



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Citizenship and Immigration

CIMM • NUMBER 003 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, February 25, 2016

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Chair

Mr. Borys Wrzesnewskyj

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•(1105)

[English]

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

Pursuant to the motion adopted by the committee on February 23, 2016, officials are here to discuss the situation facing Zimbabwean and Haitian nationals in Canada in regard to deportations to their countries of citizenship.

I would now like to invite Mr. Dupuis and Ms. Welbourne to proceed with any opening comments that they may have. There are 10 minutes for each of you should you wish to use all of that time.

Mr. Dupuis

[Translation]

Mr. Michel Dupuis (A/Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): Good morning, Mr. Chair.

My name is Michel Dupuis, and I am the Acting Assistant Deputy Minister of Operations at the Department of Immigration, Refugees and Citizenship. With me is Maia Welbourne, Acting Associate Assistant Deputy Minister of Strategic and Program Policy.

Thank you for the opportunity to tell you about this important matter concerning temporary suspension of removal for Haitian and Zimbabwean nationals in Canada.

For more than 10 years, Haitians and Zimbabweans have been allowed to stay in Canada due to unsafe conditions in their home countries. They benefited from what are known as temporary stays of removal or deportation. These are measures applied when people who would normally be removed from Canada are allowed to stay.

Temporary suspensions of removal for Haiti were in place beginning in 2004 and for Zimbabwe in 2002.

[English]

After a thorough review of country conditions and consultation with stakeholders, including non-government organizations, the former government decided to lift the temporary suspensions of removal to Haiti and Zimbabwe on December 1, 2014. Following this decision, about 3,200 Haitians and 300 Zimbabweans could have been subjected to removal from Canada.

Following the lifting of the temporary suspension of removal, the government allowed Haitian and Zimbabwean nationals, subject to removal order, to apply for permanent residence on humanitarian and compassionate grounds.

The government gave affected individuals six additional months to stay in Canada. This was meant to allow them enough time to either return to their home countries or apply to stay in Canada on these humanitarian and compassionate grounds. Almost 2,200 people applied during the six-month period, between December 1, 2014, and June 1, 2015.

The government recognizes that many people from Haiti and Zimbabwe have been in Canada for a decade or more and they have developed ties here. Some continue to be worried about their future.

The government recently took steps to give these individuals another chance to permanently make Canada their home. Earlier this month, the Minister of Immigration, Refugees and Citizenship and the Minister of Public Safety and Emergency Preparedness announced that the government was reinstating special measures for nationals of Haiti and Zimbabwe in Canada.

Effective February 4, Haitian and Zimbabwean nationals in Canada, who are out of status or under a removal order, including failed refugee claimants who may be subject to the 12-month bar from requesting humanitarian and compassionate considerations, have once again the opportunity to apply for permanent residence on humanitarian and compassionate grounds. Applicants who meet the criteria and who apply for permanent residence on humanitarian and compassionate grounds by August 4, 2016, will not be removed from Canada while their application is being processed.

•(1110)

Additionally, Haitian and Zimbabwean nationals, who had refugee claims pending before the reinstatement of special measures on February 4, will have six months to apply for humanitarian and compassionate consideration following a negative decision by the refugee protection division of the Immigration and Refugee Board.

[Translation]

These special measures give affected Haitian and Zimbabwean nationals the chance to continue to build their lives in Canada.

To protect the safety and security of Canadians, foreign nationals who are inadmissible and are subject to removal on the grounds of criminality, international or human rights violations, organized crime, or security will not benefit from these measures.

[English]

As of February 3, the government has received 1,700 applications for permanent residence under the previous special measures. These applications represent almost 2,200 people. So far, 742 applications, representing approximately 1,038 people, have been approved in principle on humanitarian and compassionate grounds for permanent residence. Only 67 applications have been refused.

This represents an acceptance rate of over 93% for this group. It is significantly higher than the average 40% acceptance rate that we usually find for applications for humanitarian and compassionate consideration.

[Translation]

The government continues to encourage affected individuals to apply so that they may have the chance to remain in Canada as permanent residents.

Thank you.

[English]

The Chair: Ms. Welbourne.

Ms. Maia Welbourne (A/Associate Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration): I have nothing to add. Thank you.

The Chair: Thank you.

We'll begin the first seven-minute round. For the Liberals, we have Mrs. Zahid.

Mrs. Salma Zahid (Scarborough Centre, Lib.): Thank you, Chair, and thanks for your remarks.

You mentioned that about 2,200 people were here on December 1, 2014, when the first six-month suspension was allowed. How many of these applications were approved, denied, or are still in processing?

Mr. Michel Dupuis: The number of people who would be impacted or affected by these measures and have not submitted an application would be about 900 from Haiti and about 125 from Zimbabwe. The other applications, from the 2,200 people who applied and received a decision, remain to be processed.

Mrs. Salma Zahid: Could you describe the application process for these refugee claimants? What is involved and what are the factors that are considered in the decision to grant or deny their claim?

Ms. Maia Welbourne: Are we talking about the applicants under the special measures, the applicants for humanitarian and compassionate consideration?

Mrs. Salma Zahid: Yes.

Ms. Maia Welbourne: To explain a little bit about our humanitarian and compassionate provisions, these are discretionary provisions under our act that allow the department and the minister to approve deserving cases that are not anticipated in the legislation, or for whom there would be a disproportionate impact of having to leave Canada.

Every case is assessed individually based on the evidence that is provided. It includes factors such as: the time a foreign national has

spent in Canada, the evidence of a person's establishment in Canada, how well that individual has integrated into Canadian society, and the best interests of any children involved in the application.

If an individual's prolonged stay in Canada, for instance, due to a temporary suspension of removal, has resulted in their being established here, this would be considered an important factor in any decision in the assessment of their humanitarian and compassionate application.

I can provide you with additional factors, if you would like. There's quite a list.

• (1115)

Mrs. Salma Zahid: That would be great.

Ms. Maia Welbourne: As I mentioned, there is establishment in Canada for those who are already in Canada when they are applying. There is the consideration of ties to Canada; the best interests of any children directly affected by the humanitarian and compassionate decision; factors in their country of origin including adverse country conditions; health considerations including the inability of a country to provide medical treatment; family violence considerations; the consequences of the separation of relatives; their inability to leave Canada has led to establishment; the ability to establish in Canada, for overseas applications; and any unique or exceptional circumstances that might merit relief.

As you can see, there's a fairly broad range of considerations and factors taken into account in humanitarian and compassionate applications.

Mrs. Salma Zahid: Are there any specific or unique factors that are preventing or making it difficult for these claimants to apply for this status on humanitarian or compassionate grounds?

Mr. Michel Dupuis: I would say that when we look at the applications of these people, unless we know who they are and why they are or are not applying, it's pretty hard to figure out why people decide not to apply.

I was involved in this program many years ago, and when we met people in the communities, we found that sometimes people were afraid that submitting an application could trigger their removal from Canada. I think their understanding of the program was one of the elements that could make people decide not to apply.

Another element found in the communities among those who had applied before was also that some people were under the impression that because they had submitted an H and C application in the past, years ago, that they were not eligible to submit another one, which is not the case.

There was a communication issue and a misunderstanding of the program. These seemed to be some of the reasons why people sometimes decided not to apply even if they were aware of the program, but it is very hard to determine the reasons these people decided not to take some steps in this regard.

Mrs. Salma Zahid: Can you describe the factors that were considered in granting the additional six months in suspension of removal for nationals of Haiti and Zimbabwe on February 5?

Ms. Maia Welbourne: Just for clarification, this is what was taken into consideration in deciding to have the additional time. They were the same kinds of factors that were considered during the original decision.

Ultimately, it was a decision made by the Minister of Immigration, Refugees and Citizenship Canada to allow any foreign nationals affected by the measures in the first instance who had not taken advantage of those measures to have another opportunity to do so, again recognizing the amount of time that those Haitians and the Zimbabweans had been in Canada.

The Chair: Thank you, Ms. Welbourne.

Mr. Saroya, you're up.

Mr. Bob Saroya (Markham—Unionville, CPC): Thank you, Mr. Chair.

Sixty-seven applications were denied. Is there any special reason for the denials?

Mr. Michel Dupuis: When we look at the number of applications that have been refused, it's very small compared with the number of people accepted. That would be connected to how to make your case for an H and C application to be approved.

It could be because people raised the issue of the best interests of the child, when in fact they didn't have children or they had adult children in Haiti, for example. It could be because some of the people had returned or travelled back to their country of origin several times since the TSR, or that they had simply returned to their country of origin. There's a mixed bag, if you will, of reasons, but there is no simple, unique reason why people have been refused.

• (1120)

Mr. Bob Saroya: Are those who made these 67 applications still living in Canada or were they removed from the country?

Mr. Michel Dupuis: This I would refer to the Canada Border Services Agency, because we don't have those numbers here with us.

Mr. Bob Saroya: How long does this process take, please?

Mr. Michel Dupuis: On the average processing time for regular H and C application, we have to be a bit careful here because these cases are processed in priority, and normal processing times for them won't apply. We don't have the processing times with us. We have only the regular ones for other types of cases, but not those ones. When people make these applications, their cases are flagged in the system that they are subject to these special measures, and then they're assessed by experienced officers on a priority basis. But we don't have the numbers to see how much time. We can assume, with the number of applications we've received and the numbers that have been approved, that those have been dealt with effectively faster than other types of cases.

Mr. Bob Saroya: Looking at these numbers, approximately 1,000 people haven't applied for it. Is there anything that can be done or could you help out, or whatever? Why would they not apply? Is there anything that can be done for them to come forward with it, rather than staying in limbo?

Ms. Maia Welbourne: Yes. We're actually undertaking a fairly significant outreach campaign to try to reach those foreign nationals

who would be affected and could benefit from these special measures.

We issued a news release, as you may know, on February 5, particularly targeting media in Quebec, including ethnic media. We've posted a web notice on our website, which gives detailed information on the eligibility criteria and the application process. We're also sending out messages through our Twitter and Facebook accounts, and we're continuing to use social media and our web throughout the period that the special measures are in place to try to ensure that individuals are aware.

We're also about to send letters to the affected Haitian and Zimbabwean nationals, as well as stakeholders, and we are looking for the assistance of stakeholders and media to help spread the word and encourage individuals to apply. Our goal is in fact to get as many individuals to apply as soon as possible before the August 4, 2016, deadline.

Mr. Bob Saroya: If I understand correctly, in December 2014, the Conservative government did the same thing too. They let them apply for six months. This year, in February, once again it's extended for another six months. I'm not sure what else we can do up here for them to apply for it. Looking from your end, you've been trying every single thing for them to come forward, if I hear you correctly.

Ms. Maia Welbourne: That's right. We're trying very hard to get the message out and ensure individuals are aware. As my colleague mentioned, we are also trying to make it very clear that this is not an attempt at an enforcement action. This is in fact the government looking to assist these people in finding a way to stay permanently in Canada through these special measures.

Mr. Bob Saroya: A 93% approval rate is fantastic. It is good compared to 40% in the other cases. Is there anything special with this community that it has much better approval rates than anybody else?

Mr. Michel Dupuis: It's always difficult, I guess, to make an estimation or a judgment on why things happen in a good way. In this situation we have to remember that people have been in Canada, many of them, for more than 10 years. We think it's fair to assume that in 10 years you can build strong ties to Canada and with your community. Probably one of the reasons will be the length of time that people have spent here since the suspension of removal more than 10 years ago. In fact, I think it was 14 years ago. The length of time is probably a factor. Even if I'm not an expert in this, we don't process applications, but we can assume that length of time is a crucial element in a higher acceptance rate.

• (1125)

Mr. Bob Saroya: I'm happy for them, but the difference between 40% versus 93% is huge. I'm assuming what you're saying is correct. They've been living in the country for a long time, as well as they have connected to the country.

The Chair: Thank you, your time is up.

Ms. Kwan, you have seven minutes, please.

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

On December 1, 2014, the temporary suspension removal was lifted for the Haitians and Zimbabweans, based on improved conditions. On the basis of which specific improvements was the temporary suspension removed?

Ms. Maia Welbourne: We're not in a position to answer that question. The decision to lift, impose, or maintain a temporary suspension of removal is actually under the authority of the Minister of Public Safety.

Ms. Jenny Kwan: Okay. There is a difference in terms of what's going on right now, because the moratorium is being lifted. What's happening for this group of individuals is that they have six months to reapply. There's a distinct difference between a moratorium versus what is being applied. That's a major distinction that I want to point out.

On December 10, 2015, Minister McCallum announced in the House of Commons that he would help to "regularize their status in Canada", referring to the Haitians and Zimbabweans.

When did you receive instructions, first, to stop referring removals of nationals from these two countries to the Canada Border Services Agency and, second, that an additional six months had been granted to allow certain nationals of Haiti and Zimbabwe to apply for permanent residence without risk of removal from Canada?

Mr. Michel Dupuis: The announcement concerning the removal was made...or the decision is effective as of the date of suspension or the date of the special measures. So from that date, it means that people from Haiti and Zimbabwe cannot be removed to their country of origin unless they don't meet the criteria, as explained before. The announcement and the decision for not removing people coincide with the date of the announcement of the special measures.

Ms. Jenny Kwan: Thank you.

Earlier, someone touched on the reasons for removal. You listed a number of different reasons. Was there no pattern that emerged in terms of why a particular applicant was removed?

Mr. Michel Dupuis: Not that we know of, but it's fair to assume that with the sampling of 93 cases, or 93 people, it's a bit hard to find any evidence that there was one specific reason. We think it's a basket of reasons, as explained. People who have been returned to their country of origin claimed, for example, the best interests of the child but they didn't have children, or they had adult children in their country of origin, or they had not established or not demonstrated their ties to Canada.

I don't think we could assume that there was one specific reason or one pattern that was more important than the other.

Ms. Jenny Kwan: The numbers are 3,200 Haitians and 300 Zimbabweans. Can you give me the number of cases? Or are those the numbers of cases?

Mr. Michel Dupuis: The numbers...

The Chair: Ms. Kwan, perhaps you'd like to go to the next question while they look for those numbers.

Ms. Jenny Kwan: Thank you.

The Canadian Council for Refugees has long advocated for the government to implement a program allowing all people under a temporary suspension of removal lasting more than three years to

apply for permanent residence, arguing that it is difficult to live in limbo for a very long time.

I wonder if you can provide your opinion on what the advantages and disadvantages of such a program would be. In your view, what might be the effects of such a program and how many people could be affected?

• (1130)

Mr. Michel Dupuis: I can say that it would not be appropriate for us to comment on proposals made by the CCR, with all due respect.

Ms. Jenny Kwan: Do you have any information on what would be the advantages or disadvantages of the program?

Mr. Michel Dupuis: What we see with the current program is that people can submit an application on H and C to allow them to remain in Canada. Ultimately, with a program like this one, with the special measures, that is really the objective. It is to use the H and C as a way, a means, for people to be able to remain in Canada as permanent residents.

Ms. Jenny Kwan: In terms of granting permanent residence status under humanitarian and compassionate grounds, would the lifting of the temporary suspension of removals for those living in Canada for a prolonged period, in and of itself, be sufficient for the permanent residence status to be granted?

Mr. Michel Dupuis: Initially, when the previous special measures were announced, we were talking about approximately 3,200 people who were impacted by the lifting of the suspension of removals. Now, according to our numbers, for Haiti and Zimbabwe we're talking about approximately 1,000 people. This means that many people took advantage of the previous special measures. We hope that many more will be able to regularize their status. The numbers show that there is great progress, I think, in the number of people taking the right steps to remain in Canada as permanent residents, from 3,200 to approximately 1,000 now.

Ms. Jenny Kwan: If an applicant encounters difficulties in filling out the applications, is this person able to seek assistance from department officials on the application form? In situations where people submitted an application and maybe missed answering a particular question, or misinterpreted a question, would they have an opportunity to correct that information so that their application is not rejected on that basis?

Mr. Michel Dupuis: With respect to filling out applications, you mentioned a few stakeholders. People could seek assistance from outside the department. The department does not provide assistance in filling out the forms.

On the applications themselves, as we said before, these applications are being flagged and they are being considered on a priority basis. They're assessed by people who have a great deal of expertise. Without getting into too many details, I think the acceptance rate shows that the refusals are very few. In the numbers we have, we couldn't find that incomplete applications seemed to be a common reason for refusal. We don't have this in our examples.

The Chair: Thank you, Mr. Dupuis.

Mr. Tabbara.

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): Thank you very much, both of you, for being here.

Given the discretionary nature of the assessment of applications for permanent residence on humanitarian and compassionate grounds, similar cases might have different outcomes. What resources are available for people who applied for permanent residence on humanitarian and compassionate grounds but were denied?

Mr. Michel Dupuis: The question is really about people who have been refused, resources for people who have been refused.

Mr. Marwan Tabbara: Yes.

Mr. Michel Dupuis: People whose applications have been refused would be able to reapply or seek redress through the courts. There are no internal processes or review processes for people who have had their applications refused. It is like any other application submitted on humanitarian and compassionate grounds. The process after a negative decision would be similar to those applicable in other cases. There are no special procedures for people whose applications have been refused.

• (1135)

Mr. Marwan Tabbara: Many individuals applying for permanent residence status on humanitarian and compassionate grounds, following the lifting of the temporary suspension of removals, have been living in Canada for a prolonged period, and many have established well-integrated lives in Canadian society. In such cases, could an immigration officer give a positive decision on an application for permanent residence on humanitarian and compassionate grounds?

Mr. Michel Dupuis: This is one of the main criteria for giving a positive answer. The links and the establishment in Canada as a whole would be one of the main factors in a positive decision. The more the applicant can demonstrate links to Canada, their family, and in other ways, the greater chance they have of being accepted. Really, the ties, the links, and the personal circumstances of the person—it could be family circumstances here or in the country of origin—would be considered.

The officers making these decisions and processing these files, as we said before, have a great deal of experience in making sure that they assess and look at all aspects of the questions raised by the applicant. They have a duty to consider all of the information and all of the requests in the submission made by the applicant to make their case. They have a duty to assess each and every element of the application carefully before reaching a decision, especially before making a refusal.

Mr. Marwan Tabbara: Have any Canadian peer countries, for example, the United States, Australia, New Zealand, or the U.K., instituted a temporary halt on deportations to Haiti or Zimbabwe? If so, which ones, and on what basis did they institute this temporary suspension? Have these other countries recommenced removals?

Ms. Maia Welbourne: I'm sorry. I'm not aware of what other countries may have done or not done, but we could look into that, if you'd like, and get back to the committee.

Mr. Marwan Tabbara: Thank you. Those are all of the questions that I have.

The Chair: Thank you. We will move on to the Honourable Ms. Bergen.

Hon. Candice Bergen (Portage—Lisgar, CPC): Thank you very much, Mr. Chair.

Thank you for being here.

As I understand it, there are approximately 3,500 people who would be subjected to the removal but who could apply under humanitarian grounds for permanent residency. Of that, about 2,200 have applied, and there's been about a 93% success rate in terms of their applications. However, we don't know where the other folks are, the difference between the 3,500 and the 2,200. We don't know where they are, so there's an attempt to reach out through social media.

Of that difference, would they have been working in Canada over the last 10 years? Would they have been employed?

Mr. Michel Dupuis: We also find that a fair share of these people are failed refugee claimants. As a failed claimant, you do have the right to work, so people could work with the proper work permit. For example, if people who are subject to a removal order apply for a PRRA, they could also apply for a work permit.

Some people would be eligible to apply and obtain a work permit and find work in Canada.

Hon. Candice Bergen: I'm just trying to ascertain... I find it interesting that we allowed people to come in, saying that they were going to be here for a short period or a limited period of time because where they live was unsafe, and then we just stopped. We don't know where they are.

I would assume that they're also receiving health care. Is that true? Would they be receiving health care in their provinces?

Mr. Michel Dupuis: The only people who would receive health care.... They need to be eligible for the IFH program, for example. That would be failed refugee claimants.

Hon. Candice Bergen: I'm sorry, I'm talking about initially. In your presentation, you said that for more than 10 years Haitians and Zimbabweans were allowed to stay in Canada due to unsafe conditions in their home countries. When they were here fully and legitimately, because our collective government allowed it, would those people have been working, receiving health care, and living as full citizens, as it were, in Canada? They wouldn't have been voting, but they would have had every other right.

I'm just trying to see how we could lose track of them and not know where they are so that, when we have to contact them again and say that circumstances have changed, we're not at a complete loss. We don't know where they are and we have to depend on social media to try to reach them.

• (1140)

Ms. Maia Welbourne: It's fair to say that this group of individuals reflects a diverse group, potentially. It may be individuals who have come and filed refugee claims that have been unsuccessful. It may also be individuals who have come here for work or other purposes and who have lost their status. It's a bundle of individuals.

I wouldn't want to give the impression that we have lost track of them. Some of them may have left. If they don't report in to either the Canada Border Services Agency or to our department—Immigration, Refugees and Citizenship Canada—we have no way of knowing if they have, in fact, left the country. However, as part of our outreach campaign, we do intend to write letters. To do so, we will use the last known address of the individual in question.

Again, we don't know precisely how many are still in the country and how many may have left, but we do have an idea of what status they had at one point and where we might be able to reach them.

Hon. Candice Bergen: That would have been, then, how this... because of this decision, about 3,200 Haitians and 300 Zimbabweans could have been subject to removal from Canada.

How was that determined, the 3,200 and the 300? What circumstances defined those people as being subject to removal from Canada?

Mr. Michel Dupuis: According to the numbers we have, the majority of them are failed refugee claimants or refugee claimants.

As my colleague pointed out, our numbers are approximate. We say that in the notes. If people have left without informing CBSA or IRCC, it would be very difficult for us to confirm their departure from Canada.

The Chair: Thank you, Ms. Bergen.

Mr. Sarai.

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

On that same note, first, there seems to be a little discrepancy in numbers, although I understand they're estimates.

Of the total of 3,500 identified, 2,200 had applied under the previous program that ran in 2014, leaving about 1,300. Then we say that 2,200 have already reapplied. It seems like another 900 got added into the system.

Would these 900 be those who came in since last time, or would they be those who have now been identified and who were not part of the original estimates?

Mr. Michel Dupuis: The numbers would not include people who have applied under other streams. People who may have been affected by the temporary suspension of removals or even special measures could have applied under other streams, such as family classification, inland, regular H and C, but not within the special measures.

This is why we say that the numbers are very difficult to confirm. There are people leaving without us knowing, people not contacting departments or stakeholders to say that they're impacted by these measures, and people who have applied under other programs.

Mr. Randeep Sarai: Thank you.

I was very impressed by both the amount of people who applied to this program and the processing time. It seems that in under a month close to 50% have been processed. I want to commend your department for doing that.

On the previous program that was announced in December 2014, we know that 2,200 applied. However, has a decision been rendered in all those applications?

Mr. Michel Dupuis: My colleague can say more, but I think we've provided that number. More than 1,000 have been accepted.

Mr. Randeep Sarai: That was under this program. What about the one previously?

Ms. Maia Welbourne: I just want to clarify that the numbers we're talking about are all under the previous program, which was in place between December 1 and June of 2015. In fact we have not yet started to process any applications received since the February 4 announcement.

● (1145)

Mr. Randeep Sarai: The new ones haven't been processed. Under the previous ones, approximately 50% have been processed and the others are done. Okay.

What is the normal processing time for humanitarian and compassionate grounds applications?

Mr. Michel Dupuis: The average processing time now is 38 months for H and C applications for other groups.

If I may, one of the most important parts of the decision-making is stage one. Stage one is approval in principle, meaning that unless there are other inadmissibilities, your application will be accepted. Approval in principle is six to 12 months after the application. Overall it's 38 months.

Mr. Randeep Sarai: Okay.

The Canadian Council for Refugees has long advocated for the government to implement a program allowing for all people under temporary suspension or removals lasting more than three years to apply for permanent residence, arguing that it's difficult for those who live in limbo for a long time.

What would be the advantage and disadvantage of such a program?

Mr. Michel Dupuis: It would be hard to comment on a proposal made by the CCR, but one of the main advantages of the current program, the current special measures, is that people will not be removed if they have an application in process or if they submit an application within a certain period of time. That is really one of the keys here—making sure that people have a chance to submit an application and have it processed without fear of being removed from Canada during that time.

The Chair: We now have Mr. McCauley, please.

Mr. Kelly McCauley (Edmonton West, CPC): Thank you.

I have a few questions. Come August, what is the plan? We've extended once and we've extended twice. Is there a plan for August when the second six-month extension comes?

Mr. Michel Dupuis: It would be for the Minister of Public Safety Canada to make that determination.

Mr. Kelly McCauley: Has your department made any preparation, or is it going to wait until August and then we'll have to scramble, or...?

Mr. Michel Dupuis: It would be inappropriate for me to answer the question.

Mr. Kelly McCauley: Okay. Thank you.

Failed refugee claimants are being invited to apply for permanent residence. I'm curious about the reasons for the original denial. Is it a whole swath of reasons, anything specific, any security issues among them, or is it a blanket invite to every one of them?

Mr. Michel Dupuis: No. People who have submitted their refugee claims and have been assessed are either accepted or not by the board. That will be the decision of the board on a case-by-case basis. We don't have more information to share at this moment on the reason why some of these people might have seen their refugee applications being refused by the board.

Mr. Kelly McCauley: Okay.

I have one last question for you. I know the folks at EI are working with CBSA, and they track everyone. If you leave the country on EI for a day or a week, they're communicating with EI to pull back claims. Do they not work with Immigration to do the same thing? You mentioned this missing 1,000 people that may have left the country without informing CBSA. I assume they're not just walking across the U.S. border. If they're going home, we would have records.

Do they not communicate with Immigration so we can track these people leaving? More importantly, if we know they're still here we can focus on helping those people.

Mr. Michel Dupuis: I'm afraid I would have to defer that type of question to our colleagues at CBSA.

Mr. Kelly McCauley: Does Immigration reach out to CBSA to attempt to find these missing 1,000 people? They're here and we need to help them. It would make more sense if we could focus on the people we know are here rather than blanketing to 1,000 people who as you mentioned may not be here. We have the information I assume.

Mr. Michel Dupuis: As my colleague said we don't necessarily have the information because people can leave without informing either IRCC or the CBSA. There is no such a thing as a formal exit control at this time. IRCC does not have a process to check for each and every individual leaving the country at the moment.

• (1150)

Mr. Kelly McCauley: If we're tracking people for EI purposes, to claw back from them, we can do the same for...

Mr. Michel Dupuis: We don't have this information.

Mr. Kelly McCauley: Okay.

I do commend the folks on the fast time looking after the folks and the 93% approval rate. It's pretty amazing. I do want to pass that on.

That's all I have. Thank you.

The Chair: Thank you, Mr. McCauley.

Discussions were held, and the Liberal members quite generously agreed to give their time slot to the Bloc Québécois.

[Translation]

Mr. Beaulieu, you have the floor for five minutes.

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Thank you, Mr. Chair.

If I understand correctly, Mr. Dupuis, you estimate that 3,500 individuals could have been subject to removal, that 2,200 people have submitted an application and that 1,038 of them have had their application processed. So about 1,300 people have not applied. Some of them may be gone and others may still be here.

What is your estimate of 3,500 people based on? Is it based on refugee claims? Are those all the figures you have? Are you able to keep track of those individuals? When you send out a notice of suspension, you have to be able to find people. Is there a way to take individual steps to reach out to people who have not applied?

There is something else I'm wondering about. Can the cost of submitting an application be a factor that discourages poor people or those with insufficient means from applying?

People from the Non-status Action Committee have told us that refugees are waiting for work permits. Will the processing of those applications be accelerated?

Mr. Michel Dupuis: My colleague briefly touched on the way we communicate with people. There are various ways to do so. It is easy to communicate with them quickly when we have information on them. In many cases, we have that information because they applied for refugee status. In addition to advertising, we can communicate with people through NGOs that are working closely with concerned groups and the department.

In those cases, the costs attached to applications for permanent residence apply to adults and children. They may potentially become a factor, but that is a standard, a process, that has been constant any time we have had suspensions of removal orders or special measures. We have not had a specific policy concerning the costs attached to the applications.

As for the last part of your question regarding work permits, our minister has often said that one of his concerns is client service. Processing times of work permits are a major concern for the department. We don't have a specific answer today, but that's truly an ongoing concern.

Mr. Mario Beaulieu: Thank you.

My next question is again for you, Mr. Dupuis.

There are 1,038 individuals whose applications have been processed, so about half of the 2,200 are left. What are the wait times for those people? If those who have not yet applied were to submit an application two or three months from now, would their application be processed before the moratorium is lifted?

There are refugees among those people who are here because of the earthquake in Haiti. They no longer have any resources or family over there. That is why the Non-status Action Committee wants us to come up with some sort of a comprehensive solution. I know there is very little likelihood of that being accepted, but do you also take that factor into consideration when processing the applications?

• (1155)

Mr. Michel Dupuis: When it comes to application processing times, we could probably come back before the committee in a while with details on that.

In the measures I just mentioned, there is no specific point concerning Haitians. However, those people could benefit from it indirectly because the difference between the previous and the current measures is that the current ones will apply to individuals without status in Canada. They are the ones who are not subject to removal, who were able to come to Canada on a visitor visa or other, and who are in the country without status because their visitor visa expired. Those people are covered under the special measures, and they will be able to benefit from them. As for those who submit their application before the deadline in August 2016, even if their application has not been finalized on August 4, 2016, they will continue to benefit from the suspension of removal orders until a final decision is made regarding their application.

Mr. Mario Beaulieu: I want to thank my Liberal colleagues for giving me this opportunity to speak.

Mr. Chair, do I have any time left for another question?

[*English*]

The Chair: No, you don't have any more time.

Ms. Kwan, you have three minutes.

Ms. Jenny Kwan: Thank you very much.

You mentioned you'd be sending letters to individuals who have not yet come into the process, as well as organizations. Do you know how many letters you'll be sending out?

Ms. Maia Welbourne: I don't have that number, but presumably...the number of individuals that we suspect are still in the country, which is about 1,000, give or take.

Ms. Jenny Kwan: Is that 1,000 applications or 1,000 individuals by way of including family members?

Ms. Maia Welbourne: It's 1,000 individuals who may be able to benefit from the special measures.

Ms. Jenny Kwan: I'd be curious to get the information—and if you don't have it at this moment, the committee can receive it at a later time—on the number of applications that are still outstanding, that need to apply, because I think there's a difference between that number and the 1,000 people that have not yet made contact.

Following that, once the letter has gone out to those individuals, presumably, if they're no longer at their current address, the letter would be returned to you, and you would then be tracking how many people you have lost contact with.

Are you able to provide that information to the committee then, to let us know how many letters were returned—that is to say how many people you were not able to make contact with?

Mr. Michel Dupuis: We could follow up with the committee.

Ms. Jenny Kwan: Thank you.

Let's say in the event that right on the deadline of July 31, right at the cusp of the deadline for the application, someone contacts the department or an agency that has been assisting them to advise that they're in the process of getting an application in, but because for some reason they only just realized they could make this application and may not have sufficient time to submit their full application, will there be provisions for them to still make that application and for you to accept it?

Mr. Michel Dupuis: The special measure will end on August 5. At the moment I'm not aware of any further discussion on this issue and, again, it would not be appropriate for me to comment on what could happen in the future.

Ms. Jenny Kwan: The point I was trying to get to is this. In the event that someone simply writes in their name and they're not able to fill in everything else and only get that in, would that application be deemed in process?

Mr. Michel Dupuis: We'd have to look at what is considered an application: submitting the application form, the proper fees, and so on.

Ms. Jenny Kwan: What is the fee?

The Chair: Thank you, Mr. Dupuis.

Thank you, Ms. Kwan.

Mr. Ehsassi, you have three and a half minutes.

Mr. Ali Ehsassi (Willowdale, Lib.): Thank you, Mr. Dupuis and Madam Welbourne, for appearing before this committee.

I also want to applaud you and your department for all the effort that has gone into reaching out to all these affected individuals.

I'll keep my questions very brief. I wanted to follow up. You did state that you intend to send out letters to the extent that you have addresses available. Do you have a time frame in place for that?

• (1200)

Ms. Maia Welbourne: Again to build on previous answers, in the coming weeks, as soon as possible, we're trying to get the word out to allow the maximum time for people to prepare and submit their applications well before the August deadline.

Mr. Ali Ehsassi: Thank you kindly.

Was there any reason why this approach was not tried in 2015?

Mr. Michel Dupuis: It would be hard for me to answer the question. I was not on the program at that time, but normally when we have special measures we use publicity, websites, and stakeholders.

I think it's important to remember that when we work with programs like that we work very closely with the stakeholders. Some of them have been mentioned. The department has a long history of relations with the stakeholders. We would be working with them. It has been used in the past.

Mr. Ali Ehsassi: I see. Thank you.

Mr. Dupuis, you suggested that it appeared to you that some of these individuals were afraid to come forward. Could you attribute that to any government policy that has been adopted over the past several years?

Mr. Michel Dupuis: As we said before, when we deal with people who are in a difficult situation, we find from time to time that people don't necessarily trust government officials, especially if they're out of status, and this we can understand.

It's really a communications issue, to make sure people realize that the best way to maintain their life in Canada and to have permanent residence status is to reach out to IRCC, either themselves or through stakeholders. We believe that communication will be key to making sure people don't have this fear that contacting government would put you in more danger of being removed than if you don't.

Mr. Ali Ehsassi: Perhaps it wasn't the ballooning wait times that developed over the past 10 years or the reality that there were cuts to refugee health programs that could have sent out the signal that we weren't as welcoming.

Mr. Michel Dupuis: When we look at the numbers we would say that the previous program was quite successful, when we go from 3,500 people to now approximately 1,000. We really want to continue the same thing, to make sure that we would allow as many people as possible to become permanent residents under this program.

Mr. Ali Ehsassi: Thank you.

The Chair: Thank you, Mr. Ehsassi.

I have a couple of questions. I noted that you had mentioned earlier in raw numbers that amongst the 3,200 Haitians, 900 had not applied, and among the Zimbabweans, 125. As a percentage, that means about 28% of Haitians have not applied and 42% of the Zimbabweans. There seems to be a significant difference between those groups. Is that because of different risk factors? There are two very different political situations in Zimbabwe and Haiti. Is it because of additional risk factors in Zimbabwe? I'd be curious to know what the parameters were, the risk factors that perhaps the department looked at, and how they differ between the two countries.

The second part to that question is this. Was it a factor of outreach into the communities? The Haitian community is much better established and has a better multicultural media. I was wondering if it would be possible, along with some of the data that Ms. Kwan has requested be sent to the committee, if we could have samples of the multicultural outreach you said was done in the ethnic media. Perhaps you could provide this committee with actual examples of the multicultural outreach that was done into both the Haitian and the Zimbabwean communities?

• (1205)

Mr. Michel Dupuis: With all due respect, I think you hit exactly what the issue is in terms of what could explain the difference. It's true, as you mentioned, that the Haitian community, for example, is probably a bit more localized in one area in Montreal and even Montréal-Nord. The fact that the community in itself is a bit different does not necessarily mean that the country conditions were the prime factor in this situation.

For example, we find the Zimbabwean community in Ontario, in Alberta. We find that the community from Haiti is 70% in Quebec, and mostly Montreal. There could be factors to explain how the information can circulate within the community. We would certainly return to the committee with more details on the outreach activities as it was mentioned before.

The Chair: I'd like to thank the department officials for appearing before the committee this morning. I'd like to thank you for all of the work that you've done on these files. It's of tremendous importance for those particular communities. They've been largely accepted into our Canadian multicultural mosaic, and especially in Montreal, they're an integral part of our broader communities.

Thank you for this work, and we look forward to perhaps hearing from you in the future again. Thank you.

The committee will now suspend for a couple of minutes.

[Proceedings continue in camera]

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