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# Standing Committee on Citizenship and Immigration

EVIDENCE

**NUMBER 015**

Wednesday, February 17, 2021

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Chair: Mrs. Salma Zahid





## Standing Committee on Citizenship and Immigration

Wednesday, February 17, 2021

• (1755)

[English]

**The Chair (Mrs. Salma Zahid (Scarborough Centre, Lib.)):** I call to order meeting number 15 of the 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 January 28, 2021, to remain healthy and safe, all those attending the meeting in person should maintain a physical distance of at least two metres from others, wear a non-medical mask when moving in the meeting room, and preferably wear a mask at all times, including when seated. Maintain proper hand hygiene by using the provided hand sanitizers at the room entrance, and wash your hands well with soap regularly.

As the chair, I will be enforcing these measures for the duration of the meeting, and I thank all members in advance for their co-operation.

Welcome, everyone, to meeting number 15 of the House of Commons Standing Committee on Citizenship and Immigration. I just want to give you a heads-up, for the information of all members, that the Minister of Immigration, Refugees and Citizenship has agreed to appear before the committee on Monday, March 8 regarding the supplementary estimates and the main estimates, provided we receive them in time. I understand the committee wishes to study those estimates.

The first item on the agenda today is the election of a vice-chair. PROC has changed the committee membership. Ms. Dancho is no longer a member. Mr. Kyle Seebach is now a member of the Standing Committee on Citizenship and Immigration. Thank you to Ms. Dancho for her collaborative engagement in this session. On behalf of all members, I would like to welcome Mr. Seebach to this committee.

As a result of Ms. Dancho's departure from the committee, we do not have a first vice-chair. The Standing Orders require that the first vice-chair shall be a member of the official opposition. I would request that the clerk preside over the election of the first vice-chair.

Mr. Clerk, go ahead.

**The Clerk of the Committee (Mr. Leif-Erik Aune):** Thank you, Madam Chair.

Pursuant to Standing Order 106(2), the first vice-chair must be a member of the official opposition. I'm prepared to receive motions for the position of first vice-chair.

**Mr. Dean Allison (Niagara West, CPC):** Mr. Clerk, I would like to nominate Jasraj Hallan, please.

**The Clerk:** Mr. Allison moves that Mr. Jasraj Hallan be nominated for first vice-chair.

Are there any other nominations?

**Mr. Sukh Dhaliwal (Surrey—Newton, Lib.):** I second that.

**The Clerk:** Are there any other nominations?

Seeing none, is it the pleasure of the committee to adopt the nomination? It appears unanimous.

(Motion agreed to)

**The Clerk:** Mr. Hallan is duly elected first vice-chair.

Madam Chair, back to you.

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

Congratulations, Mr. Hallan, on being elected as the first vice-chair for the standing committee.

We will have to move on to resuming our study on the special immigration and refugees measures for the people of Hong Kong.

Ms. Kwan, is it a point of order?

• (1800)

**Ms. Jenny Kwan (Vancouver East, NDP):** Yes, Madam Chair. Before we move on to the study, I would like to move the motion that I've tabled, for which notice was given. The motion is this:

That, regarding the study of special immigration and refugee measures for the people of Hong Kong, the committee allocate one additional hour to the study to invite representatives—

[Translation]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** A point of order, Madam Chair. Unfortunately, the interpreter did not receive Ms. Kwan's motion. She is therefore having trouble interpreting it.

[English]

**The Chair:** Ms. Kwan, is it a point of order? You cannot move a motion on a point of order.

**Ms. Jenny Kwan:** It's not a point of order. I'm just going to move a motion. I'm allowed to move a motion on the proviso that notice has been given properly, so I'm moving the motion. I had my hand up prior to your intention of moving forward with the committee. Dealing with the motion should not take very long. The motion has been tabled to the clerk. It's been translated, and I believe the document has been sent to everyone.

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

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I agree that Ms. Kwan's—

[English]

**The Chair:** Mr. Brunelle-Duceppe, do you have a point of order?

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Yes, a point of order, Madam Chair.

I agree with Ms. Kwan putting forward her motion. It's just that the interpreter is telling me in my headphones, which I didn't pay for myself because the House sent them to me, that she does not have the translation of Ms. Kwan's motion, because she has not received it from the House.

[English]

**The Chair:** Just one second; let me find out from the clerk.

Mr. Clerk, could you please clarify with regard to Ms. Kwan moving the motion and Mr. Brunelle-Duceppe's point of order that there is no translated version of the motion available?

**The Clerk:** I will send an electronic copy to the office and to the P9 of Mr. Brunelle-Duceppe now, in case he has not yet received Ms. Kwan's notice of motion.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** The P9 account is fine. I was actually talking about the translation.

[English]

**The Clerk:** It may—

[Translation]

**Mr. Alexis Brunelle-Duceppe:** It is important. We have the Official Languages Act and our translators must absolutely have an opportunity to translate, otherwise it's a problem for them.

[English]

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

Mr. Clerk, you were saying something.

**The Clerk:** Members may move a motion if they have the floor in debate. Our rules prescribe that members may not move motions on a point of order.

**The Chair:** Ms. Kwan, you have your hand raised.

**Ms. Jenny Kwan:** Thank you. I will proceed, if I may, Madam Chair.

The motion I'd like to move, of which I have given proper notice, is this:

That, regarding the study of special immigration and refugee measures for the people of Hong Kong, the committee allocate one additional hour to the study to invite representatives of VFS Global to testify for one hour, and that this meeting take place not later than February 24, 2021.

**The Chair:** Do I have the unanimous consent of the members to allow Ms. Kwan to move the motion?

**Some hon. members:** Agreed.

**The Chair:** I see no objections, Ms. Kwan.

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

I'll speak very briefly about the motion.

The intention is to bring forward VFS Global to the committee so we can question VFS Global, as we know through the media—and particularly The Globe and Mail has done some extensive reporting on this—that the Canadian government has contracted out the visa office work to VFS Global. We also learned through The Globe and Mail that the subcontract of VFS Global in China is a company owned by the Beijing police. This ought to be cause for concern for all committee members, and most notably for the people who might be trying to access immigration measures through the VAC overseas.

Given the sensitive nature of the situation, particularly for the people in Hong Kong who may be seeking to get to safety here in Canada, with the implication of the Chinese government's national security law, the information the VAC received is particularly sensitive. I think it is very important that we undertake to have VFS Global come before the committee to testify so we may put questions to them and ensure this issue is addressed through this study.

Madam Chair, I hope committee members will support this motion as part of the Hong Kong study.

• (1805)

**The Chair:** Madame Martinez Ferrada, go ahead.

[Translation]

**Ms. Soraya Martinez Ferrada (Hochelaga, Lib.):** Thank you, Madam Chair.

We are comfortable and in full agreement with my colleague Ms. Kwan's motion. I am therefore calling for a vote on the motion so that we can move forward quickly with the study before us. The witnesses are already present and waiting for us to hear from them.

[English]

**Ms. Jenny Kwan:** Can I get a recorded vote, Madam Chair?

**The Chair:** Seeing no further hands up, can I please request that the clerk conduct the vote?

**The Clerk:** The question is on the motion by Ms. Kwan—

[Translation]

**Mr. Alexis Brunelle-Duceppe:** A point of order, Madam Chair. This is going very quickly. We called for the vote and no one spoke.

**Mr. Alexis Brunelle-Duceppe:** I just want to make sure that the motion is non-binding.

[English]

**The Chair:** The clerk is conducting a vote right now.

Is there any clarification you need?

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Yes, I'd like to make sure that the motion is non-binding. Once we have established that, I will be happy to vote in favour of the motion.

[English]

**The Chair:** Mr. Clerk, can you please clarify Mr. Brunelle-Duceppe's interruption about the non-binding motion? There are no conditions attached to this motion.

[Translation]

**The Clerk:** The motion was distributed. I'm not sure I understand your question, sir.

**Mr. Alexis Brunelle-Duceppe:** It means that, if the witness cannot appear, we will not add an hour to the study. That is exactly what non-binding means. Ms. Kwan's witness absolutely must appear in order for us to add an hour to the study. Otherwise, the situation is very different.

Can we agree on that?

[English]

**The Chair:** Thank you, Mr. Brunelle-Duceppe. Yes, we are voting on a motion as presented by Ms. Kwan. If we vote in favour, we will be adding one hour with that witness.

I can repeat Ms. Kwan's motion, just for clarification:

That, regarding the study of special immigration and refugee measures for the people of Hong Kong, the committee allocate one additional hour to the study to invite representatives of VFS Global to testify for one hour, and that this meeting take place not later than February 24, 2021.

Mr. Clerk, please continue with the vote.

(Motion agreed to: yeas 9; nays 0)

**The Chair:** The motion is adopted. Thank you.

Pursuant to Standing Order 108(2), the committee is resuming its study of immigration and refugee measures for the people of Hong Kong.

Today's meeting is taking place in virtual or hybrid format, pursuant to the House order of January 25, 2021. The proceedings will be made available via the House of Commons website. The webcast will always display the person speaking rather than the entirety of the committee. I would like to take this opportunity to remind all meeting participants that screenshots or taking photos of your screen is not permitted.

For those participating virtually, I would like to outline a few rules to follow. Members and witnesses may speak in the official language of their choice. Interpretation services are available for this meeting. You have the choice, at the bottom of your screen, of floor, English or French. With the latest Zoom version, you may now speak in the language of your choice without the need to select the corresponding language channel. You will also notice that the

platform's "raise hand" feature is now in a more visible location, on the main toolbar, should you wish to speak or alert the chair.

For members participating in person, proceed as you usually would when the whole committee is meeting in person or in a committee room.

Before speaking, please wait until you are recognized by the chair. If you are on video conference, please click on the microphone icon to unmute yourself. For those in the room, your microphone will be controlled as normal by the proceedings and verification officer. All comments by members and witnesses should be addressed through the chair. When you are not speaking, your microphone should be on mute.

With regard to a speakers list, the committee clerk and I will do the best we can to maintain a consolidated order of speaking for all members, whether they are participating virtually or in person.

With that, I would like to welcome all of the witnesses for our first panel. We have Ms. Mabel Tung, chair of Vancouver Society in Support of Democratic Movement; Ms. Joey Siu, associate of Hong Kong Watch; and Mr. Nathan Law, appearing as an individual, is a Hong Kong activist and former legislator.

We will start with Madame Tung, chair of Vancouver Society in Support of Democratic Movement.

Madame Tung, you have five minutes for your opening remarks. The floor is yours.

• (1810)

**Ms. Mabel Tung (Chair, Vancouver Society in Support of Democratic Movement):** Thank you.

I thank you for the opportunity to speak with you today. The Vancouver Society in Support of Democratic Movement, or VSS-DM, was founded in June 1989 after the June 4 Tiananmen Square massacre. The organization works to advocate for and advance democracy, freedom and human rights. We also offer support to those who left China for Canada to flee political persecution so that they could become contributing members of Canadian society. Ever since—

[Translation]

**Mr. Alexis Brunelle-Duceppe:** A point of order, Madam Chair.

I am truly sorry to interrupt the witness, but we have no interpretation into French right now.

[English]

**Ms. Mabel Tung:** Okay. Should I continue?

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Now we do. We can continue.

Thank you very much, Ms. Tung.

Go ahead. It is working.

[English]

**Ms. Mabel Tung:** Ever since Hong Kong was handed over to China in 1997 its people have strived to protect their way of life and their system of government. In July 2020, China imposed a sweeping national security law, stripping the city of any remnants of autonomy, civil and social freedom. Tens of thousands turned out to protest this new legislation. Thousands were arrested and hundreds were imprisoned.

In 2021, the mass arrests have intensified. Pro-democracy legislators, democracy activists, a media tycoon and a human rights lawyer are on the list. Some are held, being denied bail.

Many Hong Kongers who participated in the movement fear they will face the same fate as the student protesters in Tiananmen Square 32 years ago. They look to western democracies for protection and safe harbour. Already 46 Hong Kong citizens are seeking asylum in Canada.

We urge the Government of Canada to lend support to Hong Kongers seeking political asylum. We welcome the new open work permits for Hong Kong residents announced by Minister Mendicino as a major step when it comes to helping young activists become integrated into Canadian society.

To make the new policy more accessible to activists under immigrant persecution, we submit the following recommendations:

First, appoint a designated commissioner within the Canadian consulate in Hong Kong to handle, with utmost confidentiality, cases from political asylum seekers, including vetting, background checking and evidence gathering to establish the validity of their claims. This commissioner can enlist the help of prominent Canadian civil rights organizations such as VSSDM, which have direct connections with Hong Kong civil society. In urgent situations, we recommend providing temporary resident permits with special quotas to activists who need to leave Hong Kong and complete the application process within Canada.

Second, broaden family reunification, including for siblings and extended family. This would be another way for more young activists to flee Hong Kong. Again, in urgent situations, we also recommend providing temporary resident permits to activists who need to leave Hong Kong and complete their application within Canada.

Third, provide grants or loans to asylum seekers. Instead of applying for refugee status, asylum seekers would receive a loan to further their studies and they would pay back the loan in the same way that one pays back student loans. This way the federal government would not be required to pay any financial assistance, thereby saving taxpayers' money. Furthermore, this would save the activists from having to live through a year of uncertainty.

Number four, support former Canadian citizens who returned to Hong Kong and ran for public office in the pan-democracy camp. These Canadians were required to give up their Canadian citizenship. These legislators have subsequently been either disqualified to run or stripped of their seats under the national security law. We ask that the Canadian government grant them pathways to regain their

Canadian citizenship, such as giving them permanent resident status to work towards citizenship.

Number five, extend the visas of Hong Kongers currently residing in Canada under the temporary work permit who participated in protest actions in various Canadian cities since 2019. They face an uncertain future. They fear returning to Hong Kong only to be arrested or barred from leaving the city, or remaining in Canada without proper status. We recommend allowing for an application to extend their existing visa to a five-year visa with an expedited pathway towards obtaining permanent resident status.

● (1815)

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

We will now move on to Madame Siu.

Madame Siu, you have five minutes for your opening remarks. The floor is yours. Please start.

**Ms. Joey Siu (Associate, Hong Kong Watch):** Good evening, Madam Chair and members of the committee. Thank you for arranging this hearing and inviting me to testify.

Hong Kong's pro-democracy movement kicked off in June 2019, and the world has witnessed how the Chinese communist regime has been continuing its cruel crackdown on the city's long-cherished freedom and rights.

In November 2019, I came to Ottawa, after the tragic sieges of the universities and the landslide victory in the district council election, for a cross-party discussion, chaired by MP Garnett Genuis, to give a briefing on Hong Kong's situation. The remarkable election results gave the people of Hong Kong a glimpse of hope, but unfortunately the situation deteriorated very rapidly after that.

The imposition of the national security law in July 2020, cancellation of our legislative council election, disqualification of democratic lawmakers, suppression of freedom of expression and also attacks on judiciary independence all amount to the picture of Beijing's very brutal dismantling of Hong Kong's core values. We've seen a grave breach of the promises made in the Sino-British Joint Declaration.

The national security legislation criminalizes—

● (1820)

[Translation]

**Ms. Soraya Martinez Ferrada:** A point of order, Madam Chair.

I apologize for cutting off the witness.

Can we ask her to speak a little more slowly? The interpreter is having trouble interpreting into French.

Could she speak more slowly and adjust the mike? We can't hear very well.

[English]

**Ms. Joey Siu:** Yes. Thank you. I will continue.

Imposed in July 2020, the national security legislation criminalizes even the most trivial forms of protest and any kind of disobedience to the Chinese communist regime. It is not only me or Nathan or any other Hong Kong activists who are becoming subjects of the national security law; it is also any Canadian in Hong Kong or here in Canada who has ever expressed support for the pro-democracy struggle in Hong Kong.

Since the implementation of this national security legislation, more than a hundred Hong Kongers have been arrested—and most recently, there are 55 prominent political figures, including activists, lawyers and academics from the whole political spectrum—under the fake charges of subversion of state, simply because of their participation in the democratic primaries. All of these arrestees are facing not only a very serious sentencing but also the possibility of extradition back to mainland China.

The chief executive of Hong Kong is empowered to designate judges who will be handling national security cases, and Hong Kong's national security department itself can request the Chinese government's exercise of jurisdiction over cases that are considered to be complex or serious. As Hong Kong's judges rightfully dismiss the most ridiculous charges against protesters, the government will more frequently exercise these options to avoid them.

My organization, Hong Kong Watch, has been working very closely with partners across the globe, including from the U.K., the U.S., the EU and Australia, to call for a global lifeboat scheme. Since our founding in 2017, we have championed the rights of BNOs overseas. In July 2020, the U.K. announced its new policy to provide a pathway to citizenship for BNO passport holders, which came into effect last month. Up to 750,000 BNO holders from Hong Kong are expected to take up this scheme.

We applaud the Canadian government's decision of joining the two countries in November of last year to provide a safe haven for Hong Kongers, offering Hong Kongers the opportunity to relocate. Given the complicated situation that Canada is in with its two citizens being held hostage by Beijing, we recognize and praise the courage it took for Canada to live up to its historical relationship to Hong Kong.

However, a lot of people will still fall through the gaps in these policies. The young talents scheme, which partially came into effect on February 8 and expires in February 2023, requires top qualifications and a level of funding that excludes some of the most politically exposed protesters. The sunset nature of the open work visa permit policy leaves behind young protesters who are graduating after 2023. Also, the very complicated asylum procedures are preventing protesters without adequate legal support from applying, while family reunification only covers a very small number of Hong Kongers with close Canadian family members.

As Hong Kong's situation continues to worsen, it is crucial for Canada to continue to work alongside like-minded partners and to take prompt actions to improve the existing schemes. Below are a few recommendations that we believe could create a road map for improving the policy.

First, it was guaranteed that protesters arrested or charged under the national security law would not be deprived of the opportunity

of filing asylum applications. However, among the 10,000 protesters arrested since 2019, most of them were charged under the public order ordinance about rioting or participating in unlawful assembly. We encourage the Canadian government to also promise that these arrestees and Hong Kong protesters will be guaranteed an opportunity to file asylum—

**The Chair:** I'm sorry for interrupting, Ms. Siu, but your time is up. We will now move on to the next speaker. You will have an opportunity to talk about it in the round of questioning.

We will now have Mr. Nathan Law.

Mr. Law, you have five minutes for your opening remarks.

**Mr. Nathan Law (Hong Kong Activist, Former Legislator, As an Individual):** Madam Chair and other members of the committee, *bonjour*.

I'm Nathan Law, a Hong Kong activist who was forced into exile under Beijing's tightening [*Technical difficulty—Editor*]. Thank you for having me today to give my testimony on the ongoing deterioration in Hong Kong.

As a young activist, I was a student leader of the umbrella movement in 2014, democratically elected as the youngest legislative member, before being unseated under Beijing's intervention.

Later, for my participation in peaceful protests, I was thrown into jail. But now, due to the threat of the national security law, I left the city. The police force has now put my name on the wanted list under this law. While 2021 might be a better year for many of us, it is not the case for the people living in this city under Beijing's tightening control.

Under the draconian national security law, the rule of law and liberty decay. Fifty-five democratic figures were charged with secession just because they took part in a primary election to exercise their constitutional rights. Beijing lawyers are also calling for surveillance cameras to monitor speeches in classrooms. Recently, the Hong Kong government rolled out real-name registration for mobile phones, because it wants to monitor every call. These strategies suggest that Hong Kong is turning into an ordinary mainland city.

Hong Kong needs help from around the world. Values of freedom and democracy are being demolished. Freedom-loving people in Hong Kong are facing white terror on a daily basis. Whoever gives testimony at hearings, talks about the worsening situation in Hong Kong or expresses critical views on Beijing in interviews can face charges under the security law. Their bank accounts can be frozen and their family members are intimidated or even interrogated.

To protect my family, I had to publicly sever my ties with my parents and relatives who are still in Hong Kong. As there are cases where Hong Kong activists have been brutally beaten by CCP-affiliated agents, I have to live in solitude and avoid public appearances during my exile, not to mention that many other asylum seekers lack financial and social supports. All of this shows that we are living in an era where authoritarian power can stretch beyond its border.

In these times of political turmoil, Hong Kongers owe their gratitude to Canada's recent lifeboat scheme, which opens new pathways to residency for Hong Kong people who have certain qualifications. This is an indication that the free world can work together to stand up against tyranny and for this once autonomous city. We all need to do more before it's too late, before authoritarianism wins over democracy.

At the same time, when Beijing criminalized rallies and punished dissidents, the existing arrangement might bring a disadvantage to those with politically indicted charges. According to what Ms. Siu just said, even though Canada promises that asylum claims will not be affected by national security law charges, the majority of protesters—over 10,000 of them—were arrested under non-national security law charges. The current policy may block their pathway to freedom. To demonstrate support to those under political suppression, Canada should state very clearly that protest-related criminal records will be exempt.

Besides, to deliver more targeted measures that serve Hong Kong people's interests, Canada could work with human rights groups to enhance security checks and screen out applicants having ties with the Chinese Communist Party and the Hong Kong police force. It becomes even more urgent when China's Operation Fox Hunt is reportedly targeting Canada's Chinese community.

We should take measures to ensure that Canada is a safe haven in real terms. At a time when democracies worldwide [*Inaudible—Editor*] Canada can take the lead to rebuild democracy.

Thank you so much.

• (1825)

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

We will now begin our round of questioning. We will end this first panel at 6:45, and then have the second panel from 6:45 until 7:30. Based on the time for this panel, every member will have four minutes for their round of questioning.

We will start with Mr. Hallan.

Mr. Hallan, you have four minutes for your round of questioning.

**Mr. Jasraj Singh Hallan (Calgary Forest Lawn, CPC):** Thank you, Madam Chair.

Thank you to all the witnesses for their courage to share their testimony.

I'll just get right into it.

Mr. Law, there are recent reports in Canada about the visa application centres that are now being operated in Beijing by a company that's owned by the Chinese police. It's the same police you talked about who literally threw you into jail. Given the circumstances of all of that, these are the same people who are going to be making decisions.

Given your history and what you've been through, what does that mean to you and other people like you?

• (1830)

**Mr. Nathan Law:** Thank you for the questions.

I think it's extremely worrying that the information of the visa applicants or even people who are in contact with others concerning political suppression will be in the hands of Beijing. We understand that when Beijing wants information from the company registered in China, they could get it. There is no concept of private information for these companies, because in a one-party dictatorship the Chinese Communist Party could get whatever it wants. They have a lot of tools to get the information they want, including blackmailing or colluding with them or just providing financial incentives.

This is a very worrying situation. The Canadian government should take prompt measures to ensure that the information of people who are facing political suppression will not fall into the hands of the Chinese Communist Party, resulting in secondary harm to them.

**Mr. Jasraj Singh Hallan:** Thank you so much, Mr. Law.

Ms. Siu, I understand that you personally went through the same police brutality. You've seen this violence first-hand. I want to get a little bit of background information from you.

What sorts of people were with you when you were protesting at the time? What kinds of backgrounds...or what was the reason the other people were doing it with you?

**Ms. Joey Siu:** Thank you, sir, for the question.

When I was in Hong Kong participating in the protests and assemblies, there were people from all sorts of backgrounds protesting together with me. For example, we had students from universities, from secondary schools or even very young kids from primary schools. We also had the elderly who were coming to the streets with their grandchildren. We had a lot of different people from different professional backgrounds and from different industries in Hong Kong.

We can see that the pro-democracy struggle in Hong Kong is actually a product of all Hong Kong people from different backgrounds, races and industries.

**Mr. Jasraj Singh Hallan:** Thank you.

Given that information, if this company that's run by the Chinese police were running the visa application centres back when you were trying to leave, do you feel that is something that would have been really bad for you? Would that have stopped them from letting you leave?

**Ms. Joey Siu:** I think that is definitely one of the ways the Chinese government tries to collect data and information regarding which of the protesters or activists are trying to leave Hong Kong or to escape from the tyranny in mainland China.

Also, it does hinder people from applying for a visa to come to Canada. When we know that the visa centres are actually contracted to Chinese companies that are very closely related to the Chinese government, I believe that a lot of activists, protesters or even random everyday citizens in China would be afraid to apply because that would mean their information would be collected by the Chinese Communist Party. That also means that the Chinese Communist Party would be aware that they are planning to leave the country. That is a very dangerous—

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

We will now move on to Mr. Regan.

Mr. Regan, you have four minutes for your round of questioning.

**Hon. Geoff Regan (Halifax West, Lib.):** Thank you very much, Madam Chair.

I, too, want to thank the witnesses for appearing and for their courage.

My first double question is for Ms. Tung and Ms. Siu. I think it may allow you to finish your opening comments, as a matter of fact.

In relation to the program parameters that the government has created, are there aspects of the measures introduced by the government that you believe should be expanded? What criteria have helped? What do you think can be defined in a more open way?

I'll start with Ms. Tung and then go to Ms. Siu, please.

**Ms. Mabel Tung:** The open permit is pretty good for a lot of students, but we still have to consider that most students haven't finished university. We should also allow students with 60 university credits to apply for the open work permit. The current open work permit scheme allows graduates of recognized two-year diploma programs within the last five years to apply. However, many of those on four-year university programs have to complete their four-year program to apply.

Many currently enrolled university students who have participated in the recent protests and demonstrations are subject to police brutality. Many of them are awaiting trial. We recommend allowing current university students who have completed a minimum of 60 credits—which is equal to two years of study—to apply for open work permits.

Second, they should be eligible for the work permit for up to 10 years after graduation, instead of just five years. The reason is that the fight to preserve freedom and democracy in Hong Kong began in 2014, when hundreds of thousands marched in the streets. Those protestors finished university over five years ago now. In order to

protect them and enable them to come to Canada, eligibility should be extended to up to 10 years instead of the five years.

Another reason is that right now they may have a lot of work experience and are also self-sufficient and able to contribute to Canadian society. That's why we're recommending that the eligibility be 10 years.

Thank you.

• (1835)

**Hon. Geoff Regan:** Thank you.

Ms. Siu.

**Ms. Joey Siu:** Thank you, Ms. Tung, for those recommendations.

On top of that, we have also made a recommendation encouraging the Canadian government to extend the current youth working holiday visa from one year to two years and also to expand the age group from 18 years to 30 years to 18 years to 35 years, bringing this in line with Australia's working holiday scheme. That would ensure that Hong Kongers, even without post-secondary education qualifications, would also be given the opportunity to apply eventually for permanent resident status in Canada. That would be very helpful.

As I have just mentioned, the protesters in Hong Kong are from all sorts of backgrounds. Especially, there are a lot of very young protesters who are still in secondary school and without a post-secondary education. It would definitely be very helpful for us to expand the open work permit or the coverage of the young talents scheme to also take care of these very young protesters from Hong Kong.

**Hon. Geoff Regan:** Thank you very much.

I'll turn to Mr. Law now. Do you believe residents of Hong Kong have access to the Canadian asylum system, and how do you think the government can expand access?

**The Chair:** I'm sorry, Mr. Regan. Your time is up.

We will now move on to Mr. Brunelle-Duceppe.

You have four minutes for your round of questioning.

[Translation]

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

My sincere thanks to the three witnesses this evening.

You have talked a lot about courage, and you are showing it yourselves. I won't say any more about it, because we don't have a lot of time.

Ms. Siu, you spoke earlier about Canada's courage in stating its position on Hong Kong, despite the situation of the two Michaels, Michael Kovrig and Michael Spavor. There is currently a movement in Canada, in Quebec and around the world calling for a boycott or a relocation of the Beijing Olympics if the genocide of the Uighurs and other Turkic peoples continues in Xinjiang.

What impact could a movement of that kind have on the current situation in Hong Kong?

Ms. Siu can answer first, followed by the other two witnesses.

[English]

**Ms. Joey Siu:** It is very important for us to recognize and acknowledge what the Chinese Communist Party has been committing in the region of East Turkestan, commonly known as the [*Technical difficulty—Editor*] of Xinjiang, because what they have been doing has been recognized by the U.S. government as an ethnic genocide. It is time for Canada and other like-minded partners to also acknowledge this fact and make that official recognition.

It is also important for us to boycott the things that a genocidal country has been doing—for example, the Winter Olympics in 2022. Definitely, one of the most significant things we could do would be to boycott Beijing. It would also give a very strong signal to Beijing that it cannot continue with this behaviour and with disrespecting the international rule-based order.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I would also like to hear what Ms. Tung has to say about it.

• (1840)

[English]

**Ms. Mabel Tung:** I think we need to make sure we act fast, because right now a lot of things are going on in Hong Kong. Every day there's a new arrest, and the young people in Hong Kong are certainly facing a lot of uncertainty. They really need to leave Hong Kong as soon as possible.

I urge the members on the committee to consider all the recommendations on that.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Mr. Law, a movement is currently underway advocating a boycott of the Beijing Olympic Games. What impact could that have on the situation in Hong Kong?

[English]

**Mr. Nathan Law:** I think it's important that we show strong opposition to the genocidal acts that Beijing has been committing. Boycotting the Winter Olympics 2022 is a very important gesture.

I think first we need to consult with athletes to find a solution to balance it. We could ask for a relocation of the hosting of the Winter Olympics and then see whether we could proceed from that point. I believe that the opinions of the athletes are very valuable for us to make a decision on this, but in general I think we need to take a very strong stance on this issue.

**The Chair:** You have 10 seconds.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Thank you for being with us this evening. You have provided great testimony and shown your courage.

[English]

**The Chair:** Thank you.

Before we go to Ms. Kwan, may I please request, Ms. Tung, when you are speaking, to bring the microphone a bit closer to your mouth? They are having some interpretation issues.

Now we will go on to Ms. Kwan.

Ms. Kwan, you have four minutes for your round of questioning.

**Ms. Jenny Kwan:** Thank you very much, Madam Chair, and thank you to all the witnesses for their presentations.

I want to build on the issue around VFS Global.

Given what we now know—that the subcontractor is basically owned by the Beijing police with VFS Global—what do you think the government should do? Should the government cancel that contract now and bring all of that service back in-house? What are the risks that would be posed for the people who might be wanting to make an application?

The question is for Ms. Siu and then Mr. Law, please.

**Ms. Joey Siu:** I think the most apparent risks of subcontracting the visa application centre contract to a Beijing police force-owned company would be that all the personal information—not only of the Chinese citizens, but also of other citizens who are trying to apply for a visa to come to Canada—will obviously be obtained by the Chinese Communist Party.

That will hinder people from applying for a visa to come to Canada, because when they are aware that when they make the application all their personal information would be obtained, they will also know that the Chinese Communist Party would be aware of their possible mobility. That would hinder people from coming to Canada to seek asylum or for other purposes.

I think the most reasonable way to tackle the problem would be to suspend the contract with any kind of state-owned enterprises by the Chinese Communist Party. That would be the best way to do it.

**Ms. Jenny Kwan:** Go ahead, Mr. Law, very quickly.

**Mr. Nathan Law:** I'm fully on board with abolishing the contract, because it's very important that we understand the nature of the Chinese Communist Party. They will abuse every source of information and every power that they have to get access to this information, because it means they could specifically target those people who want to leave Hong Kong for political reasons.

I think it is a necessary step that we have a very high scrutiny of any co-operation with any China firms or state-owned companies.

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

For the people who are trying to get to safety, you touched on some of the measures that need to be brought into place still. On the issue of asylum, basically we don't have an asylum measure, because unless they're in Canada, people cannot apply for asylum.

What do you think the Canadian government should do in terms of bringing in asylum measures for people who are still in Hong Kong at this moment?

This for Mr. Law and then Ms. Tung.

**Mr. Nathan Law:** Thank you for the question.

I'm an asylum seeker. I'm seeking asylum in London. I understand how lost you will be in the system. I think it's important for now, for us, that we provide certain gateways for people in Hong Kong that they could apply for, or at least have a preliminary assessment of the asylum-seeking procedure for Canada in Hong Kong. That really relates to whether that information will be consumed by the Chinese authority. That's something we can do first, and then try to make the asylum-seeking procedure more convenient to the people on the ground.

• (1845)

**Ms. Jenny Kwan:** Ms. Siu.

**Ms. Joey Siu:** It is very important for the Canada government to consider adopting new initiatives that will allow Hong Kongers to file asylum applications outside of Hong Kong and outside of Canada at the local embassies in a third country.

For example, for the U.S., there are a pair of programs provided for Cuban medical professionals that allow them to file asylum applications in a third country outside of the U.S., and also outside of Cuba. I think some of the measures have been adopted in the rainbow refugee assistance pilot scheme in Canada, and that should also be considered to be implemented for—

**The Chair:** Ms. Siu, I'm sorry for interrupting, but your time is up.

With that, our first panel comes to an end. On behalf of all members, I will take this opportunity to thank all of our witnesses for appearing before the committee today and providing their important input.

I will suspend the meeting for a few minutes to allow the witnesses for our second panel to log in.

Thank you once again.

• (1845)

(Pause)

• (1845)

**The Chair:** I call the meeting to order and welcome our witnesses.

In this panel, we are joined by Mr. Alex Neve, who is a senior fellow at the Graduate School of Public and International Affairs, University of Ottawa. We are also joined by Mr. Charles Burton, who is a senior fellow at the Macdonald-Laurier Institute's centre for advancing Canada's interests abroad. We have another witness, Mr. Ted Hui Chi-fung, who I see is with us now. Welcome.

All our witnesses will have five minutes for their opening remarks.

Mr. Neve, you can please start.

• (1850)

**Mr. Alex Neve (Senior Fellow, Graduate School of Public and International Affairs, University of Ottawa, As an Individual):** Thank you so very much, Madam Chair.

Good evening to all the committee members.

Good afternoon to Ms. Kwan and any other colleagues out west.

At the heart of today's hearing, of course, is the unrelenting deterioration of the human rights situation in Hong Kong, culminating with the imposition of the new security law last year. That law has been used widely to target students, political opponents, critics and journalists and, of greatest concern, to curtail fundamental rights to freedom of expression, freedom of assembly, and peaceful protest.

A growing number of individuals have been arrested, and in the face of remarkable courage and resilience on the part of Hong Kongers, this situation nonetheless continues to worsen.

As with any human rights crisis, pressing refugee concerns have arisen, and there are unique aspects to this refugee situation that merit specific and innovative responses.

First, of course, is the simple geographic reality. In almost all other refugee situations around the world, people have the possibility of making it to the closest land border—even if the journey may be dangerous—crossing that border, and accessing international protection through the UNHCR and other agencies. That's obviously not an option here.

Second are the strong Canadian connections. There are likely well over 300,000 Canadian citizens in Hong Kong, many with dual nationality, whose situations are very vulnerable with increasing reports of officials refusing to recognize their Canadian citizenship, as well as recent concerns about a proposal to give immigration officials “unfettered power” to stop anyone from leaving Hong Kong. Many of those Canadians have close family who are not Canadian citizens but who cannot be left behind. This means protecting Canadian citizens and also permanent residents facing threats, challenges and restrictions akin to refugees. That's a very unique situation.

It was encouraging to see the special immigration measures announced in November. More is urgently needed, however, and I'd like to quickly make five general recommendations.

First, the special measures should be strengthened. You've heard thoughtful testimony from advocates such as Avvy Go, Cherie Wong and Gloria Fung, who have highlighted ways in which the new open work permit privileges wealth and high levels of education but may not be accessible for others, including young activists, at greatest risk. The criteria should be revised to be more responsive to those facing the greatest need.

Second, possibilities for family sponsorship need to be expanded. While the option of parents and grandparents of Canadian citizens applying for super visas is rightly being promoted, close family at risk is broader than that, including brothers, sisters, aunts, uncles, cousins, nieces, nephews. Canadians who may need to escape Hong Kong should not be forced to leave close family members behind.

Third, while it is not legally possible to formally provide refugee status to Hong Kongers still present in Hong Kong, refugee and refugee-like measures are nonetheless needed, rather than relying primarily on immigration avenues. Some Hong Kongers have been able to flee to other countries, including Taiwan. Beyond noting that refugee resettlement may be an option for such individuals, Canada should devote more resources to actively facilitate resettlement on an expedited basis. As for individuals trapped in Hong Kong who need a quick means of escape, Canada should make greater use of humanitarian avenues for granting status through temporary resident permits and travel documents, if necessary—in other words, refugee protection in all but name.

Fourth, there's an urgent need for strategies for facilitating travel in the face of repressive security measures in Hong Kong and the constraints of COVID-19 travel restrictions. Staying abreast of security barriers that impede departure from Hong Kong requires close collaboration with other governments. I would certainly echo the concerns about possible security problems associated with visa applications being processed by VFS Global. The Prime Minister has asked Minister Mendicino and Minister Anand to look into this. It would be advisable to ask the Privacy Commissioner to get involved to review this urgently as well.

Fifth, let me highlight two bigger-picture and longer-term points. The first is that this situation highlights the limitations of protecting individuals at risk in their countries who cannot cross a border to apply for refugee resettlement. Canada has had previous programs that offered urgent protection to people unable to cross that international border, most recently the source country program, which was repealed in 2011. The government should look at restoring options for people in those situations.

● (1855)

Finally, let me reiterate the obvious. The best solution to address the grave—

**The Chair:** I'm sorry for interrupting, Mr. Neve. Your time is up.

We will now move on to Mr. Burton.

Mr. Burton, you have five minutes for your opening remarks. You can proceed, please.

**Dr. Charles Burton (Senior Fellow, Centre for Advancing Canada's Interests Abroad, Macdonald-Laurier Institute, As an Individual):** Thank you, Madam Chair.

I've read the evidence given by the highly articulate and insightful witnesses at the first part of this meeting and at the previous two meetings. I have read the three briefs that were given to the committee by Alliance Canada Hong Kong, Canada-Hong Kong Link, and the very reverend Richard Soo.

It's pretty clear that the government's current proposal to address the immigration and refugee implications for Canada of the current crisis in Hong Kong is too restrictive to meet the challenge of the rapidly deteriorating situation in Hong Kong.

This is a matter of considerable urgency. There are strong indications that the Hong Kong government is on the way to restricting exit from Hong Kong. There is also the ongoing issue of the Hong Kong authorities seizing the passports of persons in Hong Kong, many of whom should be allowed to seek refuge in Canada with their families. Our subcontracting of immigration application processing to outside agencies with murky links to the PRC regime is very troubling. Moreover, our lack of flexibility in processing applications from Hong Kong persons at risk who are still in Hong Kong, and for those who have been able to flee to Canada and other jurisdictions, is troubling.

Certainly, there are very strong humanitarian, compassionate reasons why the Government of Canada should adopt exceptional measures to facilitate persons in Hong Kong who are at risk of severe sanctions under the draconian national security law and the other provisions getting to safety in our country.

I understand that the function of this committee is to determine what policy approach in response to the ongoing crisis in Hong Kong best serves Canada's national interest. Of course, we have to look at this in terms of the larger picture of Canada-China relations. For example, if we take strong and meaningful action in response to PRC suppression of the rights of citizens of Hong Kong and harsh detention of those who dare to speak out for democracy and the independent rule of law there, will it impact Michael Kovrig and Michael Spavor, or will it lead to economic retaliation by the PRC regime against Canada that will damage our economic interests?

I judge, though, that the kinds of half measures the government is currently proposing, supplemented by simple lip service to Canada's commitment to democracy and freedom in Hong Kong, signal to the Government of China that its policies of hostage diplomacy and threats of economic coercion through arbitrary imposition of non-tariff barriers to Canadian trade and investment are, in fact, working well in terms of China's geostrategic agenda for Canada.

Our policies of appeasement to China by not making the officials of the PRC regime accountable for their flouting of the rules-based international order with regard to Hong Kong, or for that matter the Uighur genocide or arbitrary detention of Canadians in China, only embolden the Chinese regime to intensify these assaults against Canadian security and sovereignty.

Frankly, as a Canadian of European origin, I feel ashamed at Canada's weakness in response to the grave concerns of Canadians of Hong Kong origin who are urging this committee to implement a much better and stronger immigration and refugee policy towards people at risk in Hong Kong, and that includes our need to abrogate the contract with VFS with the shortest possible delay.

Let's face it. Canada endorsed the Sino-British Joint Declaration in Hong Kong at the request of the British and Chinese governments when it was lodged with the United Nations all those years ago. That endorsement has imposed an international obligation on Canada to respond to protect the people of Hong Kong who have been betrayed by the Government of China's disavowal of its international commitment to the one country, two systems policy and 50 years of no change when the sovereignty of Hong Kong transferred from Britain to China in 1997. That obligation on Canada did not come with an expiry date.

Moreover, Canada's relationship with Hong Kong is extraordinarily profound. With half a million Canadians who identify as of Hong Kong origin resident in our country, and over 300,000 Canadian citizens living in Hong Kong, our government should take the concerns of our Hong Kong Canadians much more seriously than we have done up to now.

Thank you, Madam Chair.

• (1900)

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

We will now move on to Mr. Chi-fung.

Mr. Chi-fung, you have five minutes for your opening remarks.

**Mr. Ted Hui Chi-fung (As an Individual):** Thank you, Madam Chair.

I am Ted Hui, actually, Mr. Hui. I'm a former legislator, having served the Hong Kong legislature for the past four years. I left Hong Kong and went into exile two months ago to continue speaking for Hong Kong's freedom without being forced into jail.

Police brutality and political persecutions in Hong Kong are unequivocal and undeniable. I experienced them myself first-hand: tear-gassed, pepper-sprayed and pinned down to the ground, and prosecuted in court for ridiculous reasons. Under the new national security law, Hong Kongers and dissidents' fundamental rights are further compromised as the Hong Kong administration interferes in court proceedings and bail arrangements.

It is imminent for many young individuals and family units who are under threat from the Hong Kong CCP regime to flee on humanitarian grounds from persecution. I'm grateful that the Canadian government and parliamentarians are already taking stronger stands against human rights violations in Hong Kong. Levels plans schemes are also under way for young protestors who are being

persecuted; however, they might be quite inadequate as well, and might not launch soon enough in terms of providing a safe haven.

I will refer to the new open work permits beginning on February 8 that allow Hong Kongers to work in Canada. Under that scheme, Hong Kongers must have graduated with a Canadian post-secondary diploma or degree in the last five years, which is very limiting. I'll take myself as an example. I finished high school and attended university here in Canada 18 years ago. My qualifications would be obsolete for the scheme, even though I'm still considered to be fairly young—in my thirties. Many young protestors who now urgently need a safe place away from Hong Kong are in their twenties and thirties, just like me. They'll be barred from the scheme totally, even with having Canadian qualifications. After all, the scheme will be beneficial only to a small number of those who are already onshore, but not to those who are about to go to jail in Hong Kong.

I note two other pathways to permanent residence for young Hong Kongers, which will be available later this year. I'm also grateful for that. However, they might come too late for those who need to flee, as the Hong Kong regime is introducing "Immigration (Amendment) Bill 2020", under which the Hong Kong administration can ban anyone from boarding an aircraft, a boat or any other means of transportation—without the need to give any reasons. It means that the Hong Kong regime will have full power to impose direct exit restrictions on any Hong Kong resident.

This piece of law is expected to be passed in our legislature, which is now without any opposition, in two or three months' time. In extreme cases, the regime can bar all Hong Kongers who apply for Canadian work visas or permanent residency from leaving Hong Kong. Time is of the essence, and for the pathways for Hong Kongers to be effective, they must be launched fairly soon.

Finally, on the point of asylum, I understand that it is on a case-by-case basis, but I urge the Canadian government to go for a lenient approach towards young Hong Kong protestors. Give them privileges and see them as convention refugees under international law—as the Sino-British Joint Declaration between the U.K. and China is breached and fundamental rights of Hong Kongers are under attack—providing for offshore protection visa routes so that they know there will be a safe place for them to stay for a longer term before they land in Canada.

Hong Kong people have high hopes in the Canadians. I hope the Canadian government and parliamentarians can join hands with the free world to fight for freedom and to speak up for freedom for Hong Kong, be it by Magnitsky-style sanctions or other types of economic sanctions. I'm personally all for the boycotting of international events, sports events and institutional events, or other kinds of boycotting and isolation towards Beijing.

• (1905)

Thank you so much, committee members, for listening to me and to other Hong Kongers.

Thank you so much, Madam Chair.

**The Chair:** Thank you for your opening remarks.

We will now move to our first round of questioning. We will have one round of questioning for six minutes each. We will start with Mr. Genuis.

You have six minutes for your round of questioning. You can please proceed.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Thank you, Madam Chair.

My first question is for Mr. Chi-fung and Professor Burton. It seems to me that the immigration measures that the government has announced oddly create an economic track for a problem that's not so much driven by economics but by a political situation. It's as if we've looked at this situation and said, "Hey, this is a great opportunity for us to attract university-educated young people from Hong Kong who already have a certain level of capacity", which is great, but we're not targeting, in our offer of support, people who are politically vulnerable. We're leaving out people who may not have those qualifications or that economic position but who have been charged or who are vulnerable to political pressure.

It's completely wrong to think about the issue in economic terms as opposed to political and human rights terms. That's how I see it. I'd love to hear your feedback. Am I correct in my perception? Is there something I'm missing? Do you agree? Do you want to add to that?

**Dr. Charles Burton:** Yes, I quite agree with you. I was looking at a video of 82-year-old Martin Lee, a hero of Hong Kong democracy for many decades, walking from a Hong Kong court. Can we not get Mr. Lee here to safety in Canada? He has such a close connection to our country and to the Hong Kong community here. There are the younger people who, at the beginning of their life, are facing imprisonment and possible transmission to jail hell in China, comparable to what we know about with Michael Kovrig and Michael Spavor.

The fact that they don't meet our immigration priorities in terms of the ability to contribute to Canada or their ability to communicate in English or French I don't think should be the criteria under which we determine whether our Canadian values are compatible with giving refuge to these people, who are simply asking for the right to live in a democratic society with the rule of law.

Unfortunately, they're endangered in Hong Kong. I think they would make exemplary new Canadians here in Canada. I hope we can bring in as many as possible on as flexible criteria as possible, particularly taking into account their political stance, not their ability to contribute immediately to the Canadian economy.

**Mr. Garnett Genuis:** Thank you.

I would just add that I think a program that focused on human rights defenders really does dramatically contribute to the fabric of our country, as long as we don't think in too narrowly economic terms.

Mr. Chi-fung, do you want to add to that briefly? Then I have a question for Mr. Neve as well.

**Mr. Ted Hui Chi-fung:** Yes, thank you, Mr. Genuis.

I share quite the same view as you and the feelings that many young protesters are excluded from the existing schemes the Cana-

dian government is providing. We spoke of Martin Lee, who worked with me continuously over the past 10 years, who will be excluded from these schemes as well.

I also speak for those young protesters who participated in front-line protests, being shot by the police, tear-gassed and personally injured. They would also be excluded from the schemes, only because they are secondary school students or they have obsolete qualifications or those unsuitable to Canadian ones. I believe it's only humanitarian to expand all these schemes and visa routes to include those people who are now not included in the schemes. I hope Canadians can really do that to join hands with the Hong Kong people.

• (1910)

**Mr. Garnett Genuis:** Thank you.

Mr. Neve, you have done extensive work on the issue of threats and intimidation targeting Canadians in Canada who are perhaps recent immigrants or members of diaspora communities involved in human rights issues. This is something that I think we should be concerned about, that people who flee here from Hong Kong would be subject to ongoing violence, threats and intimidation of family members.

I've put forward motion 55 that calls on the government to offer better support to victims of foreign state-backed interference.

I wonder if you can share what key takeaways this committee needs to think about in terms of dealing with the safety and security of newcomers once they get here.

**Mr. Alex Neve:** I think it's really important to draw that connection. As you know, Amnesty International, on behalf of the Canadian Coalition on Human Rights in China, did extensive research documenting the pattern you're describing. It's been going on and worsening for many years.

I think there's every reason to be concerned that as new arrivals in Canada who may have recently been active in opposition activities and are strong human rights defenders in Hong Kong arrive in Canada, the likelihood that they will be targeted—even here, in their place of safety—is very serious. It's been disappointing to see the failure on the part of the federal government so far, and this goes back many years, to take some concerted action to deal with this concern—not necessarily to solve it, as it isn't an easy situation to solve overnight, but there are a lot of concrete measures that need to be taken. I think the Hong Kong situation highlights how urgent that is.

**Mr. Garnett Genuis:** In light of the time, I wonder if you can provide—

**The Chair:** Mr. Genuis, your time is up.

**Mr. Garnett Genuis:** Madam Chair—

**The Chair:** Sorry, your—

**Mr. Garnett Genuis:** I have a point of order, then.

I just want to clarify that witnesses would be able to submit in writing follow-up information and, hypothetically perhaps, concrete recommendations along these lines.

Thank you.

**The Chair:** Yes, witnesses can submit written submissions.

**Mr. Garnett Genuis:** Excellent, thank you.

**The Chair:** We will now move on to Mr. Serré.

Mr. Serré, you have six minutes for your round of questioning. You can please start.

[Translation]

**Mr. Marc Serré (Nickel Belt, Lib.):** Thank you, Madam Chair.

My thanks to the witnesses for the work they have done in this area for decades. They have overcome challenges and shown courage by speaking out.

My first question is for Alex Neve.

[English]

Have you seen any evidence of people from Hong Kong being deterred from applying to relocate to Canada in light of recent events? Are there any specific examples that you could share with the committee and that we could work on?

**Dr. Charles Burton:** Could I answer that?

**Mr. Marc Serré:** Okay, go ahead, Mr. Burton.

**Dr. Charles Burton:** I think the fact that the Hong Kong authorities have been seizing the travel documents of Hong Kong persons who have been subject to police incarceration indicates that they don't want them to be able to leave Hong Kong. It's a very serious issue. I would hope that our government could make some provision for persons who do not have documentation because they are being held by the Hong Kong authorities, to be able to make a passage to Canada.

**Mr. Marc Serré:** Thank you.

Madam Chair, I'll be sharing my time with Ms. Martinez Ferrada.

Mr. Hui Chi-fung, have you received feedback from residents of Hong Kong, and in conversations with your network, about the networks of immigration measures that are available to Hong Kongers? Have you expressed concern about their ability to live safely in Canada through some of these immigration streams that we have?

**Mr. Ted Hui Chi-fung:** From exchanges with my fellow Hong Kongers, I would say that a massive number of family units and individuals who participated in front-line protests are very eager to leave the country to escape political prosecutions in court. Of course, Mr. Burton was right that many of them are now on bail, so they are not able to hold a valid passport to even apply for visas or pathways to safe haven schemes in Canada.

I agree that it's important for those who are without passports or other documents proving their identity to be eligible to apply for these schemes. I haven't heard of any difficulties they would expect when studying, working or living in Canada. They are very eager to come.

• (1915)

**Mr. Marc Serré:** Thank you.

I'll pass it on to my colleague, Soraya.

**The Chair:** Madame Martinez Ferrada, you can start.

[Translation]

**Ms. Soraya Martinez Ferrada:** Thank you.

How much time do I have left, Madam Chair?

[English]

**The Chair:** You have three minutes.

[Translation]

**Ms. Soraya Martinez Ferrada:** My thanks to the witnesses for being with us this evening. I will ask both my questions now. That will give you time to answer.

My first question is for Mr. Neve.

The government has created programs for Hong Kong residents based on current trends in existing programs. Attempts have been made to strengthen existing immigration corridors. I would like to know whether that was a good way to go about it and whether we should actually widen those immigration corridors.

You talked about resettlement. I'd like to hear from you about that.

My second question is for Mr. Burton.

The government has created programs that were complementary to the immigration corridors that exist among our allies. Should we have replicated those programs instead of complementing what our allies already provide?

[English]

**Mr. Alex Neve:** Thank you for the question.

Certainly, while it's very understandable that there's been an effort to make use of immigration measures as an initial response to this crisis, as has already been noted here and as other witnesses have noted, that's going to be limited and imperfect given that this is a refugee situation we're primarily concerned about. It's a bit of a square peg in a round hole when we look at that.

We all understand the need to be creative here in using immigration measures or things like temporary resident permits, given that there is that limitation on granting official refugee status while individuals are in Hong Kong. The immigration measures haven't been tailored in a way that's going to be responsive to the reality of those in greatest need. We've heard that powerfully with the reference to Martin Lee's case and by also highlighting the situation of young activists.

If we're going to use immigration measures here, there needs to be a real overhaul of the criteria to make sure they're going to be responsive to who has the greatest need of protection.

**Dr. Charles Burton:** With regard to all things in terms of meeting the challenge of China's flouting of the international rules-based order, I think that Canada is lagging behind all of our Five Eyes partners and like-minded nations. Certainly the British have been recently good in reviving the British national overseas passports, which provide right of entry to Britain to persons who were in Hong Kong prior to 1997 and now extend to them the right of abode in Britain. I know Australia has been much more forthcoming. The families of some of the dissidents, such as Joshua Wong, have recently been able to move to Australia.

Frankly, Canada should be receiving more than everybody combined because of the traditional friendship and relationship between Canada and Hong Kong, where such a large proportion of our population—

**The Chair:** Sorry for interrupting you, Mr. Burton, but your time is up. We'll have to move to our next member.

Madame Normandin, you have six minutes for your round of questions. You can proceed, please.

[Translation]

**Ms. Christine Normandin (Saint-Jean, BQ):** Thank you very much.

My thanks to all the witnesses for being here.

My first question is a general question for all the witnesses. It may help them complete their answers to the previous questions.

There seems to be a fairly broad consensus that the proposed immigration measures are too restrictive and not broad enough to accommodate those currently demonstrating in Hong Kong and facing imprisonment. It also seems that all the measures that could affect refugees are insufficient, because often people will not even make it out of the country. Many who try to do so may be put in jail and have their documents confiscated.

I would like to hear from you about the aspect of international relations. In your opinion, do you think that measures that only deal with immigration become a little superficial if we do not apply more diplomatic pressure?

• (1920)

[English]

**Mr. Ted Hui Chi-fung:** I'll answer that.

Immigration measures of course can be political pressuring tools and can be a gesture of recognition of the freedom movements in the past years in Hong Kong, but in my view it's more than that. Now we are talking about humanitarian assistance. Those people are facing personal threats to their personal safety and are thrown in jail. I, myself, was followed by stalkers and intelligence forces for the past six years before I went into exile. Imagine that life for just normal civilians, for students and for young protesters themselves.

I agree the existing schemes are restrictive and should be more tailor-made for those who are in need. My answer is that, yes, it can be a political gesture and it can be a tool, but it should be more on a humanitarian basis.

[Translation]

**Ms. Christine Normandin:** I would like to hear what the other two witnesses have to tell us about it. Should we combine immigration measures with diplomatic measures, and apply more political pressure?

[English]

**Mr. Alex Neve:** Maybe I'll jump in and say absolutely yes. Clearly the best solution to the Hong Kong refugee crisis is to address the human rights crisis. If human rights can be restored to Hong Kong and if this rapid erosion in freedom can be curtailed, people will not need to flee in the first place. That does take us into the diplomatic realm.

Canada has been taking more and more steps over the last couple of years and has spoken out more frequently in the past, but so much more needs to be done here. It absolutely has to be done on a multilateral basis with a growing number of countries. It was encouraging to see that at the General Assembly in the fall, around 37 or 38 countries came together to make a public statement around the Hong Kong situation. We need to get far beyond those numbers.

I think there's a complementarity here. If we are also working together with other governments to do humanitarian work jointly and making it very clear that the international community, not just Canada, sees a refugee crisis in Hong Kong, that adds to the pressure on China as well.

**Dr. Charles Burton:** I would like to see Magnitsky sanctions imposed against those who have been complicit in the disgraceful political persecution of Hong Kong democracy and freedom activists in Hong Kong.

There are a lot of officials of the Chinese regime who have considerable assets in Canada, who have family here and wish to enter our country. I think we have to make it clear to the Chinese government that it's not business as usual with these people so long as what's going on in Hong Kong is going on.

I very much endorse what both Alex and Ted have said about this.

[Translation]

**Ms. Christine Normandin:** Thank you very much.

My next question is a bit delicate. I don't know if you will know the answer to this specific question about VFS Global, a private company subcontracted by the government.

Should the Canadian government ask its supplier, VFS Global, to disclose all requests for access to information, all attempts to obtain information, apparently made by the Beijing government?

[English]

**Dr. Charles Burton:** I would say that we see this over and over again with Chinese regime-associated companies that offer very competitive bids to win contracts for things like Nucotech's installation of security equipment in our 170 embassies around the world, or the very reasonable and competitive prices of Huawei equipment for telecommunications. And now we see that someone in the procurement department in Canada got a really good deal on the sub-contracting of visa processing.

On all of these things, the reason those companies are able to benefit from Chinese government subsidies is that the regime expects other benefits in terms of their overall regime goals. There is no question about that. We've already got it clear that Huawei could facilitate espionage and kill switches in telecommunications. We know that Nucotech would be a disaster to be running our embassy control at the exit, and VFS is clearly transferring information.

• (1925)

**The Chair:** Thank you, Mr. Burton. Time is up.

We will now end our round of questioning with Ms. Kwan.

Ms. Kwan, you have six minutes for your round of questioning.

**Ms. Jenny Kwan:** Thank you very much to all the witnesses for their presentations.

I'd like to first turn to Mr. Hui.

You mentioned that the Hong Kong legislature is now contemplating legislation that will bar anyone from boarding a plane or a boat for any reason. The legislation does not stipulate as to why a person would be barred. Is that correct?

**Mr. Ted Hui Chi-fung:** Yes, that is correct. The legislation doesn't provide for any reasons that need to be given by the regime when it has to exercise its right to impose any restrictions on any individuals. The Hong Kong Bar Association and many lawyers have openly expressed that it's very concerning, very troubling, and it might go against our constitution, which says Hong Kong people have a right to go in and out of Hong Kong.

Now it's completely destroyed, and our fundamental rights are totally undermined.

**Ms. Jenny Kwan:** Time is of the essence to actually bring in special immigration measures to help people get to safety. Aside from the existing measures that are in place, even as people are waiting for their application to be processed, they actually need a minister's permit or a temporary residence visa to come to Canada.

Would you recommend that the government bring in a measure such as what they did when Canada dealt with people in China at the time of Tiananmen Square?

**Mr. Ted Hui Chi-fung:** Definitely, and I urge the Canadian government to take a speedy approach and to provide for all different kinds of visas based on humanitarian grounds so that those who are in need of fleeing really have the route to leave Hong Kong and safely arrive in Canada, so they can apply for a humanitarian protection visa or asylum later.

Time is really of the essence. That law is going to be passed in months, so it is very imminent.

**Ms. Jenny Kwan:** The suggestion from our previous panel was to utilize our consulate offices in Hong Kong to actually provide for people to make applications to apply for travel restriction exemptions, as an example, and then also exit visas and passports and so on.

Maybe I can turn to Mr. Burton on this.

Do you think this is something the Canadian government should embark on, to look at measures such as that to allow the opportunity for people to get into a safer office to access documentation?

**Dr. Charles Burton:** Yes, I think so.

Having served as a Canadian diplomat in Beijing in the past, I know this has been done in rare cases of urgency. The situation in Hong Kong is a case of urgency that requires these kinds of special measures on the part of our consular officials.

**Ms. Jenny Kwan:** In fact, in the minister's mandate letter back in 2017, he was directed by the Prime Minister to "[i]ntroduce a dedicated refugee stream to provide safe haven for human rights advocates, journalists and humanitarian workers at risk". This is, in fact, a measure that could be put in place right now for the people of Hong Kong.

**Dr. Charles Burton:** And what more Canadian thing could we be doing, in terms of our Canadian values, than providing refuge for people who are committed to democracy and human rights, and are suffering because of their democratic beliefs?

**Ms. Jenny Kwan:** In the Tiananmen Square period, there was a directive, actually, from the government of the day to deem that "all persons who have in some way individually embarrassed their government and in so doing have exposed themselves to severe sanctions should they return".... This was to Chinese authorities in reference to Tiananmen Square.

Should our Minister of Immigration be issuing that directive to IRCC officials?

**Dr. Charles Burton:** Certainly, the idea that we send people back to Hong Kong where they could be subject to arrest and possible transmission to China is something we don't want to do.

It was a policy that worked well in 1989, and our policy of minister's permits brought a lot of Chinese activists to Canada.

Having been educated in China, I personally brought some of my friends to our country through minister's permits, and thank God that was possible.

• (1930)

**Ms. Jenny Kwan:** In terms of actual measures for people, at this moment, with VFS Global being contracted to do this work but subcontracted to a company that's owned by the Beijing police, what message do you want to convey to the Canadian government right now? What action does it need to take immediately?

**Dr. Charles Burton:** We need to stop that contract as soon as possible. The idea that subcontracting out cheaper is a good idea for immigration is a false economy. We need to have this based on Canadians, protecting the data through Canadian servers and Canadian diplomatic facilities, as opposed to allowing the Beijing police to gather this data for God knows what sort of use.

**Ms. Jenny Kwan:** What would you say to the Canadian government, whose standard response will likely be that all the safety measures are in place?

**Dr. Charles Burton:** Laughable.

**Ms. Jenny Kwan:** For those who are in Hong Kong at the moment, private sponsorship, in terms of privately sponsored refugee

options, has been put forward by some Canadians. Is that a consideration?

**The Chair:** Ms. Kwan, I'm sorry, but your time is up.

With that, our second panel comes to an end.

On behalf of all members, I would like to thank all of our witnesses for appearing before the committee today and providing testimony.

The meeting is adjourned.

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