also shows that you have a bias. You have a feeling towards these people. When you're then assessing the application, how can you tell me that this feeling is not somehow being incorporated into your decision-making? That's why microaggressions are important to consider.

Also, in my studies and my research, I have spoken to respondents who spoke about microaggressions that took place 10 or 15 years ago as if they happened yesterday. The impact of microaggressions is actually quite big and long-lasting.

**Mrs. Marie-France Lalonde:** Thank you.

In the minute I have left, I would like to ask the Rainbow Refugee witness a question.

Now that some time has passed since the SOGIE guidelines were implemented in 2017, how would you evaluate the SOGIE guidelines in reducing the barriers faced by the LGBTQ2+ refugees? In your view, has IRCC improved its refugee decision-making process, ensuring more fairness and respect for those applying for refugee status?

**Dr. Sharalyn Jordan:** We have been very pleased with the way the SOGIE guidelines were developed in terms of the amount of community consultation and their initial implementation, as well as their more recent review. What we would like to see is that guidelines like this be developed for other decision-makers throughout the system, so in particular the officers reviewing PRA applications.

I would really bring us back to some of the points Professor Ghaffar-Siddiqui is making around the training. We cannot rely on cultural competence models. We need to have engaged narrative, dialogue, workshop-style training for all—

**The Chair:** I'm sorry for interrupting, Ms. Jordan. The time is up for Ms. Lalonde.

We will now proceed to Mr. Brunelle-Duceppe for two minutes.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Thank you, Madam Chair, I'll be quick.

I thank all the witnesses for being here today.

I have a question for the representatives of Rainbow Refugee Society.

You may not be aware of this, but I'm also vice-chair of Special Committee on Afghanistan. I'd like to do a little aside about Afghanistan. Since the Canadian presence left Afghanistan, every day individuals in the LGBTQ community have been subjected to threats, assault and arbitrary detention. Human Rights Watch and OutRight Action International released a 43-page report about this on January 26.

I wonder, is Canada doing enough for these individuals? If not, what more can we do? I feel you're in the best position to answer this question.

[*English*]

**Mr. Aleks Selim Dughman-Manzur:** I believe that the emergency response that Canada had with the Ukrainian crisis, which was made flexible and allowed a lot of people to enter the country with a lot of flexibility and then get settlement services, should be applied equitably to other crisis situations. In this case it should be applied to the Afghanistan situation and the LGBTQ people, those who are still inside Afghanistan but also those who have made it out, so that we can bring them to safety in Canada either through the PSR program or through an emergency program that allows them to come with flexibility and then deal with their applications and their processing more from the inside of Canada.

We believe that there is more that can be done. We believe that equity in crisis responses is paramount to this work and that we cannot be discriminating against LGBTQ people just by their geographic location.

We believe that the model that has been implemented through the response to the Ukrainian crisis can be amplified and brought to other crises and particularly to LGBTQI people who are in Afghanistan or outside of Afghanistan.

• (1200)

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** So IRCC needs an emergency mechanism when a crisis occurs, whether it's a natural disaster or an armed conflict anywhere on the planet.

Would you agree?

[*English*]

**The Chair:** Your time is up, Mr. Brunelle-Duceppe. Thank you.

We will now end our round of this panel with Ms. Kwan for two minutes.

Ms. Kwan, you can, please, begin.

**Ms. Jenny Kwan:** I just want to build on that question.

With respect to refugees, one of the critical issues for people in Afghanistan is that they cannot get their biometrics done because it's just simply not feasible. Should the government waive the biometric requirements for Afghans until they are safely here in Canada?

That is for Mr. Dughman-Manzur.

**Mr. Aleks Selim Dughman-Manzur:** Thank you.

Yes, I do believe that they should be waived and I believe there are ways to make sure that.... I know that Canada is also concerned with safety and there are other measures that can be put in place to make sure that we are bringing people in safely and we're also protecting Canadian society in that way. I believe that when there is an emergency, if there are barriers and we cannot overcome those barriers, we should put human life first and then deal with the obstacles.

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

I want to quickly ask this question as well.

The refugee determination requirements, the government requires that for the group of five refugee sponsorships, which makes it not feasible for a lot of people. Should the government waive the refugee determination requirement for all privately sponsored refugees?

I'm going to go to everybody for this question and ask for a quick answer, because I just saw the one-minute card.

**Mr. MD Shorifuzzaman:** I feel there are some difficulties if we completely eliminate that criterion, but I think that 5G can be transferred to 2G or 3G. I believe that if two families have relatives outside of Canada and they want to help them to come to Canada under this protection, they should be able to support them.

I think 5G is a very big number and very hard to manage by many families, but if we could make it a group of two families or a group of three persons, then it would be more accessible.

**The Chair:** Thank you. With that, the panel comes to an end.

Yes, Mr. Brunelle-Duceppe.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I'd like to introduce the following motion, which was put on notice, and have us discuss it. The motion is as follows:

That the committee report the following to the House:

In light of the fact that Uighurs and other Turkic Muslims in China face an ongoing genocide, and in light of the fact that those in third countries are at continuing risk of detention and deportation back to China, where they face serious risk of arbitrary detention, torture, and other atrocities, the committee calls on the government to:

a) extend existing special immigration measures to Uighurs and other Turkic Muslims, including the expansion of biometrics collection capabilities in third countries and the issuance of Temporary Resident Permits and single journey travel documents to those without a passport;

**Mrs. Marie-France Lalonde:** Excuse me, I'd like to know if the committee member can raise a point of order to move a motion, Madam Chair.

[*English*]

**The Chair:** Mr. Brunelle-Duceppe didn't ask for a point of order. He just raised his hand and I asked him.

It was not a point—

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** May I speak, Madam Chair?

[*English*]

**The Chair:** Yes, that's why I gave you the floor. You raised your hand and I gave you the floor.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Since this is not the point of order, I will take the floor again. I'm sorry for the confusion.

I'd like us to discuss the following motion, which was put on notice, before we continue the meeting in camera. The motion is as follows:

That the committee report the following to the House:

In light of the fact that Uighurs and other Turkic Muslims in China face an ongoing genocide, and in light of the fact that those in third countries are at continuing risk of detention and deportation back to China, where they face serious risk of arbitrary detention, torture, and other atrocities, the committee calls on the government to:

a) extend existing special immigration measures to Uighurs and other Turkic Muslims, including the expansion of biometrics collection capabilities in third countries and the issuance of Temporary Resident Permits and single journey travel documents to those without a passport;

b) allow displaced Uighurs and Turkic Muslims in third countries, who face risk of detention and deportation back to China, to seek refuge in Canada;

c) waive the UNHCR refugee determination.

Thank you, Madam Chair.

• (1205)

[*English*]

**The Chair:** Thank you, Mr. Brunelle-Duceppe.

I have a list of the people who would like to speak: Ms. Lalonde, Mr. Genuis and then Ms. Kwan.

**Mrs. Marie-France Lalonde:** I will wait. Thank you.

**The Chair:** Okay.

Mr. Genuis.

**Mr. Garnett Genuis:** Thank you, Madam Chair.

I have a couple of things first. We're right into committee business, so I want to maybe thank the witnesses. I don't know if you want to take the opportunity to dismiss them, but thank you to the witnesses in any event.

**The Chair:** I'm sorry. We are not in committee business as of yet. We are in a public meeting.

**Mr. Garnett Genuis:** Fair enough. I know we're still public. I guess what I meant is that I think we're done with the witnesses, so I was saying thank you to them.

Mr. Brunelle-Duceppe, when the interpreters were reading the English version, it was slightly different from the text, but I don't think that's because the text is different. I think it's because the interpreters were translating it on the fly.

Can you confirm that the text you read out is the same as that which was distributed?

[*Translation*]

Can you confirm that what you read was the same as—

[*English*]

**The Chair:** Mr. Genuis, can you please direct all questions through the chair.

He is just getting a clarification in regard to the translation.

Mr. Brunelle-Duceppe, can you please confirm that the text that you read is the same as that which was sent out in the notice of motion?

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I can confirm that I made no changes to what was put on notice.

[*English*]

**Mr. Garnett Genuis:** Perfect.

**The Chair:** Thank you.

**Mr. Garnett Genuis:** I had one more point to make. We strongly support this motion. I think it's very important. I think it's excellent. I want to congratulate my colleague for bringing it forward.

We have one minor change to suggest to further clarify paragraph (c). We recognize that there are significant problems with the UNHCR refugee determination process in certain contexts, including in the context of the Uighurs. I think all members recognize that there is a need for a determination process to occur, but that there are some issues in this particular case.

We're not calling for the abolition of a determination process, but we do think that there needs to be a recognition of the flaws in the process as they currently apply. Just to be clearer about that point, I would propose replacing the word "waive" with "replace". Paragraph (c) would read, "replace the UNHCR refugee determination."

I think that's very much consistent with the intention, but I do think the existing language can maybe be read a couple of different ways, so I want to propose my wording for discussion as a possible amendment.

Thank you.

**The Chair:** We have an amendment proposed by Mr. Genuis on the floor now. He has proposed to replace the word "waive" with "replace", so paragraph (c) would read "replace the UNHCR refugee determination."

Is this what you have proposed, Mr. Genuis?

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Madam Chair, would it be—

[*English*]

**The Chair:** I have Ms. Kwan next and then I will come to you.

Ms. Kwan.

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

In speaking first to the amendment, I would not support that amendment. It is not to replace the refugee determination process; it is to waive the refugee determination process. There is a distinct difference if you were to replace that versus to waive it. For all the other privately sponsored refugee processes, it is waived, so I would strenuously oppose the amendment.

The other piece, in speaking to the larger issue, I support this motion absolutely. There's no question. It has always been the NDP's view and my view that the government should apply special immigration measures equitably to all the different groups faced with conflict in different regions and persecution in different regions.

We are seeing a distinct difference in how the government is applying those measures with Ukrainians versus—we were just talking about it in this committee today—Afghans. It is wrong. It is wrong and it should not be done that way. As a witness from the special Afghanistan committee asked if their blood was not the same as that of Ukrainian nationals. We have to answer that question truthfully, with humanity. The answer is absolutely, yes, it is the same. If we want to stand on the podium and say that Canada cares and that we would apply humanitarian measures to people who face persecution, then we need to apply those measures equitably accordingly.

I would absolutely support this motion. By the way, this motion is not inconsistent with the press release that was issued by the chair a few weeks ago. That motion called for the government to apply that to all the regions. It gave some examples, but those examples were never meant to be exclusive of other groups. They were simply some examples. To that end, I would absolutely support the motion as tabled by Mr. Brunelle-Duceppe. I would reject the amendment accordingly.

Further to that, I would also ask, Madam Chair, that you respond on behalf of the committee to the Uighur project email that was sent to us. They were concerned that the committee's motion that was passed a few weeks ago excluded them. I think it is very important to indicate clearly that it was not an exclusive motion. It includes everyone. With that being said, this additional motion does not detract from that last one. It simply states clearly why this should be done in this instance.

Finally, once we vote on this amendment, I have an amendment to move. I think what's really important is that we get a response from the government on the motion that Mr. Brunelle-Duceppe has moved.

• (1210)

**The Chair:** I'm sorry for interrupting, Ms. Kwan. Right now we have an amendment, so we cannot go—

**Ms. Jenny Kwan:** Yes, I know. I'm not moving an amendment. I'm just telling the committee members that I intend to move an amendment once this other amendment has been dealt with.

**The Chair:** Yes, so first we have to deal with the amendment that is on the floor, and then we can go further.

**Ms. Jenny Kwan:** I'm not moving an amendment. I'm just putting these words on the record for consideration. At the appropriate time, I will move an amendment to add the words “and that, pursuant to Standing Order 109, the government table a comprehensive response to the report”, just so that we get an official response from the government to Mr. Brunelle-Duceppe's motion.

**The Chair:** Okay, thank you.

Next on the list is Mr. Brunelle-Duceppe, then Mr. Genuis and then Mr. Dhaliwal.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I don't know which amendment I am supposed to speak to, but I'm interested in the last one that was brought up, about the government's response. The response has to come before the debate in the House, and that means delaying concurrence on the report.

[*English*]

**The Chair:** All the questions should be directed through the chair, one person at a time. Please don't have conversations across—

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Madam Chair, please forgive me, sometimes I'm a bit of a rebel when it comes to procedure. I'm going to turn it over to my friend Mr. Genuis. We'll go back to the previous discussion.

[*English*]

**The Chair:** Okay, thank you.

Next is Mr. Genuis, and then Mr. Dhaliwal.

**Mr. Garnett Genuis:** Thank you, Madam Chair.

Based on the comments of Ms. Kwan, I think we actually agree. I don't want to put words in anyone's mouth, but I think we might be agreeing on the policy. I might want to sharpen the wording a little bit. My hope with the amendment was simply to clarify that, yes, we agree that the UNHCR determination process has problems. There needs to be an alternative domestic process that applies in other cases. I guess I just want to put it out there, as an alternative to the wording that I proposed, that we could say, “waive the UNHCR determination and use the domestic determination process that applies to other immigration categories”.

I put that out as a point of discussion. I do think it's helpful in terms of clarity. I think those who are following—

**The Chair:** I am sorry for interrupting, Mr. Genuis. You cannot make a change to your amendment.

**Mr. Garnett Genuis:** I know that. I'm just brainstorming with my comments—

**The Chair:** You have moved an amendment, so you have to leave it. You cannot change it.

**Mr. Garnett Genuis:** I understand. I just want to see where people might be at with respect to that. I'm not wedded to any particular wording, but the idea is—and I think in any event the discussion around this clarifies it—that there does need to be a determination process. The UNHCR process has problems. In any case, when people are coming to Canada, there needs to be a determination process.

That's maybe what could be clarified by this. Again, if the amendment is defeated, that's fine. I won't lose sleep over it, but I do think that the clarification, either in the text of the motion or on the record, is helpful.

• (1215)

**The Chair:** Thank you.

I think this debate is getting a bit longer, so maybe I can thank the witnesses, keeping in mind their precious time. If they want to leave, they can leave the meeting. Thanks to all the witnesses for appearing before the committee today. Your testimony was very important, and I thank you on behalf of all the members.

We will continue this debate, and if the witnesses would like to leave, they can leave.

**Ms. Jenny Kwan:** Madam Chair, before the witnesses leave, I wonder if you can just express to them that they could provide a submission in writing in response to the questions they were not able to answer, particularly due to time limitations.

**The Chair:** If there is something you would like to bring to the notice of the members and you were not able to do so today because of the lack of time, you can always send your written submissions to the clerk of the committee and they will be circulated to all the members. Thank you once again, and if you would like to leave, you can.

Next on the list is Mr. Dhaliwal.

**Mr. Sukh Dhaliwal (Surrey—Newton, Lib.):** Madam Chair, since you've already dismissed the witnesses, I was going to ask for a vote on the amendment so that we can get it out of the way. Ms. Kwan has made a really great intervention. Let's vote on this to support Mr. Brunelle-Duceppe's motion.

**The Chair:** We can now go to a vote on the amendment proposed by Mr. Genuis.

(Amendment negatived: nays 7; yeas 4)

**The Chair:** The amendment is defeated, so we are now on the main motion proposed by Mr. Brunelle-Duceppe.

Ms. Kwan, go ahead.

**Ms. Jenny Kwan:** Thank you, Madam Chair.

I would like to move an amendment, "that pursuant to Standing Order 109, the government table a comprehensive response to the report." I'd like to add that to the motion.

Mr. Brunelle-Duceppe just raised the concern, though, that the government will have 120 days to make that response and, therefore, the action might be delayed. I recognize that. Of course, the government can take action even now and not necessarily wait for a response.

From my perspective, I think it's important to get the government's response on record, to get a written response from them. These are the kinds of things that the government will talk about for a very long time and then doesn't do anything. This will compel the government to provide a written response, which I would like to see. Requesting the written response does not stop the government from taking action prior to that response, because in that response they can say that they already took action, which would be fantastic.

**The Chair:** Thank you, Ms. Kwan.

We have an amendment proposed by Ms. Kwan.

Mr. Genuis.

• (1220)

**Mr. Garnett Genuis:** Thank you, Madam Chair.

I would like to propose a subamendment to Ms. Kwan's amendment. I'll just get that on the record and then explain the rationale.

It would be to revise her response to say, "that the government be asked to provide a comprehensive response by letter."

This is a mechanism that we've seen in past committees, and I think it achieves the best of both worlds. It expects a government response, but it allows the House of Commons to proceed to take action in the meantime. I've read a lot of committee responses from

government. There's a lot of "We take note of, we take note of, we take note of".

The government is going to have to respond in one way or the other, but I think seeking that more timely response from the government by letter to this committee, and also allowing for parliamentary action to proceed in the meantime, is the best way to go forward.

I'll propose that subamendment that I think, again, gets at the best of both worlds.

**The Chair:** Thank you, Mr. Genuis.

Can you please repeat the wording of what you're proposing?

**Mr. Garnett Genuis:** What I'm proposing is the following: "that the government be asked to provide a comprehensive response by letter".

**The Chair:** Thank you.

We have a subamendment proposed by Mr. Genuis.

Mr. Brunelle-Duceppe.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Thank you, Madam Chair.

You know how much I love it when we have a consensus. It's proof that we're able to work together to take everyone's ideas into account.

We had a motion, then an amendment was introduced, then a subamendment. I support all three of them. I would strongly suggest to everyone on this committee that they do the same. We have people watching us right now, including representatives of the Uighur defence. I'm sure that if we speak with one voice, not only will we give them hope, but they will know that we're working with them and for them, and that we're on their side. That's what I suggest to all members of the committee.

Thank you, Madam Chair.

[English]

**The Chair:** Thank you, Mr. Brunelle-Duceppe.

Seeing no further debate, we will vote on the subamendment proposed by Mr. Genuis.

Ms. Lalonde.

**Mrs. Marie-France Lalonde:** Can the clerk provide a little bit of the procedural element around the subamendment by Mr. Genuis? What does it mean in terms of the proposed amendment from Ms. Kwan versus what Mr. Genuis is asking us?

**The Chair:** Thank you, Ms. Lalonde.

The clerk will provide a clarification in regard to Ms. Lalonde's question.

**The Clerk of the Committee (Ms. Stephanie Bond):** What I heard from the subamendment is that it's in addition to Standing Order 109. It's not replacing the obligation to report back to the House. Mr. Genuis is asking to add—



**Mr. Garnett Genuis:** That's not correct. I'm proposing to revise the language that she had. She's proposed one response mechanism. I'm proposing to amend it to provide a revised response mechanism.

**The Clerk:** So no reference to Standing Order 109...?

**Mr. Garnett Genuis:** That's correct.

Just to be clear, the reference to 109, a tabled response, means that there could be no debate on this in Parliament or concurrence in the issue for a substantial amount of time, which means that there would be no way for Parliament to act on this report until almost the end of the year. I think a requirement for the government to respond by letter to this committee prevents us from having that four-month delay.

Just in hearing some of the conversation, my understanding is that it's a number of sitting days, not just.... Maybe the clerk can clarify Standing Order 109 and how that applies. I just think that we can give ourselves the greatest possible opportunity to move this forward at a parliamentary level, while also requiring a government response by letter. I think that's the best way to proceed.

• (1225)

**The Chair:** Just to clarify this in regard to Standing Order 109, it says:

Government response to committee reports.

Within 120 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto, and when such a response has been requested, no motion for the concurrence in the report may be proposed until the comprehensive response has been tabled or the expiration of the said period of 120 days.

**Mr. Garnett Genuis:** Madam Chair, to clarify, is that 120 calendar days, not sitting days?

**The Chair:** Yes.

**Mr. Garnett Genuis:** Okay. It's not as far off as I thought, but it still does—

**The Chair:** It's "Within 120 days of the presentation of a report from a standing...committee".

**Mr. Garnett Genuis:** Yes. I maintain the point that any delay isn't desirable, but I appreciate the clarification. Thanks.

**The Chair:** Can I have the attention of all the members just to clarify one thing? I have consulted the clerk of the committee.

Ms. Kwan moved to add that the government provide a response to the report based on 109. What Mr. Genuis is proposing is changing that.

You are proposing a subamendment and you are changing that. I don't think that's the right thing, to change what she has done, so if you think the letter has to be issued, maybe that can be an amendment after we deal with the amendment that Ms. Kwan has proposed. That can be separate, because you will be changing what she has said, based on 109.

**Ms. Jenny Kwan:** On a point of order, Madam Chair, I need some clarification from the clerk.

Can we not ask for both so that we actually ask for a comprehensive report? Then, in addition, for a speedier response, can we also ask for a response by letter?

**Mr. Garnett Genuis:** Madam Chair, on a point of order, can I propose that we suspend for five minutes to confer privately? That actually might speed up the process a little.

**The Chair:** Yes. We can suspend the meeting for five minutes.

• (1225) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1245)

**The Chair:** I call the meeting to order.

We have a subamendment, which was proposed by Mr. Genuis on the floor.

Please begin, Mr. Genuis.

**Mr. Garnett Genuis:** I think there was a request for me to read it again. There was also a suggestion that we add a timeline, but we can't subamend a subamendment. We need to vote on the subamendment first, and then we can discuss a timeline after that.

The revised text would remove the reference to Standing Order 109 and would instead say, "that the government be asked to provide a comprehensive response by letter".

**The Chair:** Seeing no further debate on that, we will take a vote on the subamendment proposed by Mr. Genuis.

(Subamendment agreed to: yeas 6; nays 5)

**The Chair:** Go ahead, Mr. Genuis, and then Ms. Lalonde.

**Mr. Garnett Genuis:** As promised, I'd like to add another subamendment, which is to add the words "within 30 days" to the end of the existing amendment.

**The Chair:** Okay, we have another subamendment to add the words "within 30 days".

Go ahead, Ms. Lalonde.

**Mrs. Marie-France Lalonde:** I was just going to ask the clerk to read the new motion as it now reads, but it's okay.

**Mr. Sukh Dhaliwal:** We're not voting on it, so let's go forward.

**The Chair:** We can go to the vote on the subamendment proposed by Mr. Genuis.

(Subamendment agreed to: yeas 6; nays 5)

**The Chair:** We now have the motion as amended on the floor.

Go ahead, Ms. Lalonde.

**Mr. Garnett Genuis:** I have a point of order, Madam Chair. Did you say "the motion as amended" or "the amendment"? Are we still on the main amendment?

**The Chair:** I'm sorry about that.

To provide clarification, we are on the amendment as amended. The amendment was proposed by Ms. Kwan and amended after the two subamendments.

Please go ahead, Ms. Lalonde.

**Mrs. Marie-France Lalonde:** Thank you very much, Madam Chair.

I ask the committee's indulgence in my bringing an amendment to the motion that Mr. Brunelle-Duceppe brought in, and I would like to read it.

**The Chair:** Are you proposing a subamendment to the amendment proposed by Ms. Kwan?

**Mrs. Marie-France Lalonde:** Yes.

**The Chair:** We are on the amendment as amended.

**Mrs. Marie-France Lalonde:** Yes. Thank you, Madam Chair. I'm a little confused now.

I'll read it very slowly. It's that the chair not table the report to the House until the government letter has been provided, and that the letter be included.

• (1250)

**The Chair:** Ms. Lalonde has proposed a subamendment to the amendment proposed by Ms. Kwan that the chair not table the report until the letter is provided.

Ms. Lalonde, is this what you're proposing?

**Mrs. Marie-France Lalonde:** Yes.

**The Chair:** Okay.

Ms. Kwan.

**Ms. Jenny Kwan:** Thank you, Madam Chair.

I don't think I can support this amendment because the purpose of this is for the chair to table the report when the committee has voted on it and then for the minister to respond. It's then we would get that response, not the other way around. The process should not be driven by the minister, with our getting the response before we table it. I don't think that would be appropriate.

**The Chair:** Seeing no further debate, we can vote on this subamendment proposed by Ms. Lalonde.

(Subamendment negatived: nays 6; yeas 5)

**The Chair:** We are back on the amendment proposed by Ms. Kwan, as amended.

Seeing no further debate, can we please take a vote on the amendment proposed by Ms. Kwan and as amended by the subamendments by Mr. Genuis?

We will have it read by Madam Clerk before we proceed to the vote.

**The Clerk:** Just so it's clear to everyone, what was voted on was to replace the request for the Standing Order 109 report. Is that everybody's understanding? It's to request a government letter within 30 days, in addition to Mr. Brunelle-Duceppe's motion.

**The Chair:** Mr. Genuis.

**Mr. Garnett Genuis:** Just for further clarification, it would specifically add the text "that the government be asked to provide a comprehensive response by letter within 30 days".

It would add that text to the existing motion, which hasn't been otherwise amended.

**The Chair:** Is everyone clear? Can we vote on that?

Ms. Lalonde.

**Mrs. Marie-France Lalonde:** It's within 30 days of what? I just want a clarification from the clerk or you, Madam Chair.

**The Chair:** It will be within 30 days after I table the report in the House. It is clear everyone? Okay.

Can we please take the vote?

(Amendment as amended agreed to: yeas 6; nays 5)

**The Chair:** Now we have the main motion as amended, which was proposed by Mr. Brunelle-Duceppe, on the floor.

Can we vote on the motion as amended?

• (1255)

**Mr. Sukh Dhaliwal:** I think there might be unanimous consent, Madam Chair.

**Mr. Garnett Genuis:** Let's do a roll call.

**The Chair:** Madam Clerk, can you please take the vote on the motion as amended?

(Motion as amended agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

**The Chair:** Thanks to all the members for today's meeting. Because we have a hard stop at one o'clock—we don't have the services available—we cannot go to the in camera portion now.

For Thursday, our next meeting, what I am proposing is that we start with committee business, because we have to discuss the travel options—the proposals have to be submitted before May 6—and then we go into the consideration of the draft report. We will park the drafting instructions for this report for now, because we have to get this report completed. If members agree, the notice can be issued.

Go ahead, Ms. Kwan.

**Ms. Jenny Kwan:** Can you provide clarification for committee members on when officials will come before the committee on the last motion that was passed? That's for us to ask questions related to systemic racism within IRCC and to receive undertakings from the committee members.

**The Chair:** The clerk has been in touch with the officials and we are trying to schedule that meeting. It will either be the 3rd or the 4th. We are trying to have an additional meeting, so that meeting with the officials will be either May 3 or 4.

As soon as we can confirm that we have the ability to have an additional meeting, we will confirm and let all the members know.

**Ms. Jenny Kwan:** I have one further question for the clerk. With respect to the current study that we are doing right now, we received the summary of evidence from the clerk's office. When do we expect that report to be drafted?

**The Chair:** For that, first we have to give the drafting instructions. Earlier, we proposed that we will do it on Thursday. Today, because we were not able to go through the consideration of the draft report on acceptance rates for the international students, I am proposing that we deal with that report first on Thursday, so we can complete it and table it in the House. Then we will come....

The clerk is in touch and will let me know about the meeting with the officials and whether it is May 3 or 4. Once I have confirmation of that and whether we can have the additional meeting, I will work on the calendar for the upcoming meetings, and we can inform members. I think I will be in a position to inform members by Thursday.

Go ahead, Mr. Brunelle-Duceppe.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Thank you for everything.

I also want to thank all committee members for the great meeting we had today.

Could Madam Clerk possibly send us the new wording of the motion that was just voted on?

● (1300)

[*English*]

**The Chair:** We will get the translation for the final version, and then we will circulate it to all the members.

Is it the will of the committee to adjourn the meeting?

**Some hon. members:** Agreed.

**The Chair:** The meeting is adjourned.

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