



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

44th PARLIAMENT, 1st SESSION

---

# Standing Committee on Citizenship and Immigration

EVIDENCE

**NUMBER 119**

Monday, December 2, 2024

---

Chair: Mr. Sukh Dhaliwal





## Standing Committee on Citizenship and Immigration

Monday, December 2, 2024

• (1535)

[English]

**The Chair (Mr. Sukh Dhaliwal (Surrey—Newton, Lib.)):** I call the meeting to order. We are meeting in public. Welcome to meeting number 119 of the House of Commons Standing Committee on Citizenship and Immigration.

Today's meeting is taking place in a hybrid format. I would like to remind participants of the following points. Please wait until I recognize you by name before speaking. All comments should be addressed through the chair. Whether participating in person or by Zoom, please raise your hand if you wish to speak. The clerk and I will manage the speaking order as best we can.

Pursuant to Standing Order 108(2) and the motion adopted by the committee at the meeting convened on October 21, 2024, the committee is resuming its study of the recent reforms to the international student program.

MP Dzerowicz, welcome to the committee. I know you're very passionate about immigration and chairing the Liberal caucus on immigration, so welcome.

On behalf of the committee members, I would like to welcome the witnesses for today's meeting.

From the Canadian Association of Schools of Nursing, we have with us, Jean Daniel Jacob. Welcome, Mr. Jacob.

From the Dais at Toronto Metropolitan University, we have by video conference the director of policy and research, Mr. André Côté. Welcome.

Finally, from my own part of Canada, from Vancouver Community College, we have president and chief executive officer, Mr. Ajay Patel. Mr. Patel, welcome to the committee.

Up to five minutes will be given for opening remarks, after which we will proceed with the rounds of questions.

I want to remind all honourable members that any honourable member who's asking questions and feels that the witness is going too long is to raise the hand. I will stop the clock, and I will start it again once the honourable member starts to speak.

I would also request of the witnesses to keep an eye on the honourable member who's asking questions. When the hand is raised, that is a signal to wrap up. I don't want to be interrupting between the conversations because I will be taking more time from the members if I need to intervene. That works very well with this committee.

Now I would like to welcome Mr. Jacob.

You have five minutes for your opening statements. Please go ahead.

[Translation]

**Mr. Jean Daniel Jacob (Executive Director, Canadian Association of Schools of Nursing):** Good afternoon, everyone.

[English]

Good afternoon. My name is Jean Daniel Jacob. I'm the executive director of the Canadian Association of Schools of Nursing. I am new in the position. I was appointed at the beginning of November. My previous role was as the director of the school of nursing at the University of Ottawa. While I will provide a pan-Canadian perspective on this issue, I also have some hands-on experience related to the admission of international students in nursing programs.

For context, the Canadian Association of Schools of Nursing, or CASN, is a national voluntary association that is located on the unceded territory of the Algonquin people. It represents baccalaureate and graduate education programs in nursing. These are entry-to-practice programs for registered nurses and nurse practitioners as well as programs that result in master's and Ph.D.s in nursing.

The organization's mission is to support the delivery of high-quality nursing education through accreditation of schools and their respective nursing programs; the creation of standards, resources and continuing education that promote excellence in teaching; and representing nursing education nationally, which is why I am before you today.

International students make up a relatively small percentage of enrolment in nursing programs. The most recent data we have comes from Statistics Canada prior to the pandemic. Around 2.6% to 4.7% of enrolments were from international students in nursing programs.

CASN collects information from schools of nursing each year on the number of applications, admissions and enrolments of students and graduates from nursing programs. Unfortunately, we currently do not monitor the number of applications and enrolments from international students. However, it is possible to look at the global effects of the reforms when considering their full impact on nursing programs, both direct and indirect.

Following the COVID-19 pandemic, Canada experienced an acute nursing shortage that continues to impact health care today. In response to this acute need for nurses, provincial governments called for an increase in nursing seats and compressed programs across Canada. This short-term provincial funding allowed the schools to respond to this crisis by increasing seats in most nursing programs, including registered or licensed practical nursing programs, registered nursing programs and nurse practitioner programs.

There's a direct tension between the provincial funding for nursing seats and regulatory reforms that impacts budgets at universities and colleges overall. The overall decreases in budgets end up affecting nursing schools and their programs by increasing the workloads of smaller numbers of faculties and staff and diminished supports and services to both professors and students—for example, in mental health services and writing centres.

It's important to mention that the international student cap and other related regulatory changes are felt more in rural communities and institutions. For example, some universities and colleges in Atlantic Canada have higher proportions of international students. Beyond the financial implications for schools, we can see in certain locations a reliance on international student nursing graduates in order to fill shortages in local health care institutions. This is particularly true of programs that operate in linguistic minority contexts and rely on international students to meet their increasingly diverse health industry and population needs.

Current reforms are therefore significantly affecting provinces' health human resource needs and the increasing vulnerability of precarious yet essential nursing programs. In the short term, the decisions affect the viability of programs through program closures, layoffs, hiring freezes and so on. In the long term, they affect the academic institutions' capacity to address the increasing needs of diverse populations.

It's also important to note that, overall, the current international enrolment doesn't even meet the new threshold set by the governments, suggesting a deterring effect on international students' willingness to study in Canada following the reform.

- (1540)

Another impact of the reform is on the number of master's and Ph.D. students in nursing. Canada has a shortage of Ph.D. and master's prepared nurses. Highlights from our national faculty and student survey show that, in 2023, schools were unable to fill 78 permanent and long-term contract faculty positions. Schools projected a need to hire 200 permanent and 110 long-term contract faculty positions in 2024. Seventy-seven permanent faculty retired in 2023. Roughly 40% of schools reported a lack of nurses with Ph.D.s or master's degrees applying to faculty positions.

Delivery of sustainable education programs and the creation of a sustainable workforce require careful consideration from institutions and provincial and federal governments. All students, including international students, should enter a nursing program that has the physical and human resources, including classroom space, lab equipment, clinical placements for high-quality educational experience, successful program completion and students who are well-positioned to pass the registration exam. Graduate education in nurs-

ing is required for most faculty positions within schools of nursing and, therefore, has a direct impact on the sustainability of the nursing workforce.

I'm happy to take some questions afterwards.

**The Chair:** Thank you Mr. Jacob. That was six minutes and 34 seconds.

Now we'll go to Mr. Côté for five minutes.

**Mr. André Côté (Director, Policy and Research, The Dais at Toronto Metropolitan University):** Thank you, Chair, and thanks to the committee for inviting me to speak.

My name is André Côté. I'm the director of policy and research at the Dais, which is a think tank at Toronto Metropolitan University. In a past life, I was also a senior adviser to an Ontario higher education minister, so I sort of bring that perspective as well.

I'll say just a quick word about the Dais. We're based out of Toronto Metropolitan University. Our work really focuses on public policy at the intersection of education, technology and democracy. Those are kind of our three big realms. As part of that, we've been doing a bunch of work on international education, including a project we launched in the spring to think about the future of international education in Canada, really in the wake of the January announcement, which I think it's safe to say threw the system into crisis a little bit and was the result of the huge surge in international enrolments and whatnot.

This project was with the Canadian Standards Association Public Policy Centre and a few other partners. The aim to a large extent was research, but it was also hosting round tables with a wide array of other partners and stakeholders in this space. My remarks will be informed by a bunch of the work we've been doing there. The report is to be released soon as well.

I'll just hit a few quick points and then I'm happy to elaborate further in the questions.

The first one is that we need to really focus on what we have to do to fix Canada's international education system for the future, rather than assigning blame for the past. I think the great frustration and anger are very understandable. I've certainly heard from many stakeholders in the space about what's happened over the past year. As someone who's been in this space observing for 10 years or so, I think there is plenty of blame to go around and, frankly, some of this was foreseeable years back. Certainly, some of this is on the federal government, but also a large share is on the provinces and certain provinces in particular that jointly manage the system. A share is on the universities and colleges, many of which chose to pursue really aggressive growth strategies. Then there were many other players in the system who had a real vested interest in this surge in growth, so they contributed.

I just think the first point is that, rather than dwelling on that, we really need to focus our energies on fixing the system to benefit Canada and also, importantly, doing right by foreign students coming to Canada. That's point one.

Point two is that I and we are broadly supportive of the government's reforms. I'll have some caveats in a moment.

This year, because they've come in these various announcements over time from January through the spring to another in September, it's been tough to gather this sort of full picture. However, when you look at the key reform, it certainly was around the study permitting system. I think the reforms have shifted it from what was a somewhat laissez-faire, demand-driven model to a right-sized and capped supply system linked to the temporary residence targets in the levels plan. This makes sense to me. You can quibble about the numbers and the approach, but it broadly brings some structure and that sort of sustainability piece that's been talked about.

Again, you can quibble over the numbers, but I think that measures to tighten up postgraduate work permit eligibility, putting in place more system integrity and accountability mechanisms, the attestation letters, more levers for overseeing DLIs, the changes to the working-hours policy, which were way too high at the 40 hours, and increasing the cost of living asset requirements were, as a broad package, some things that needed to be done.

Third, I would say that my sense is that the federal reforms have overstepped into some domains that are better managed by the provinces and by the post-secondary institutions. I think the particular areas of concern are around the reforms to tie postgraduate work permit eligibility for colleges to in-demand programs and the changes around graduate students, including incorporating them in the cap and things that seem reasonably minor, like limiting work eligibility to spouses of grad students in shorter programs.

One aspect is that these reforms are really using immigration levers to, in some regard, dictate post-secondary policy, which I think is problematic. That should largely be left to the provinces.

They're also very blunt instruments for trying to do these things. Frankly, on the postgraduate work permit eligibility, for example, is IRCC best placed to be forecasting labour market needs across the country or identifying qualifying programs? Many stakeholders we talked to had concerns with this piece.

• (1545)

Going forward, our recommendation is that this should be done in conjunction with or, frankly, potentially deferred to the provinces in future. It's something we can dig into. We see them as being much better equipped to understand local labour markets and regional development needs and to oversee post-secondary policy.

The fourth point is that the ISP is a jointly run system and there needs to be much better coordination and consultation. It has to be said that this crisis is, to a large extent, a failure of federalism. The feds and the provinces have not worked closely together enough on this.

I think a lot of the frustration with the reforms this year boils down to a perceived lack of consultation among stakeholders in many quarters. Fixing the system will require coordinated actions in a number of areas that we get into in our reports. These include ensuring integrity in consumer protection and recruitment, enhancing oversight and quality assurance of DLIs, improving academic supports and services for international students and more. I can get into these a bit more in the questions.

My last point is that efforts to renew the system should be built upon a new and long-term international education strategy, as well as efforts or a plan to rebuild brand Canada internationally. In short, many people we've talked to express the view that Canada has lost its way on international education. It has a system that has gradually become overly driven by driving short-term revenues, rather than national objectives and quality outcomes for students. We need a refreshed vision. We need clearer objectives and a refreshed strategy. It should be informed and guided by an extensive consultation process. It should reflect this dramatically changed environment, aligning post-secondary goals with our broader national objectives in immigration, labour markets, regional development and global affairs.

Last, it needs to reconcile the damage we've done to our brand internationally over the past year and think about coordinated approaches for rebuilding Canada's reputation and the trust of prospective students overseas, who were very high on Canada. The survey data we're seeing is that these have eroded reasonably quickly.

Thank you very much. I'll be happy to elaborate more during the question period.

• (1550)

**The Chair:** Thank you very much, Mr. Côté. That was seven minutes and 24 seconds.

Mr. Patel, I'm not going to stop you, but the signal is very clear. I don't want to cut the witnesses off, because I want the message to be clearly delivered to the committee members, but please....

**Mr. André Côté:** I apologize, Chair.

**The Chair:** It's no problem.

Now we'll go to Mr. Patel for five minutes.

**Mr. Ajay Patel (President and Chief Executive Officer, Vancouver Community College):** Good afternoon. Thank you very much, Chair Dhaliwal, for the opportunity to present on behalf of Vancouver Community College.

We are on the traditional unceded territory of the Musqueam, Squamish and Tsleil-Waututh peoples, who have been stewards of these lands since time immemorial.

As mentioned, I am the president of Vancouver Community College, but I'd like to share with you a few other roles I hold.

I'm a member of Invest Vancouver's management board. That's a standing committee of the Metro Vancouver Regional District. I'm an executive board member of Colleges and Institutes Canada, a trustee for World Education Services, a past chair of the Canadian Bureau for International Education, an executive member of BC Colleges and a board member for the BC Council for International Education. Prior to my role here at Vancouver Community College, for about 12 years, I held the international education portfolio in my administrative portfolios. I believe these roles, combined with my role here at VCC, provide me with a broad and unique perspective on the intersection of education, immigration and labour market development in Canada.

Vancouver Community College is British Columbia's oldest public post-secondary. We have about 13,000 learners across various fields, including health care, hospitality, culinary, technology and the trades. Of those 13,000 learners, about 30% are new-to-Canada immigrants and 30% are international. We work closely with employers to ensure our graduates are job ready. Our students have an average age of mid-thirties, and most of them already have a degree. Of our graduates, both international and domestic, 92% secure employment within months of completing their studies at VCC. Many of our graduates fill critical labour market needs in the areas of health care, hospitality, automotive and technology.

The impacts of recent reforms implemented by IRCC over the last year have created significant challenges for institutions like VCC and others.

The first one is the reduced student intake cap. I'll be very clear. Many of us agree that we needed to have a cap put in place. Since the cap was announced in January, however, we have seen declines in applications to B.C. public colleges of up to 90%, which threatens our labour supply in industries like health care, technology and hospitality. That's one of the unintended outcomes.

The second is postgraduate work permit reform. The new eligibility criteria fail to account for regional labour needs and dispro-

portionately exclude college-trained professionals who are critical to Canada's economy.

Let me share three specific examples with you to give some context. Our culinary and hospitality graduates, who are vital to our tourism economies in both the metro and rural regions, are excluded, even though non-permanent residents make up over two-thirds of the two million people in that sector of the workforce, according to Stats Canada. College-trained dental hygienists and assistants are excluded from postgraduate work permit eligibility, despite the new national dental care program. Another example is early childhood education, which was initially excluded, and we are very thankful it is now being reconsidered.

Those are just three specific examples of the impact these reforms have. These exclusions, without proper consultation, hinder our ability to address labour market shortages and, in the end, to my mind, will harm small and medium-sized businesses.

The third point I'd like to make is on the inequity between public colleges and universities. Treating public college credentials differently from university program credentials undermines the essential role colleges play in meeting labour market needs, as well as Canada's education reputation. Our graduates are equally vital to Canada's economic growth.

The fourth point I'll talk about is the regional implication. International students in British Columbia contribute over \$8 billion annually to B.C.'s economy and support nearly 80,000 jobs. With over a million projected job openings over the coming decade, these reforms, without proper consultation, risk exasperating our labour market shortages.

The fifth one is something André already mentioned. Canada's reputation is at risk. These overlapping, and what are perceived as sometimes hasty, policy reforms have weakened Canada's global reputation as a top education destination. We need to address that.

To address these challenges, I urge this standing committee to recommend to the government to, first, work with the provinces to update the list of postgraduate work permit eligible programs to better reflect regional labour market needs. Second, treat public college credentials equal to those of universities for postgraduate work permit eligibility. Third, engage with all stakeholders to strengthen partnerships among institutions, provinces, the federal government and IRCC. We all have a role to play in this success. The fourth one is that any policy reform should be implemented gradually so that clear timelines and thorough consultation take place to avoid unintended impacts.

• (1555)

VCC, along with the many organizations I represent and our public sector here in British Columbia, is committed to supporting a sustainable international student program that benefits students, communities and Canada's economy as a whole.

I look forward to hearing from the committee.

Thank you very much.

**The Chair:** Thank you very much, Mr. Patel. That was five minutes and 32 seconds.

Now it is time to move to the honourable members.

For the first round we will start with Mr. Kmiec for six minutes.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Thank you, Mr. Chair.

I am just warning the witnesses now that my questions are fast.

I am going to start with Mr. Patel first.

You mentioned that you support the cap. Were you consulted before the immigration changes were made?

**Mr. Ajay Patel:** No, we were not. There was some basic information collected, but there was no consultation around the specifics of the caps. I think we agreed with having caps, but since then there has been no consultation with us as institutions. I don't know if there was any other consultation or what level of consultation took place with the provinces.

**Mr. Tom Kmiec:** Do you support making the cap permanent?

**Mr. Ajay Patel:** I support making the cap permanent as long as it lines up with Canada's need, and I think that's the important piece. What does Canada need first? Then let's look at the cap.

**Mr. Tom Kmiec:** Yours is a public college. Do you support the cap on master's and Ph.D. students?

**Mr. Ajay Patel:** A short answer to that is yes, but again, we need to know what Canada needs. Do we need more people in certain master's programs? Then, yes, I would support that being part of the cap. Do you need more college graduates?

When you look at the labour market need in British Columbia, many of our—

**Mr. Tom Kmiec:** I'm sorry, Mr. Patel. I'm going to interrupt you there.

How often does IRCC check with your registrar's office on the status of students?

**Mr. Ajay Patel:** I'd have to get back to you with that answer. My international head office would know the specifics, but it's at least a couple of times per year.

**Mr. Tom Kmiec:** If you could provide that to the committee, it would be really helpful.

Do you know if, before it issues the study permits, IRCC checks with your institution whether the students have paid their first full year of tuition at your institution?

• (1600)

**Mr. Ajay Patel:** Yes, IRCC has implemented a mechanism where, once we issue a letter of acceptance, we share that information with IRCC, and that information that we share—

**Mr. Tom Kmiec:** I'm sorry, Mr. Patel. I didn't say "letter of acceptance". I know that you do that. I meant with regard to whether the first year of tuition has been paid up or not before the student is issued a study permit.

**Mr. Ajay Patel:** Yes, we do make sure that the tuition is paid up, and we communicate that to IRCC.

**Mr. Tom Kmiec:** When do you communicate that?

**Mr. Ajay Patel:** It's as soon as the student has paid and we issue the letter of acceptance.

**Mr. Tom Kmiec:** Does it sometimes happen that the student is already in Canada before they pay in full?

**Mr. Ajay Patel:** No. Our college policy is that we must receive the tuition payment in full before we issue anything.

**Mr. Tom Kmiec:** Okay.

Thank you for those answers.

Mr. Jacob, do you support the cap?

**Mr. Jean Daniel Jacob:** I do.

**Mr. Tom Kmiec:** Do you support making the cap permanent?

**Mr. Jean Daniel Jacob:** I would follow some of the other people who intervened already. I would if we are able to ensure that we meet the needs of the different schools and, in my case, the health care industry.

**Mr. Tom Kmiec:** Was your organization consulted before these immigration changes were made?

**Mr. Jean Daniel Jacob:** Not that I know of. I have just been appointed.

**Mr. Tom Kmiec:** I know. If you can get back to the committee on whether anybody else in your organization was consulted, that would be very helpful for us to know.

Would you support, then, keeping the cap on the master's and Ph.D. students? You mentioned that it's important for nursing.

**Mr. Jean Daniel Jacob:** We would, as long as it meets the needs. We would have to see the inner workings of how that would happen.

**Mr. Tom Kmiec:** Okay. I'll take that as a conditional yes. I understand.

Mr. Côté, you said that you support the cap with some nuance, and you provided the nuance. You used the word "crisis" quite a bit. When did the crisis start?

**Mr. André Côté:** I think this has been a slow-simmering thing that's been building, really, for a decade, I would say. Then, obviously, we saw things just be turbocharged coming out of the pandemic to the point where something had to be done.

**Mr. Tom Kmiec:** What do you mean by “something had to be done”? Do you mean to stop the abuse in the system or the very high numbers of international students entering the country, being driven by demand; or do you mean for something to stop it, as in that the government wasn't doing enough?

**Mr. André Côté:** Sure, there was some talk of the bad actors and the abuse of the system, but I think it's mostly the numbers. The growth is just so dramatic, and I think the sense was that we needed to pull the emergency brake.

**Mr. Tom Kmiec:** Are you saying that the crisis started in about 2020 to 2022, when the government started making decisions to make it easier for persons to enter Canada on our international study permit?

**Mr. André Côté:** I mean, put it this way. When I was working in the Ontario government, we made a decision back around 2017 to wind down the public-private college partnership program, and the subsequent government kind of wound it back up, but even then we knew there were some problems in the system. I think things go that far back, maybe farther.

**Mr. Tom Kmiec:** Do you know if your organization was consulted before the immigration changes were announced?

**Mr. André Côté:** We were not consulted.

**Mr. Tom Kmiec:** You were not consulted.

Do you support making the cap permanent?

**Mr. André Côté:** I do, yes.

**Mr. Tom Kmiec:** Would you support the cap being made permanent on master's and Ph.D. students as well?

**Mr. André Côté:** I would need to understand better how it's applied, but the key point would be that the federal government should be very clear in providing their allocations to the provinces and largely defer to provinces in terms of how they want to make the allocations available, both to their institutions and for the field of study or the types of programs—

**Mr. Tom Kmiec:** Mr. Côté, I'm going to interrupt you.

You talked about the trust for prospective international students. What about the trust of Canadians?

You have seen a very fast drop in support amongst Canadian citizens of permanent residents for immigration. The immigration consensus has been destroyed in Canada. How should the government keep the trust of Canadians so that they are actually running immigration levels and an immigration system for their benefit, instead of for the benefit of those who are, frankly, outside of Canada at the moment?

**Mr. André Côté:** I think efforts now need to be made to rebuild that trust, frankly. It's heartening that there is some resilience in public sentiment, but I think you're right that it has fallen.

This is part of a broader package of reforms to get things back on track, but I think this will be a longer-term thing.

• (1605)

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

We will now go to Madam Zahid for six minutes.

**Mrs. Salma Zahid (Scarborough Centre, Lib.):** Thank you, Chair.

Thanks to all three witnesses for appearing before the committee.

First, my questions will be for Mr. Côté.

Mr. Côté, I would like to focus on your September article in OUSA's “Educated Solutions”. It's an interesting article.

You point out that international student enrolment in Ontario has grown by 342% in less than a decade. Ontario accounts for nearly 75% of the international college student enrolment. Do you think this growth is sustainable?

**Mr. André Côté:** First off, I want to thank you for reading the article. I wasn't sure whether anyone had.

Do I think that growth is sustainable? No, absolutely not.

I think the situation looked different in different parts of the country. It was most concentrated in the Ontario college sector and reflected in that growth. I think that was a major contributor to needing to pull the emergency brake here.

**Mrs. Salma Zahid:** You outline a number of recommendations for the Government of Ontario in that article. Before I address them specifically, I would like to ask, do you have any indication that the province is acting on the areas of concern that you have identified there?

**Mr. André Côté:** First, we've been in some dialogue with the Ontario Ministry of Colleges and Universities. Also, I think that in terms of some of their public announcements, they have come out and said that they're going to be tightening the screws on public-private college partnerships, which received a lot of attention.

They have signalled that they're going to seek to make some changes, but what we get into in the article is that oversight of DLIs, for example, is a provincial responsibility, by and large, or it should be. My co-author on this work that we're going to put out—he was an ADM in the Ontario government that oversaw the international student program—likes to call the DLI policy the “lobster trap”, where basically once an institution was approved as a DLI, there was very little oversight beyond. We outlined some recommendations for provinces to beef up oversight of DLIs.

You might have other questions, so maybe I'll pause there.

**Mrs. Salma Zahid:** Yes, because giving an indication is a different thing, but has the Government of Ontario started acting on any of those recommendations? Whether it is DLIs or any others, have they started acting?



**Mr. André Côté:** Not that I'm aware of.

**Mrs. Salma Zahid:** You identified the need to improve the designated learning institutions program. Could you outline the shortcomings with this program in Ontario and how you think the province can improve it?

**Mr. André Côté:** Sure.

It's thinking about quality assurance for designated learning institutions and how it is tracked and reported. There are a whole bunch of mechanisms. It includes recruitment practices. We've seen some major challenges on how to put in place firmer standards and safeguards around overseas recruitment.

In terms of the actual student experience on the ground here in Canada, it's how provincial governments are overseeing DLIs to ensure that international students are having a satisfactory experience and are treated well.

Student support is a big one. Obviously, there's been a big focus on housing, but also around employment. Those have been big issues. There are academic supports and a variety of other factors.

With some of the work we've done with international students, it is a major life leap to head to an entirely different country and seek to pursue your education and potentially your life in this place. We haven't necessarily done enough to ensure that our institutions are providing the supports and safeguards for those students while they're here.

**Mrs. Salma Zahid:** In that article you also address the issue of the third party recruiters. They're usually overseas. They make many misleading or false promises to recruit international students to Ontario institutions.

Given issues of borders and jurisdiction, what could provincial and federal governments do to address these issues? How can we control that?

• (1610)

**Mr. André Côté:** It's a good question.

There are examples from various jurisdictions of codes of practice.

One aspect is anecdotal, but I think there's been enough evidence of this. We've heard that recruiters—it won't just be third party recruiters—have expressed commitments to students that becoming an international student in Canada would put them on this pathway to citizenship. It's falsely presenting the immigration pathway opportunity. There could certainly be beefed-up requirements in terms of ensuring that recruiters are singing from the same song sheet as they're out engaging with students.

I'm sure other witnesses might have some thoughts on this as well.

**The Chair:** Thank you, Madam Zahid.

We will go to Mr. Brunelle-Duceppe for six minutes.

[*Translation*]

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

Thank you to the witnesses for being with us today.

I really appreciated my colleague Mr. Kmiec's questions. I understand that none of you were consulted before these measures were put in place by the federal government. I think that's important to note.

Mr. Jacob, in your presentation, you talked about pan-Canadian measures, and you may be here to analyze or propose certain measures. However, isn't it dangerous to propose a pan-Canadian measure that wouldn't necessarily take into account the unique characteristics of certain regions or provinces? What is your opinion on that?

**Mr. Jean Daniel Jacob:** I wasn't necessarily talking about pan-Canadian measures. I was trying to explain the impact of the decision on nursing schools across Canada and their programs.

When you look at the data, it's clear that there are variations across different universities in different regions. I would probably say that we don't need pan-Canadian measures. It would be better to take the needs of each province into account.

For example, we might find that francophones in Quebec have different needs, as would anglophones in the province. We'd have to think about what to do in that case.

**Mr. Alexis Brunelle-Duceppe:** Earlier this year, the minister announced measures relating to open work permits for students' spouses. He changed it so that only graduate students and students in law and medicine were eligible, because he wanted to keep the best and the brightest. He later retracted that. However, nurses from abroad often came with their spouse and even their children.

Isn't that an example of a pan-Canadian measure that targeted certain Ontario colleges but had a negative impact on all provinces?

**Mr. Jean Daniel Jacob:** Yes, that would be a negative impact.

**Mr. Alexis Brunelle-Duceppe:** I would like to discuss a subject that ambassadors of African countries raised.

I've spoken to ambassadors from countries such as Morocco and Ivory Coast. They say we should be careful about recruiting a lot of nurses from Africa because that can impact the well-being of their own population. As we know, there are nursing shortages in those countries. Is that an ethical problem that should be brought to the fore and addressed?

**Mr. Jean Daniel Jacob:** Yes, absolutely.

There are a number of factors to consider. It's important to know that people are recruited to enrol in practice training programs, so they aren't necessarily nurses in their home country. That said, we have to pay attention to recruitment pools and local capacity in those countries.

This is about recruitment and ethical considerations in other countries. We can't take all the resources from other countries. I think that needs to be taken into consideration as well. We have to strike a balance between foreign recruitment and local capacity in those countries.

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

Mr. Patel, once again, I enjoyed your presentation.

As of November 1, 2024, graduates from programs at public colleges will remain eligible for a post-graduation work permit if they graduate from a field of study linked to occupations in long-term shortage. According to *La Presse*, such a measure would spell the end of many public college programs. The government says its measure will improve alignment between international students and immigration and labour market needs.

Do you agree with the government's approach to the postgraduate work permit measure?

• (1615)

[*English*]

**Mr. Ajay Patel:** I do not agree with the postgraduate work reforms as they currently stand because they don't necessarily line up with the labour market needs of the particular regions, and they have unintended impacts on local rural economies. For example, in the tourism sector, we have a number of major games happening here in Vancouver. We need to make sure we have enough people to serve that need. We know that the need is not going to be filled by our domestic students alone. We need to have immigrants or international students fill that labour market need. That's just one specific example. I would love to have that reconsideration.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Mr. Patel, I want to ask you the same question I asked Mr. Jacob about pan-Canadian measures, because you mentioned it in your presentation. As you said, the federal government should make a point of consulting the provinces and all the stakeholders.

In your opinion, when a Canada-wide measure is put forward, to what extent should it be adapted to different jurisdictions where it applies?

[*English*]

**Mr. Ajay Patel:** Yes, I believe that we need to take into account the specific regional needs. In British Columbia specifically, I can speak to the fact that the provincial government has been proactive with the public institutions here around tuition transparency, student support, a 30% cap on international students and a code of practice for third party recruiters. Those are just some examples of what the provincial government has put into policy on public post-secondary. I think there needs to be more consultation directly with the stakeholders involved.

[*Translation*]

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

[*English*]

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

Now we'll go to MP Kwan for six minutes.

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

Thank you to all the witnesses for their presentations.

I want to get a bit into the notion that the government did no consultation with any of you. To that point, with respect to the cap, we're talking about what the implications are for Canada on the whole but also for different regions and, then, of course, the specific sectors in terms of the labour needs.

My first question is for Mr. Jacob.

On the point of the health care sector, do you have any information or data on what your projection is for Canada's need in the health care sector to meet the labour demands?

**Mr. Jean Daniel Jacob:** Do you mean in terms of the nursing workforce? I would be able to get you those numbers. What I shared with you were mostly from the education sector—I represent, mostly, the educational institutions—but, of course, it is to meet the growing shortage. We know that the shortage has been there for quite some time, and we've been trying to catch up, but I can definitely get you some specific numbers if you'd like.

**Ms. Jenny Kwan:** Yes, if you could do that, that would be very useful.

One of the questions I have for the minister, of course, is this: Have they actually done a full economic analysis of the implications for Canada on the whole and have they done an analysis of the labour demands? If you have any information related to that, that would be very useful.

Can I ask the same question of Mr. Patel?

**Mr. Ajay Patel:** Thank you.

No, in B.C., we have a labour market outlook that's put out by our own provincial government. It's a decade outlook that shows you what jobs can be filled by Canadian or permanent residents or by migration within Canada, and then what jobs are going to have to be filled by those outside of Canada. That is issued annually. I can certainly forward that to the committee. Based on what I can determine as the analysis of the postgrad work permit eligibility, that was not considered in this context.

**Ms. Jenny Kwan:** Thank you. It would be very useful to have that on record as well.

To the question around the cap, I believe, Mr. Patel and Mr. Jacob, you both answered that as long as it meets needs.

Can you be more specific about what you mean by “needs”? Can you define “needs”? Do you mean labour market needs? What does that mean exactly? Some people might interpret it to mean something else.

Let's start with Mr. Jacob, and then we'll go to Mr. Patel.

• (1620)

**Mr. Jean Daniel Jacob:** Thank you.

I think that's what I was saying to one of your colleagues. There are the needs of the industry in terms of health care, but there are also the education sector's needs. We need to look at the projection of needed Ph.D.s and master's for education, but also master's for clinical as well. There are different avenues, so I think there needs to be a very detailed analysis of what that would look like.

When I'm thinking of a cap, I'm responding to the need to have ethical recruitment and some very clear parameters for bringing in international students, but also it's to meet the needs of our health care sector and our academic institutions.

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

Mr. Patel, can you respond to the same question?

**Mr. Ajay Patel:** I would define “needs” as working with ourselves and the B.C. government to identify what our labour market needs are in specific regions so that the provincial government has some autonomy to ask public post-secondary institutions to ensure we are training the workforce that will meet those labour market needs, taking into consideration how those needs will be filled between domestic students and non-domestic residents.

**Ms. Jenny Kwan:** Mr. Patel, can you elaborate on the implications of this public policy now for VCC specifically? I'm aware that, in the news, the VCC Faculty Association has already mentioned there will be layoffs.

What are the implications from a staff point of view as well as for access to programs for both domestic and international students?

**Mr. Ajay Patel:** At this point, we have not announced any layoffs. We are just managing our enrolment in hopes that we can minimize any employment impact.

We do anticipate the declining numbers would have an impact on not just providing programs that fit the labour market needs, as I addressed earlier, but also potentially some of those revenues that we have to better support our other diverse student body, particularly the programs for the blind, deaf, hard of hearing and visually impaired, and a number of the programs that we have for our new immigrants.

Many institutions use the net revenue from international students to help support some of those program areas, but the biggest hit could be in the area of the labour market.

**Ms. Jenny Kwan:** On the issue of implications, I know that you were not consulted. Were you made aware of what the government's goal is with respect to their announcement at any point in time?

I'll put that first to Mr. Jacob, and then Mr. Patel.

**Mr. Jean Daniel Jacob:** I'm not aware of any of that information being shared.

**Ms. Jenny Kwan:** Mr. Patel, go ahead.

**Mr. Ajay Patel:** I'm not aware of any information being shared other than that there was supposed to be a cap on international student numbers, but there was no consultation.

**Ms. Jenny Kwan:** There's the issue of differences in regions, provinces and so on. There are some issues with respect to international students, especially with the bad actors, meaning the people who are fraudulently engaged in bringing international students to Canada with both consultants and the potential involvement with the institutions, particularly those from the private sector.

My quick question for Mr. Patel is this: Is there a difference between provinces, and is the government's approach to addressing this using this sort of broad scope approach ineffective?

**Mr. Ajay Patel:** I can only speak about the province of B.C. We have public post-secondary codes of practice and standards that we follow if we use a third party. I know that is not consistent across the country.

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

We have about six minutes left, so I think we'll go two, two, one and one. You know what I mean. We'll have two minutes for the Conservatives, two minutes for the Liberals, one minute for the NDP and one minute for the Bloc.

Before I waste any more time, I will go to Mr. Redekopp for two minutes.

**Mr. Brad Redekopp (Saskatoon West, CPC):** It's Larry.

**The Chair:** Larry, my friend, go ahead for two minutes.

**Mr. Larry Maguire (Brandon—Souris, CPC):** First of all, you weren't consulted, Mr. Jacob.

There's an urgent demand here across Canada for skilled workers in the crucial sectors, including health. Can you explain how this uncertainty, caused by the abrupt changes announced by the Liberal government, has created an impact on Canada's reputation as a destination for top talent?

You mentioned the master's and Ph.D. students. Can you elaborate on that?

• (1625)

**Mr. Jean Daniel Jacob:** Do you mean the reputation itself?

**The Chair:** Yes.

**Mr. Jean Daniel Jacob:** I can only speak to the effects. What we're seeing is decreased enrolment.

**Mr. Larry Maguire:** You're doing that out of decreased enrolment. What other impacts do you see with regard to that? What are your student numbers going to look like?

**Mr. Jean Daniel Jacob:** There are multiple impacts. When you're looking at the functioning of any academic institution, it's not in silos. If you're going to affect the budgets of universities or colleges, you will see that all sectors are affected, including nursing.

If you're looking at the college sector, with the PSW programs that have been affected by these international caps, the caps end up affecting the number of faculty available within the different departments. We're looking at not being able to deliver as many nurses as we would like to in order to respond to the needs.

**Mr. Larry Maguire:** I'll ask this of Mr. Patel.

How do you see the reputation here? How would you describe the Liberals' motivation in addressing this? Could they have made better policy choices in the past to avoid the outcome we've seen today?

**Mr. Ajay Patel:** If we had gone through a more comprehensive consultation process and been able to work collectively with the provinces and institutions, we might have got to a better place. I think André referenced this.

On the ground, when you speak to our folks who are overseas, like our staff who fly overseas, the Canada brand has taken a significant hit. It's going to take some time to rebuild that reputation back up as a steady destination and a high-quality education destination.

**The Chair:** Thank you.

We'll now go to Mr. Ali.

You have two minutes.

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

Thank you to the witnesses.

My question is for Mr. Côté.

With international students accounting for a significant share of tuition revenue in Ontario's post-secondary institutions, do you think the federal government's reform will help reduce the risk associated with the overreliance on this revenue stream?

**Mr. André Côté:** I think it will force a reduction in the overreliance on that revenue stream. We're already starting to see some of the cracks in the system as a result of the fall in international student numbers.

With certain colleges announcing campus closures, we're just at the beginning of what's going to happen. However, I think this was just not sustainable and we were not providing solid outcomes for many of these learners. We were giving them a false bill of goods on their opportunity to stay here in Canada, so something had to be done.

**Mr. Shafqat Ali:** Your report mentions that need for a strategic approach to integrating international students into the economy and

society. Do you see the federal government's reform as laying the groundwork for a more balanced education sector?

**Mr. André Côté:** International education strategies going back a decade or so have focused on this idea of alignment with the labour market to fill labour market needs. Obviously, that's a priority in these federal reforms.

I agree with what Mr. Patel was saying. It's really about the mechanism to go about it, especially around this connection to postgraduate work permit eligibility for college programs. I feel that is something that would be much better decided at a provincial level, where there's a keener sense of local labour market needs and demands and the capability to set it at that level, as opposed to nationally, where it's a blunt instrument.

**Mr. Shafqat Ali:** Thank you, Chair.

**The Chair:** I'm sorry, Mr. Ali. That was two minutes and 10 seconds. Thank you.

We will go to Mr. Brunelle-Duceppe for one minute.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Mr. Côté, when you talked about the failure of federalism, that captured my attention and resonated with me.

I think you're on the same wavelength as everybody else. The government doesn't seem to be consulting with stakeholders. Maybe it should give the provinces a little more power when it comes to making decisions like that.

What are your thoughts on that?

• (1630)

**Mr. André Côté:** Thank you for your question.

[*English*]

I'm sorry. I'll answer in English because I'll be able to go more quickly.

We've been seeing this in many areas. The international student program is a jointly managed system, but you have a situation where the federal government felt compelled to take unilateral steps without adequate consultation with stakeholders and, from what I can gather, the provinces. I do not feel we will be capable of properly reforming and fixing the system if we do not have better coordination between the federal and provincial and territorial governments and a clear division of labour, whether it's overseeing DLIs or putting in place standards or requirements around international recruitment, and if we're using a common Canada brand, though obviously differentiated for certain provinces or institutions.

I have a very hard time seeing how we're going to repair the system without a much more coordinated approach.

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

We'll go to MP Kwan.

MP Kwan, you have one minute.

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

Mr. Jacob, are there any recommendations you want to make to the government?

**Mr. Jean Daniel Jacob:** Make sure you look at what happened to the schools of nursing. If you're going to ask to increase the numbers in the schools, the resources need to follow. If you end up cutting those types of programs within academic institutions, you're not going to get the output you're looking for.

**Ms. Jenny Kwan:** I think we've heard from all witnesses about the lack of consultation and the importance of coordination and working together. Would you recommend that the government pause this plan and begin that work now, so we can get it right?

I'll get a quick answer from all of the witnesses.

**The Chair:** I'll start with Mr.—

**Mr. Ajay Patel:** I say yes.

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

Mr. Côté.

**Mr. André Côté:** I don't think it can be paused, but I think there's no reason why the government couldn't step in now and say, "We're going to be thinking long term, and we're going to be convening and consulting around a new long-term strategy together."

**Mr. Jean Daniel Jacob:** I would agree on more consultation, absolutely.

**The Chair:** On behalf of the committee members, I would like to thank Mr. Patel, Mr. Côté and Mr. Jacob for their time and input to the committee.

With that, we will suspend for five minutes to set up the next round of witnesses.

• (1630) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1635)

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

I would like to welcome our witnesses for the second panel.

We will start with Higher Education Strategy Associates, Ms. MacLennan, senior research associate. Ms. MacLennan, welcome to the committee.

From Simon Fraser University, we have with us Mr. Dilson Rassier. Welcome to the committee.

From the Canadian Bar Association, we have Madam Kamaljit Lehal. Welcome to the committee.

With us, we also have Wei William Tao. Welcome to the committee.

Up to five minutes will be given for opening remarks, and then we will proceed with the rounds of questions.

We'll start with Ms. MacLennan for five minutes.

• (1640)

**Ms. Tiffany MacLennan (Senior Research Associate, Higher Education Strategy Associates):** Thank you, Mr. Chair.

Thank you to the committee for having me as a witness today.

My name is Tiffany MacLennan, and I'm a senior research associate at Higher Education Strategy Associates, a consultancy in Toronto. I've studied at St. FX University in Antigonish, Nova Scotia, and I now hold a master's in education policy analysis from Harvard University.

In my academic and my professional careers, I spend the majority of my time analyzing sectoral trends and understanding what drives decision-making within the Canadian post-secondary education system. The roots of the challenges facing the international student program today run deep, stemming from years of systemic underinvestment and various policy decisions.

For over a decade, provincial government spending on the post-secondary education sector has been stagnant across the country. On top of this stagnation, many provinces have introduced domestic student tuition caps. When combined, these two things have resulted in less real university and college operating funding, per student, over time.

Instead of investing government money, provincial governments encourage colleges and universities to become more entrepreneurial and to produce new revenue sources to meet their costs. As a result, many institutions turn to recruiting significant numbers of international students.

The overreliance on international student recruitment not only became a financial lifeline for many institutions, but also introduced significant pressures on the local infrastructure, particularly on the housing market. The interplay between institutional strategies and inadequate provincial support for housing exacerbated an already critical supply and demand imbalance. Nowhere was this more apparent than in regions like southern Ontario, where some colleges leveraged international student recruitment as a monetized pathway to permanent residency, intensifying an already noticeable strain.

While it is undeniable that action was necessary, the blanket caps have imposed unfair penalization across the entire sector, rather than addressing the practices of a select few bad actors.

The international student caps, however, represent just one facet of the damage that has been inflicted through the recent reforms to the international student program. Broader restrictions on the post-graduate work permit eligibility, limiting attraction to selected high-demand programs, have created additional barriers for both students and institutions. Compounding these challenges is the narrative from the minister, who has openly questioned the quality of Canada's post-secondary sector, labelling certain institutions as "diploma mills", a term that undermines the credibility of the entire system.

These reputational blows, coupled with the financial strain of the caps, have had a chilling effect on international student recruitment. Many institutions across the country are already reporting steep declines in applications, far exceeding what might be expected solely from the introduction of enrolment limits.

It is crucial to recognize that no single entity is responsible for the series of actions that have brought us to this point. Provincial governments neglected to appropriately fund institutions, colleges and universities leveraged international students as a source of funding, with some overusing the resource, and the federal government took an action that was understood to be a problem.

However, there were many other options that would have been available and less damaging to the sector. To give an example, even setting a limit at a maximum of 25% of the student population being international—allowing for exceptions with things like graduate student programming at U of T bringing in top talent—would have been an alternative that would have punished bad actors without causing harm across the entire sector.

The lack of regional and targeted measures will not only reduce the opportunity for international students to learn in the country, but also decrease opportunities for domestic students. Already, we are seeing institutions cut off entire program offerings, close regional campuses and lay off hundreds of staff members.

A question that should have been considered much more deeply is this: Should students studying in Atlantic Canada, in rural Manitoba or in the interior of B.C. have less access to education as a result of a problem that was largely concentrated in a handful of southern Ontario colleges?

Addressing systemic challenges in higher education requires thoughtful, regionally tailored solutions that balance accountability with the preservation of access and opportunity. Broad, untargeted policies risk undermining the very foundation of an inclusive and robust education system, leaving both international and domestic students to bear the brunt of poorly considered decisions.

I look forward to answering your questions.

Thank you.

**The Chair:** Thank you very much. That was four minutes. That's excellent timing.

Now we'll go to Simon Fraser University's provost and vice-president, Mr. Dilson Rassier.

Please go ahead for five minutes.

**Mr. Dilson Rassier (Provost and Vice-President, Academic, Simon Fraser University):** Thank you, Mr. Chair and the committee, for the opportunity to address you today.

I would like to begin by acknowledging that I am speaking to you today from the traditional and unceded territory of the Musqueam, Squamish, Tsleil-Waututh and Kwikwetlem nations.

• (1645)

[*Translation*]

I appreciate the opportunity to talk about the recent changes the Government of Canada has made to the international student program. This is something we're very familiar with at Simon Fraser University.

[*English*]

As many of you know, Simon Fraser University is a leading research university that is advancing an inclusive and sustainable future.

Based in British Columbia, SFU has over 37,000 students across three campuses in Burnaby, Surrey and Vancouver.

Since 1995, we have a demonstrated record of helping business and academia commercialize their great ideas right here at home. Our dedication to driving innovation has enabled us to attract the world's best and brightest to Canada. Students from abroad who choose to study at SFU bring incredible ideas and diverse thoughts to our classrooms. Those who graduate and stay in Canada have gone on to contribute greatly toward our domestic economy.

International and domestic students alike are students in computer science, engineering, health sciences, as well as business and social science programs at both the undergraduate and graduate levels.

Immigration reform has become a priority for the Government of Canada, and it has been escalating in urgency over the past 18 months. These matters are incredibly complex. While we agree on the need to address bad actors and to increase the housing supply for students and Canadians alike, we feel it's crucial to approach this challenge with care and consideration, especially given where we find ourselves today.

Canada's talent gap is widening and its domestic productivity continues to lag behind global competitors. This is a decades-long issue exacerbated by the COVID-19 pandemic. SFU and other research universities are uniquely positioned to help address these challenges. Through partnerships with industry, we drive innovation, create economic opportunities and prepare students for the jobs of the future.

Actions taken to address this complex set of issues have caused several unintended and significant consequences, including the financial burden placed on institutions that were largely unaware of and not consulted on these changes.

At SFU, we have been recognized as Canada's top comprehensive university, offering a diverse academic program. The changes implemented by the IRCC have resulted in significant declines across all faculties at the undergraduate and graduate levels. This impacts our globally recognized research programs.

In these challenging times, when the need for collaboration and collective action is greater than ever before, SFU and our colleagues in the sector are ready and willing to help the government. They are already doing so in diverse ways.

Take housing, for example. Through SFU's housing master plan, we are investing in the delivery of affordable housing and child care for students, which is reducing pressure in the community. Over the last year, we opened 865 new accommodations for the students on the Burnaby campus. Many more students have on-campus housing and are not competing in the local rental market, which frees up lower-cost rentals. This brings the number of on-campus student beds to more than 2,450. The next phase of student housing will open in fall 2027, creating additional accommodations for 445 students and a 106 spaces in the child care centre.

We encourage all committee members to recognize the unintended, immediate and long-term consequences that these blunt policy measures will have on Canada's economy. These measures will, without a doubt, affect SFU's ability to help close Canada's talent gap through workforce training, to drive innovative research, and to foster economic growth. This will impact the whole post-secondary sector.

[Translation]

Lastly, we encourage you to engage with universities and institutions of higher learning. We're here to help mitigate risk, avoid unintended consequences and build a sustainable path for international education and the Canadian economy as a whole.

Working collaboratively, we have the opportunity to ensure that institutions like Simon Fraser University continue to shape the next generation of Canadian leaders and innovators and drive Canada's economy.

[English]

I thank committee members once again for the opportunity to address you today. I look forward to your questions.

[Translation]

Thank you very much.

[English]

**The Chair:** Thank you very much. That was four minutes and 32 seconds. Again, it's excellent timing.

Now we will go to the Canadian Bar Association.

Madam Lehal or Mr. Tao, you have five minutes.

Please go ahead.

**Ms. Kamaljit Lehal (Chair, National Immigration Section, The Canadian Bar Association):** Thank you.

Good afternoon, Chair and members of the committee.

My name is Kamaljit Lehal. I am the chair of the CBA national immigration law section. I am here with my colleague, Will Tao, who is also a member of the section.

Thank you for the opportunity to come before you on this important topic.

The recent reforms to this program are intended to primarily target fraud within the system. While these measures may help to somewhat safeguard the program's integrity, they directly and adversely impact students who came to Canada in good faith, committed years to studying and working here and were led to believe, through government messaging, that by doing so there was a pathway to permanent residence. The reforms now expect students to leave the country yet do not hold bad actors accountable.

This committee has been tasked with studying the impact of these reforms. We need to look at both the immediate and long-term consequences.

In terms of immediate impact, again, it's on the students already in Canada, who paid premium tuition fees to pursue studies here under an immigration system that supported their families to be here while they studied, permitted spouses to work and provided a postgraduate work permit as the next step towards the ultimate goal of PR.

Quite abruptly, the legal framework has changed, and tens of thousands of students in Canada are now grappling with uncertainty and the threat of removal from the country they've come to call home.

Many of those students—and I really want to emphasize this—are members of racialized and equity-deserving communities who are more likely to face barriers in addressing the challenges they now face to their immigration status.

From a humanitarian perspective, we must also acknowledge the profound mental health toll these changes are taking on international students.

In terms of long-term consequences, it's undisputed that international students contributed to Canada's GDP, supported jobs in Canada and paid taxes. We need to assess the long-term impact of the exodus of thousands of students from Canada under these reforms.

Another long-term consequence is the reputational harm to Canada's immigration system resulting from misaligned messaging, which may cause future students to think twice about Canada being their destination for studies.

Additionally, the reforms requiring students to reapply for a study permit in order to change institutions may further erode Canada's appeal, because it creates a two-tiered system.

Thank you.

• (1650)

**Mr. Wei William Tao (Canadian Immigration and Refugee Lawyer and Member, The Canadian Bar Association):** Mr. Chair, the CBA national immigration law section makes the five following recommendations. If I don't get through all of them, I will rely on our written material.

First, the government should prioritize creating pathways to permanent residency for students already in Canada. There are students here who have studied and worked here. They're well established, some even having arrived here in their youth. They are permanent residents but for having received the legal status. Canadians likewise have invested in them and supported them. As such, we need to implement unique pathway programs, including dedicated express entry draws targeted at filling labour shortages and aimed at ensuring positive long-term outcomes not only for our economy but also for future immigrants and their families. A broad range of stakeholders must be consulted when building these programs.

We understand that there is an in-Canada focus set out in the levels plan and the minister's mandate, but how is this going to be operationalized and how is this going to be done within the current levels plan?

Second, we should halt the systemic removal of international students with no pathway to PR until the available pathways and exemptions are made clear.

As a result of these recent changes, many students will find themselves without pathways to permanent residency, having lost status or fallen into non-compliance due to circumstances outside of their control. We must explore new ways to facilitate temporary and permanent measures for these individuals utilizing the minister's authority to consider implementing new public policies and revise existing ones. Coordinated efforts to systematically remove and refuse students must be halted until we find urgent efforts to create and clarify the availability of these pathways.

Third, federal and provincial governments must collaborate on a long-term plan for managing international student enrolment. This includes redefining the criteria for designated learning institutions and implementing measures to disincentivize exploitation, reduce opportunities for abuse and provide effective oversight of agents, recruiters and employers. We do recognize the recent positive efforts in the latest regulatory amendments.

Fourth, we should introduce legislation to deter bad actors who prey on international students. This includes harsher penalties for fraud and large-scale misrepresentations. We understand that this takes more than just a whole-of-government approach; it likely will take a whole-of-society approach.

Fifth and finally, a two-tiered system should not be adopted. International students should have the same flexibility as local students to change studies without needing to apply for a new study permit or become non-compliant while waiting. There are many

bona fide reasons for students to change institutions, such as mental health, harm prevention, sexual assault and educational advancement. There needs to be at least a list of carve outs.

In our role as immigration lawyers, we work to uphold the integrity of the system while also recognizing and empathizing with the increasing traumas of our clients. Let us ensure that Canada's policies reflect that shared value. Protect international students and hold bad actors rightfully accountable.

Thank you.

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

That was four minutes and 50 seconds, which was excellent timing.

We will follow that with the honourable members' questions.

We will start with Mr. Kmiec for six minutes, please.

**Mr. Tom Kmiec:** Thank you, Mr. Chair.

Witnesses, I'll quickly go through some questions. If you keep your answers short, then I won't have to interrupt you as often, just like in the last round.

I'll start with the provost of SFU.

Sir, were you consulted on the immigration changes announced by the government for the international student program?

• (1655)

**Mr. Dilson Rassier:** No.

**Mr. Tom Kmiec:** Do you agree with the temporary cap?

**Mr. Dilson Rassier:** No.

**Mr. Tom Kmiec:** Would you agree to making the cap permanent?

**Mr. Dilson Rassier:** No.

**Mr. Tom Kmiec:** Do you agree with the cap on master's students and Ph.D. students?

**Mr. Dilson Rassier:** No.

**Mr. Tom Kmiec:** In the case of your institution, how often does IRCC check with you on the status of international students?

**Mr. Dilson Rassier:** I would have to get back to you on that question, but it's not very often.

**Mr. Tom Kmiec:** If you could check with the registrar's office in your institution and get back to the committee, that would be much appreciated.

**Mr. Dilson Rassier:** Yes.



**Mr. Tom Kmiec:** Does IRCC check with your institution that students have paid one full year of tuition before issuing them their study permit?

**Mr. Dilson Rassier:** No.

**Mr. Tom Kmiec:** They don't check?

**Mr. Dilson Rassier:** Not that I'm aware of, but I'd have to get back to you on that.

**Mr. Tom Kmiec:** Okay. If you could provide that to the committee, it would be very valuable information for us to have.

**Mr. Dilson Rassier:** Yes.

**Mr. Tom Kmiec:** I want to move on now to Higher Education Strategy Associates and ask the same questions.

Were you consulted on the changes announced by the government?

**Ms. Tiffany MacLennan:** No, we were not.

**Mr. Tom Kmiec:** Do you support the cap?

**Ms. Tiffany MacLennan:** I do.

**Mr. Tom Kmiec:** If the cap became permanent, would you support that as well?

**Ms. Tiffany MacLennan:** It would depend on the conditions of the cap.

**Mr. Tom Kmiec:** Yes, but with conditions—I'll take it as that.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I have a point of order, Mr. Chair. I believe the interpreters are having trouble hearing the witness.

It's fixed now. Thank you.

Did Ms. MacLennan say that she agrees with the cap?

**Mr. Tom Kmiec:** Yes, she agrees with the cap.

[*English*]

Are we okay to continue, Mr. Chair?

**The Chair:** Yes.

**Mr. Tom Kmiec:** Do I still have the rest of my time?

**The Chair:** You have four minutes left.

**Mr. Tom Kmiec:** Thank you.

I asked if you would support the cap if it were permanent, and you said, yes, with conditions, depending on how they would do it.

Would you support the cap on master's and Ph.D. students?

**Ms. Tiffany MacLennan:** No.

**Mr. Tom Kmiec:** Before I go on to the Bar Association, I want to ask you another question. I'm on your website, and I do read Alex Usher quite often. I'm sure you knew that I was going to ask you about this.

I'm wondering if you can comment on this particular statement that he made:

Now, of course, Justin Trudeau was at the ready to back up his Minister with some truly odious crocodile tears. "Immigration is great" he said, "We just want to punish bad actors." This is ludicrous. The government is in no way, shape or

form going after specific bad actors; it is going after the entire sector. Whether this is cruelty or stupidity I leave to readers to decide, but Trudeau's explanation holds no water. The only possible justification for the approach the feds have taken here is that "it's a national problem;" (it isn't, but that's another story) "but we have to let provinces find their own solution to the problem of bad actors." This at least is a constitutionally correct attitude but it's very different from Trudeau's claim.

Could you please explain who the bad actors are, in your view?

**Ms. Tiffany MacLennan:** I can't speak on behalf of what Mr. Usher has written. He writes his blog without our input.

I would argue that the bad actors are the people who have been able to exploit international students well beyond their capacity in their communities. For example, if you look at institutions who have brought in hundreds or even thousands of international students well beyond what their funding needs are, I would consider them to be the bad actors in this situation.

**Mr. Tom Kmiec:** I'll move on to the Canadian Bar Association.

I'll ask you the same things that you've heard me ask the others.

Were you consulted before these changes were announced?

**Mr. Wei William Tao:** I can only speak from my own personal experience: no. I can't express on behalf of the Canadian Bar Association the answer to that question, but in my capacity I wasn't.

**Mr. Tom Kmiec:** Madam Lehal, you're the chair of the national immigration section. Were you consulted?

**Ms. Kamaljit Lehal:** There was no direct consultation, although we have regular meetings with IRCC on various topics.

**Mr. Tom Kmiec:** Do you support the temporary cap? Does your organization support the temporary cap?

**Mr. Wei William Tao:** We've yet to take a position on it. I think we'll be taking some positions on it in the days to come.

**Mr. Tom Kmiec:** Okay.

Should the cap become permanent, would you take a position on that too? Would you support that?

**Ms. Kamaljit Lehal:** Again, we are looking into this. We will be doing submissions on this. We don't have a standing position on this.

**Mr. Tom Kmiec:** Then you wouldn't have a position either on master's and Ph.D. students at all and whether they should be included in the cap or not.

**Mr. Wei William Tao:** Organizationally and individually are different. I think I'm allowed in my individual capacity to say that I don't agree with the cap on master's and Ph.D. students. Organizationally, we haven't taken a position.

**Mr. Tom Kmiec:** Okay.

I'm going to ask this of both of you, because you are lawyers with a specialty in immigration law that I do not have.

My question is on annex 4 of the immigration levels plan.

You mentioned that some of these changes target international students very directly on their path to permanent residency. I'm bringing up the immigration levels plan because I think it's important. You specifically disagreed with the need to make international students reapply for a new study permit if they change their designated learning institute. There were other things you were concerned about. The plan calls for people to voluntarily leave—almost a million people—over two years.

How would the ministry do this legally? What are their options to ensure people leave voluntarily? When I asked this question of the minister, he couldn't answer. I'm wondering what two lawyers, specifically experts in immigration law, understand to be the methods to make people leave.

• (1700)

**Mr. Wei William Tao:** What we're seeing making applicants leave on their own, in practice, are refusals of extensions, refusals of applications and delays in processing PR.

Do I think it's enough, personally, to remove that many individuals in this period of time? It's going to be a hard process. I don't think there's anything in law that will make it easy, unless some sort of policy or program comes into place, or some announcement is made to make it a coordinated effort.

We're saying to hold off on the coordinated effort until it's clear who's in and who's out of the new plans.

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

We will go to Parliamentary Secretary Chiang.

The next six minutes are yours.

**Mr. Paul Chiang (Markham—Unionville, Lib.):** Thank you, Mr. Chair, for allowing me to ask questions.

I'd like to thank all of the witnesses here today for committing their time to help us with the study.

My first question is for the Canadian Bar Association.

The government's decision to raise the financial threshold for study permit applicants aims to ensure students are better prepared for life in Canada.

How does this align with recommendations in your December 2023 letter to Minister Miller to safeguard international students against financial vulnerabilities?

**Ms. Kamaljit Lehal:** Obviously, there need to be financial thresholds for students, but they have to be in keeping with abilities. I believe our submissions have always consistently been that students need to be supported with resources like housing once they come to Canada. They are paying premium tuition fees, so housing, counselling and all of those additional supports are essential.

**Mr. Paul Chiang:** Do you agree they need to be financially secure before they get to Canada?

**Ms. Kamaljit Lehal:** I think all students need to be financially secure, but the bigger part is Canada's role in supporting them once

they are here in terms of resources like counselling and housing, as I said.

**Mr. Paul Chiang:** Thank you.

You highlighted concerns about the role of unscrupulous school recruiters and immigration consultants.

How might the government's measures to limit visas for programs not eligible for postgraduate work permits, as well as its enhanced verification process, deter fraudulent actors in the system?

**Mr. Wei William Tao:** I think those are positive steps.

However, the reality is that, even if the rules change, those who want to exploit the system and take advantage of it will adjust their efforts, as well. Unfortunately, we're dealing with a lot of students from countries where Canada's relationship might not be the strongest right now. The Philippines is a great example of where we were able to make some bilateral improvements and encourage authorities to take on a bigger role in combatting fraud. With India, China and other countries right now, it might be a much more difficult situation.

I don't think it's as easy as measures will change things. I think it takes a coordinated effort on many stages to achieve that.

**Mr. Paul Chiang:** Thank you for those answers.

Are you inferring that India and China will be difficult countries to work with?

**Mr. Wei William Tao:** I think it will be extremely difficult to curb some of these practices. They're so long-standing in those countries that it will require an enhanced level of diplomatic effort to get there.

**Mr. Paul Chiang:** Thank you so much.

I'm turning to the witness from Higher Education Strategy Associates.

Do you view the introduction of annual caps on study permits as a measure to stabilize international student numbers, and do you see this as an effective way to address capacity challenges while maintaining institutional integrity?

**Ms. Tiffany MacLennan:** Yes and no is the complicated answer to that.

Yes, I think it is a step to help curb some of the problems we're—

**Mr. Paul Chiang:** I'm sorry, Mr. Chair.

I cannot hear you. Could you speak up?

• (1705)

**Ms. Tiffany MacLennan:** My apologies.

I was saying that I think the answer to that is twofold. Yes, I do think that it is a measure that will be effective. That said, effective for whom and for what is a different story.

I think we've implemented a kind of broad stroke and one-size-fits-all measure that doesn't particularly solve issues that are happening in other places. In fact, it might create them.

While it might be an effective measure to curb some of the absorptive capacity of some of the areas that these schools are in, on the flip side of that I think it will also lead to other problems that bringing in international students has been addressing over the past decade.

**Mr. Paul Chiang:** My next question is about how the decision to enhance the use of the designated learning institution portal for issuing acceptance letters was partly influenced by concerns about fraudulent consultant practices.

Do you believe that this move will address such issues? Are there additional safeguards that institutions and government should consider?

**Ms. Tiffany MacLennan:** I'm not perfectly equipped to speak to that. We are a consultancy that works with institutions and are not in any form of recruiting. I do think that the designated learning institutions are a first step in moving towards there, but I think there will be more steps that will have to be taken.

**Mr. Paul Chiang:** Would you recommend any other additional steps that we could take to make this system more credible?

**Ms. Tiffany MacLennan:** I could get back to you with recommendations, yes.

**Mr. Paul Chiang:** That's great.

Thank you so much for your answers. Thank you for your time.

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

**Mr. Paul Chiang:** Thank you, Mr. Chair.

How do you anticipate that the changes limiting spousal work permits for undergraduate and college-level international students will impact Canada's competitiveness in the global education market?

**Ms. Tiffany MacLennan:** I believe that the places they will affect the most are the colleges and the college vocational schools that are offering their programming. Their students are traditionally older and are participating in things that are directly related to our labour market, as opposed to more traditional undergraduate programming. I think that as a result we'll see less demand in some of the programming that is high-need, high-demand programming, especially vocational-type programming.

**The Chair:** Thank you very much, Mr. Chiang.

We will go to Mr. Brunelle-Duceppe for six minutes, please.

[*Translation*]

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

I'd also like to thank all the witnesses for being with us today.

Ms. MacLennan, you said in your opening remarks that some universities are using international students to fill their coffers because education is underfunded in some provinces.

In your opinion, is that true of all universities across Canada?

[*English*]

**Ms. Tiffany MacLennan:** Yes, I think it's true of the system overall.

I can't speak to motivations in every single institution in the country. There are quite a few, but in the provinces, the funding for the post-secondary sector overall has been stagnant, with very minimal new money coming in on behalf of the governments, and as the costs continue to rise for these incredibly labour-intensive institutions, that money has to be made up somewhere. In places like Nova Scotia, where you have a 3% domestic student tuition cap, their hands have been quite tied, for lack of a better term.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Are you familiar with the Université du Québec network?

[*English*]

**Ms. Tiffany MacLennan:** I am familiar, but there are people in our office who are from Quebec, work in Quebec and have studied in Quebec. I would not be the right person to answer any particular question.

● (1710)

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Okay. Thank you very much.

I want to explain to the committee that the Université du Québec network is big. It has more students than the entire University of Toronto. When Maxime Colleret testified here on behalf of the Université du Québec network, he said:

...we charge about \$21,000 a year for international students. For a Quebec student, we get about \$18,000 a year. However, we have to take into account the costs associated with educational tools, as well as support and integration measures for international students. We need to dispel the cash cow myth...

I imagine it's different elsewhere, but my understanding is that the Université du Québec network is unique. I think that's exactly why you talked about targeted measures rather than pan-Canadian ones. There are some major differences in Quebec because our education system is not like those in the rest of Canada.

Would you agree with that?

[*English*]

**Ms. Tiffany MacLennan:** Yes, I agree. I think targeted measures are the way to move forward.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Thank you very much, Ms. MacLennan.

I will go to the Canadian Bar Association representatives next.

What do you think of Minister Miller's suggestion that immigration consultants have legitimately counselled international students to seek asylum?

That concerns you directly. Maybe there's a problem with these notorious immigration consultants.

[*English*]

**Ms. Kamaljit Lehal:** Thank you for that question.

There is indeed. We've been using the term “bad actors” in the system, and international students have been misguided and misled on a number of fronts. With respect to refugee claims, on that point alone, you have students here from countries that are known to be refugee-producing countries.

Can you hear me?

**The Chair:** Let Madam Lehal finish, and then we'll go to—

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Excuse me, Ms. Lehal. I was speaking to the chair because I wanted to know how much time I have left.

You can continue your answer. Go ahead.

[*English*]

**Ms. Kamaljit Lehal:** With respect to students being guided to make refugee claims by consultants, that may indeed be something that's happening.

We also need to realize that a number of students come from refugee-producing countries. There are human rights violations in a number of countries, such as Colombia, Nigeria, Ghana, China, India—these countries.

There are a number of reasons why students may not, when they first come in, make a refugee claim. They may have very legitimate reasons to make a claim. If you come in on a student permit, you don't have to deal with the uncertainty of making a refugee claim, which is complex, but then there are circumstances that may compel them to do that because the country conditions are such that—

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Also, the situation in their country may change after they arrive and during their studies. There are reasons why they might claim asylum.

[*English*]

**Ms. Kamaljit Lehal:** That's correct. Circumstances can change.

Sorry, there's just a bit of a delay.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Yes, I know.

Welcome to my world.

Mr. Chair, I'm taking advantage of my allotted time to reiterate the notice of motion I tabled on November 18 so we can debate and adopt it. I believe your office received it on November 19 or thereabouts.

I apologize to the witnesses, but I think this motion can be dealt with fairly quickly.

Just to jog my colleagues' memory, I'll read it again. The motion reads as follows:

That, pursuant to Standing Order 108(2), the committee undertake a study on the implications for Canada of the measures announced by Donald Trump during the U.S. presidential campaign regarding the deportation of persons who are in the United States illegally, as well as on the Canadian federal government's plan to ensure border security and compliance with federal immigration statutes and policies;

That the committee invite the following witnesses to appear:

1. for two hours each, accompanied by senior officials from their respective departments:

- a. Mr. Marc Miller, Minister of Immigration and Citizenship;
- b. Mr. Dominic LeBlanc, Minister of Public Safety;

2. for one hour each:

- a. Ms. Kristen Hillman, Canadian Ambassador to the United States;
- b. Mr. David L. Cohen, U.S. Ambassador to Canada;

3. as well as any witnesses the committee considers necessary, in accordance with the usual practices of the committee; and

That the committee prioritize this study and report its findings to the House.

[*English*]

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

I have three speakers on my list.

I would like to have direction from the committee members, because MP Kwan did not have her six minutes.

I just want direction from the committee. Do we release the witnesses or do we hold them?

**An hon. member:** Hold them.

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

Dear witnesses, there's a motion that is in order on the floor, so we have to deal with that. Please relax a bit, and I will ask you to come back. I'm sorry for the interruption. Your input is very much appreciated, so please bear with us.

With that, I have MP Kwan, then Mr. Chiang and then Mr. Kmiec.

MP Kwan, go ahead.

● (1715)

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

As you've noted, we have about 15 minutes before the end of the committee. I have yet to ask my six minutes of questions. This happens to me quite a lot—welcome to my world—where committee members make a motion and then cut off the opportunity for the NDP to ask any questions.

In the spirit of that, Mr. Chair, I move adjournment of debate on the motion.

**The Chair:** Adjournment of the debate is a non-debatable motion.

(Motion negatived: nays 9; yeas 1)

**The Chair:** Will go to Mr. Chiang for debate.

**Mr. Paul Chiang:** Thank you, Mr. Chair.

I would like to thank my committee member across for bringing the motion forward. I would like to make some friendly amendments to his motion.

In the first paragraph where it stops at “policies”, I would add “that the study consist of no less than four meetings”. That's at the first paragraph.

In the last paragraph, where it says, “That the committee prioritize this study,” I would like to add, “alongside the international student study and the human smuggler/passport study, and that the committee”.

The next change is, after “the House”, it should say “and that pursuant to Standing Order 109, the government table a comprehensive response to the report.”

**The Chair:** Thank you.

Now we'll go to debate on the amendment.

I have MP Kwan.

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

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I have a point of order, Mr. Chair.

[English]

**The Chair:** There's a point of order.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Mr. Chair, I think it's a friendly amendment.

That being case, isn't it enough for me to agree?

It doesn't seem to work that way. I didn't say anything.

[English]

**The Chair:** MP Kwan.

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

Commenting then on the motion, I think it's interesting that the committee—

**The Chair:** You are speaking to the amendment, right?

**Ms. Jenny Kwan:** Yes, this is on the amendment to the motion that is accepted as a friendly amendment, from what I gather, by the mover. Really, on the whole, there is intention for this committee to sort of bypass the stages in terms of engaging in debate around business of the committee.

What's interesting as well, Mr. Chair, is that this happens quite a lot. Two meetings ago, we actually had a motion on the floor. The motion speaks to calling for the committee to:

undertake a study of no more than two meetings to examine the temporary public policy to facilitate temporary resident visas for certain extended family affected by the crisis in Gaza; including the challenges that the Government of

Canada faces in facilitating the exit of Gazans and that Canada is not the only country that faces these challenges;

• (1720)

**Mr. Paul Chiang:** I have a point of order, Mr. Chair.

**The Chair:** Go ahead, MP Chiang.

**Mr. Paul Chiang:** This is not relevant to the amendment that we have before the committee right now.

**The Chair:** I would request that the honourable member come back to speaking to the amendment.

**Ms. Jenny Kwan:** Mr. Chair, it is relevant because we're talking about border measures. We're talking about implications of potential trafficking issues and of the desperation of people getting to safety. The motion that I was raising ties exactly into that point.

Mr. Chair, if you allow me to finish, then I can actually complete my thought and my comments as they relate to the amendment and to the main motion.

**The Chair:** Continue, please.

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

To continue, it went on to say in that motion:

and that Canada is not the only country that faces these challenges; that the study include examination of the development and execution of the Government of Canada's special immigration measures to reunite and help bring Canadian Gazan family members to safety, including extended family; that the committee also consider Canada's use of its diplomatic relations to help facilitate the free movement of persons authorized to travel to Canada; that the committee consider testimony from affected families as well as Canadian civil society; that the committee invite the Minister of Immigration, Refugees, and Citizenship to appear for one hour with departmental officials and that departmental officials appear for one additional hour

There were amendments to this motion as well. The motion then went on to say “that the committee invite other relevant witnesses in accordance with the usual practices of the committee”.

The amendments were to include—

**The Chair:** There is another point of order.

MP Zahid, go ahead.

**Mrs. Salma Zahid:** We have the amendment proposed by Mr. Chiang to the motion by Mr. Brunelle-Duceppe. Is this relevant to that amendment? We need to debate the amendment.

**The Chair:** MP Zahid, I'm trying to figure it out.

If she's bringing a motion, there cannot be two motions on the floor. If she's going to come back to the debate and can somehow relate what she's saying to the amendment to the motion, then I have to accept that.

That's when I asked the honourable member to come to the amendment. She said that she's coming back to the amendment. I have given her the opportunity to finish quickly and see if she comes back to the amendment. If she does not, then I will stop her.

MP Kwan, the floor is yours.

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

I appreciate your giving me the opportunity to finish my thought, despite the ongoing interruption from Liberal members.

To my point, Mr. Chair, if I can finish my thought, the motion was then amended by the Conservatives to add Sudan to it, with which I wholeheartedly agree. I further had made an amendment to that motion to indicate that:

the committee order the production of all documents and records related to the policy-making considerations that led to the specific dimensions of the temporary public policy that opened on January 9, 2024, including the 1,000-person cap, the gradual issuance of access codes and delays in receiving codes experienced by many applicants, and the information requested from applicants on additional screening forms; that, while respecting s. 19, s. 23, and s. 69 of the Access to Information Act, these details be provided within 30 days of the adoption of this motion and relevant documents are released in full to the public;

The motion goes on to say, “that the committee report its findings to the House; and that pursuant to Standing Order 109 the government table a comprehensive response to the report.”

That was paused because we ran out of time. Of course, we have not been able to come back to debate this motion, which we absolutely should.

How does this actually tie into the amendment at hand, Mr. Chair? We're all talking about the grave situation with respect to our borders, borders that tie into the United States, of course, now, with the Trump administration and what those implications might be.

I think about borders also in other countries, as well. In the situation with the Gazans, they have not been able to get to safety. Many of them have been subject to trafficking, as well. I think many of them have been subject to having to actually pay exorbitant fees and bribes in order to stay safe.

All of that has implications for borders, including the Canadian border. It's interesting to note that this amendment and this main motion, Mr. Chair, exclude that community and the implications for them and the hardships they have to face. If we really want to look at the implications of trafficking and what it means in terms of border control and so on, we should actually be looking at this community as well.

However, we consistently and persistently refuse to do so, and we allow the continuation of these atrocities to take place. Community members have actually come before this committee in a dire situation. In fact, as they wait for the government to do what is necessary to move forward to fix the problem and to facilitate the process, what the government has done instead of doing that is create further barriers.

In the meantime, family members have come before the committee and indicated that their loved one had passed. Their loved one had not been able to get to safety as they tried to manage to get through the many barriers, whether it's the Gazans or even the Lebanese community.

You have to ask the question of what's going on with the Lebanese community, where the government refuses to even bring forward a special immigration measure so that Canadian family members with loved ones in Lebanon can get to safety. How is it even possible that the Canadian government would not consider that? How is it even possible that the Canadian government, for example, would tell a Canadian family member in that dire situation

that they have to leave their spouse and their child behind because they are not Canadians and do not have PR status?

If I were a Canadian stuck in a situation like that in Lebanon, let's say, and my child and my spouse were there, and I was told that I had to leave them behind in that dangerous situation...and think it's okay. I don't think any of us would think that's okay.

Why is it that the Canadian government will not bring forward a special immigration measure to expedite and bring to safety those family members and allow those Canadian family members to bring their children and their spouses to Canada? This persists and continues in certain countries and in certain approaches. The Canadian government continues to do this and allow for this to happen.

Therefore, if we're going to do a study on border measures, then we should be examining this as well. Why is there differential treatment for different countries?

• (1725)

Some have already said that perhaps it's because of the colour of their skin. Is it? I don't know. IRCC has a history of discrimination and discriminatory practices. That has been shown before. Reports have indicated as such. Is this an ongoing perpetuation of that from this government? Should we not, then, include these elements as part of the study, Mr. Chair?

We often just—I don't know what it is—turn a blind eye, perhaps, or just set those issues aside as though somehow they are not crucial or critical for this committee to examine. I don't understand it; I really don't. I don't understand the practice and the approach here. I don't understand the cavalier response from the government. I would like to think that I'm wrong. I hope to think that I'm wrong; however, the practice has been consistent from the government. It continues, and it doesn't matter how dire the situation is. At the end of the day, lives do matter.

I wonder why, in this whole conversation with this amendment, with this motion, there is no discussion about whether or not the United States is a safe third country now in light of what's happened and in light of what we've learned from the previous Trump administration and their practices, where they separated child and parent and where they put children in cages. I have even heard that some of those children have not been reunited with their loved ones. Why are we not having that conversation at this committee?

• (1730)

**Ms. Julie Dzerowicz (Davenport, Lib.):** I have a point of order, Mr. Chair.

**The Chair:** MP Dzerowicz, I'll consider your point of order, but before I consider your point of order, it is already 5:30, so I am going to release the witnesses because it seems this discussion is going forever.

On behalf of the committee members, I would like to thank the witnesses who have come to the committee to share information and help us with this.

Thank you, and you are released.

Now I will entertain a point of order from MP Dzerowicz.

**Ms. Julie Dzerowicz:** Thank you, Mr. Chair.

I want to say that I appreciate the caring comments of my colleague. I just don't know what the relevance is to the motion changes that my colleague has made.

My sense is that she does not support it. I don't know if she is trying to add things to it. I don't think we could consider two motions at the same time. We'll have to just deal with the motion, which is the addition to the current motion at the moment.

**The Chair:** Thank you very much, MP Dzerowicz.

We will go to MP Kwan because she has the floor, and she is not bringing in this as a second motion on the floor. She is speaking to the amendment to the motion.

We have resources until 5:45. If you fellows don't come up with a conclusion before 5:45, then I have to make a decision on my own to either adjourn or suspend the meeting.

I will give the floor to MP Kwan.

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

I was saying earlier that I remember very well the situation in the United States when we first saw the Trump administration come into office. It was in January and I was newly elected to the House of Commons. Being the immigration critic for the NDP, I moved an emergency debate in the House of Commons on that situation, which was ultimately granted because of the dire situation there and the discriminatory practices the Trump administration attempted to bring into play to impact the Muslim community, as an example. Their immigration policy, as we saw it play out, was devastating. There is no question about that. People were separated from their loved ones. Children were put in cages, if you can imagine it, Mr. Chair. That kind of approach was taken to impact the lives of people. There were toddlers separated from their parents. I've been informed that there are situations where children have not yet been reunited with their parents. They've actually been lost in the system.

Fast forward to today. What do we have? We have Trump winning the election. We all heard what he said during the campaign period. He said immigrants and migrants are "poisoning the blood of" the United States. I sure hope that's not what we're thinking here in Canada. You can imagine the rhetoric and the toxic description of migrants in the U.S. Trump administration, what that might mean and the implications for people who look like me—immigrants in that country. What will it mean for them?

Of course, they're holding Canada hostage in some way with respect to immigration policies and implications around trade.

However, nowhere in time have I heard anyone on this committee—or the government or the minister—talking about whether or not the United States is a safe country for migrants, despite the changing circumstances in the United States, the record of the previous Trump administration and Trump himself.

That is a real question that should be heard, Mr. Chair.

Has there been a change of chairs?

• (1735)

**The Vice-Chair (Mr. Brad Redekopp):** Wait one moment, Ms. Kwan. I'm just checking with MP Dzerowicz.

Do you have a point of order, or do you just want to be on the speaking list? I want to clarify that.

**Ms. Julie Dzerowicz:** I want to be on the speaking list.

Thank you.

**The Vice-Chair (Mr. Brad Redekopp):** Okay, you're on the list. That's fine.

Thank you.

Go ahead, MP Kwan.

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

You have to wonder about whether the United States is still a safe third country. You have to ask the question of not only ourselves but the international community as well. We have a responsibility as parliamentarians and we have a responsibility as what I like to think of as a country that is compassionate and a country that puts the lives of people and the human rights of people ahead of all else, and not just for cheap politics or for political gain. All too often I feel like what goes on around this table and what goes on around the theatrics of Parliament and parliamentarians is simply about the politics of things.

Stripping down all of those pieces, we have to see the faces behind these policies. Why else are we here? I hope we're here because we want to actually create a better world. I hope we are here because Canada has a role to play in the face of this kind of regression and attack on the migrant and immigrant community.

Canada relied on the immigrant community to create and build this country. I still recall learning from the history books about the contributions of the Chinese migrant workers. We were brought here to Canada not because we were wanted but because we were a source of cheap labour. We were brought into this country to build the railway to connect the west coast with the rest of the country, from coast to coast to coast. The Chinese migrant workers were brought in to do the most dangerous jobs. They were paid the least amount of money, and they faced discrimination, and many of them died in that process.

Where are we today? We say we recognize history, and we apologize for the horrific treatment and discriminatory practices of the past, yet we perpetuate the situation. We allow for it to continue. In many ways, one might actually say that today's immigration stream, particularly with the low-wage stream with a closed work permit, is a modern-day program of the past with regard to how people are being treated. We have to live through it over and over again. Here we are once again. It's as though time has stood still and we have learned nothing.

In terms of the current situation with the United States, I think we can all anticipate what might be coming in the sense that people in the United States might have fear in their hearts. Whether you were a migrant or a person with or without status, can you imagine being told by the president-elect that you were the poison of that country? How would that make a person feel? Would you feel like you belonged in that country? I would think not. I would think that the government of the day was sending a clear message that migrants and immigrants are not welcome.

In fact, I think they are denigrating the people and their contributions to the United States, and some people might feel like they don't belong and they might need to leave.

On that question, isn't there a real question about whether the United States is a safe third country? Isn't that a real question not just for Canada to consider but, rather, for the international community to consider? I would even venture to say that the UNHCR needs to be considering that as well.

• (1740)

The United States, with its approach, is not a particularly safe country at this juncture. It's not safe for migrants, immigrants or newcomers. They're told they don't belong. They're told they're "poisoning" the bloodstream of Americans. Can you imagine that?

That's not too dissimilar in some ways, though, from the kind of message the Canadian government is sending and what the Prime Minister is saying. The government has put out ads to tell asylum seekers about the application process to seek asylum. I don't necessarily think the intention behind them is to inform people what the approach ought to be; rather, it is to scare people away from making an asylum claim. That's what I think is going on.

In some ways, Canada has picked up the narrative and mentality that the United States and the Trump administration are bringing forward. To me, that's just absolutely devastating. I never thought I would live to see that day here in Canada. I didn't.

I never thought I would hear the Prime Minister say that migrant workers and immigrants are a tap that should be turned off, as though we're some sort of weirdos who don't belong in this country, don't contribute to Canadian society and are somehow just an economic unit. We're not real people with real lives and real families, who have made Canada their home and contributed to building this country. That is the mentality that's forthcoming.

I have experienced lots of discrimination in my life. I always thought it would stop with my generation. My grandparents experienced it. People pushed them off the bus. My granddad, who has passed now, used to tell me these stories of what he had experienced. My parents experienced it. I've experienced it.

I never thought my children would experience it, but yes, they did. My daughter, just coming out of COVID, who was on the way to school on a bus, was spat on and racial slurs were yelled at her. She was 18 years old. I desperately do not want to see this happen—not here in Canada, not in my family and not for anyone else.

Often in this House, we get together and say we will not stand for hate, we will not stand for discrimination and we will fight against them. Where is that courage now, Mr. Chair?

When we see the president-elect of the United States during the campaign calling immigrants and migrants the poison of the United States bloodstream, do we think that is acceptable? Do we not think that perpetuates hate?

Now what are we talking about around this table? We're talking about how to secure a border against people who are not wanted and who are mistreated in that way. We're talking about building a wall. It's not dissimilar to the physical wall the Trump administration of the first term wanted to build. Canada built an invisible wall with the safe third country agreement by extending it further and further—

• (1745)

**The Chair:** I'm sorry to interrupt, MP Kwan. We'll come back to this.

The meeting is suspended for now.

*[The meeting was suspended at 5:45 p.m., Monday, December 2]*

*[The meeting resumed at 11:09 a.m., Thursday, December 5]*

• (8305)

**The Vice-Chair (Mr. Brad Redekopp):** I call this meeting to order. We are meeting in public. This is a continuation of meeting number 119 of the House of Commons Standing Committee on Citizenship and Immigration.

Today's meeting is taking place in a hybrid format. I'd like to remind participants of the following points. Please wait until I recognize you by name before speaking. All comments should be addressed through the chair. Whether participating in person or via Zoom, please raise your hand if you wish to speak. The clerk and I will manage the speaking order as best we can.

We're discussing MP Chiang's amendment to MP Brunelle-Duceppe's motion. At the time of the suspension on Monday, MP Kwan had the floor. The following members are on the list to debate the amendment after MP Kwan: MP Dzerowicz or Madam Kayabaga and Mr. Kmiec.

MP Kwan, the floor is yours.

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

We're resuming debate on this motion, and the motion, of course, is to talk about the situation or the anticipated situation with the United States, with the Trump administration being elected for the second time.

Last time in my comments at the committee, I was talking about the implications of what we experienced in the first Trump administration. You will recall that Canadians were deeply concerned and dismayed about Trump's appalling immigration ban in his first administration. I share those concerns, and I strongly believe that a travel ban against individuals based upon race, religion or country of birth implemented by our closest neighbour cannot be tolerated by Canada. This deeply misguided policy not only sent a chill of intolerance around the world, but I think it emboldened racist sentiments and contributed to unleashing overt acts of racism.



In fact, I witnessed some of those and experienced some of those. In my 30-plus years in elected office, I've always experienced racism. I've had horrible messages, hateful messages, sent to me, and a lot of the time they were sent anonymously. However, after the Trump administration was elected, I was attending a rally in my riding to celebrate, actually, the international day for the elimination of racism. A large group of us—families, children, elderly people—were marching up to Victory Square. I was getting ready to speak at the event and to hear the speakers. There were people who had experienced racism, particularly the elderly, the Japanese Canadian community, who had experienced horrific Canadian policies which separated them from their family members and actually caused them to lose their property. In Vancouver, they were housed at the PNE, where the stables are, where the cattle and horses were kept. In any event, we were all there to celebrate the international day for the elimination of racism.

As we gathered, there were these white supremacists who appeared around us. You could see them—the Proud Boys, amongst others—all circle around us. Things were getting intense. I was about to be invited up to speak, and the organizer of the event got so worried that he came to me and asked whether or not we should end the event then. I said that we should not because that was exactly their goal: to silence us and stop us from speaking up and speaking out for equality and against discrimination, hate and race supremacy.

I got up on the stage, and what did they do? They threw a smoke bomb into the crowd. There was a giant purple haze in the area. That's what happened. To disrupt the event was their intention. It was to get me off the stage, I suppose, to send me a message perhaps. I don't know. Even in spite of that, we persisted. The police were there. I wasn't going to be shut down by people who were full of hate and who wanted to spread their racism and discrimination and who wanted to attempt to intimidate, threaten and silence us.

I carried on, and we finished our event. In the meantime, the organizers had to phone for backup, if you will, because we were quite worried about the people who were there. The children at that point were crying. Seniors were crying. People were clearly shaken up.

• (8310)

We had to call for backup to make sure that they were assisted, as they made their way back to their car, to the bus station or to the SkyTrain station to go home. That was what happened after the Trump administration's travel ban and hateful immigration policies were announced. I experienced first-hand that emboldening of racism by white supremacists in the community.

I've always been proud of the fact that Canada has always been a shelter for those who need it. During that unprecedented time, Canada stood strong on that. I still recall the Prime Minister sending a clear message.

Now, I don't agree with the Liberals a lot of the time, but at that moment, he sent a clear message to say, "Canada welcomes you." I take that to mean we are a country that will not discriminate, a country that will welcome everyone and a country that recognizes the contributions of the multicultural community, the ethnic com-

munity, migrants, immigrants, international students and newcomers. We say the colour of your skin doesn't matter; we all belong.

Despite Canada's very checkered history and some very dark history of racism and discriminatory laws, like the one that, for example, imposed a head tax on the Chinese community after the railway was built, when lives were lost and cheap labour was had. When the project was done, Canada tried to do everything to get rid of us, including putting a head tax in place.

There's been some very dark history in Canada, but in spite of all of that, at that moment, I thought it was an important message to send. It was critically important that we establish a clear path for Canada to step in and do our part.

I believe that all committee members are well aware of that situation. We all experienced it. We all saw it. People were risking life and limb to come to Canada. Why? It's simply that they did not feel that the U.S. was a safe country for them.

When you have a president—at that time, it was Trump—basically telling you that certain races are going to be banned from coming to Canada and they don't want you there, you get a clear message. If that hatred washed over to Canada, where I experienced first-hand the discriminatory sentiments that were hurled at me, you can imagine what it was like for people in the United States at that time.

On January 11, 2017, Canadians saw stories about Seidu Mohammed, who at the time was a 24-year-old refugee who nearly died making the dangerous journey from the United States to Canada, crossing into Manitoba on Christmas Eve. You can imagine it. Right now, it's not quite Christmas. It's early December. Here in Ottawa, I must say that this year, the cold weather has come late. I believe yesterday was the first snow day here in Ottawa, which makes me worry about climate change. That said, you can feel the chill in the air in Manitoba.

I went to Manitoba with my colleague Leah Gazan. We held a press conference at that very border where Seidu Mohammed crossed over. Oh my God, it was cold that day. The wind was howling. We were standing out there. I was so cold that my face felt frozen and I felt like I couldn't speak. Why were we gathered there? We were gathered there to talk about the safe third country agreement and the implications of what the Canadian government was doing at that time with the changes to it.

Mr. Chair, you're doing some hand signalling. I'm not quite sure what's happening.

• (8315)

**The Chair:** It's not for you. I was talking to Mr. McLean.

**Ms. Jenny Kwan:** I'm sorry. I thought you were signalling something to me.

In any event, we were gathered there to talk about that with Mr. Seidu Mohammed, who shared his experience with us to highlight the dangerous, perilous journey he had to take and what it means, when Canada takes these actions, for the lives of people who are being persecuted.

By way of background, Mr. Mohammed was born in Ghana. He fled, hoping to rebuild his life in the United States out of fear for his life due to his sexual orientation. I know that the committee members would be aware of this. This was major news in the community. The media did cover this story extensively.

Mr. Mohammed is gay. We know that homosexuality is illegal in Ghana. It is punished under a section of their criminal code entitled “Unnatural Carnal Knowledge”. A 2012 U.S. State Department human rights report also pointed to widespread discrimination, police harassment and extortion attempts, citing several instances of violent mob-style assaults being carried out against suspected homosexuals.

Seidu Mohammed made an asylum claim in the United States after arriving in San Diego in 2015. He then spent a year in a detention centre. While in detention, he did not have access to legal counsel. He lacked the freedom to gather materials to support his case. As a Harvard report stated, which I'll speak to later today, this is all too common.

Ultimately, his claim was rejected. He felt that he had no choice: He headed north. He met another man from Ghana in the Minneapolis, Minnesota, area. The men took a bus from there to Grand Forks, North Dakota, and then took a \$400 cab ride to the spot near the border.

The men then embarked on the most dangerous part of their journey. They walked for at least seven hours, at times through waist-deep snow, in -18°C weather, trying to cross into Canada. Of course, they were poorly equipped for the conditions. They tried to hitchhike for hours to see if they could get some assistance. This failed. They were stuck in the snow, you see. It was so cold that their pants were frozen, stuck in the snow. In fact, part of his pants were pulled off. He tried to actually take off his pants to see if he could move forward. He couldn't. He was frozen. He was stuck in the snow. Can you imagine?

He told me that at that point, he thought he was going to die. He thought he was going to die. They tried to get attention from people, but to no avail. Luckily, a truck drove along that way. The driver saw the two men stuck in the snow and stopped. He called 911 and help did come.

Mr. Mohammed did not lose his life that day, but he ended up losing all the digits of both hands. His fingers and his thumb had to be amputated as a result of the extreme frostbite he suffered trying to cross the border. Despite that, he said the journey was worth it.

We should also put this into context. Mr. Mohammed is an athlete. He's a soccer player. We can imagine how important his physicality is for him in terms of that sport.

● (8320)

That said, to save his life, he lost the digits of his fingers on both hands, and he said that the journey was worth it. He also said that he was happy to be here—here meaning Canada—because he knew that to go back to his country, to Ghana, would mean that he would lose his life.

That was one story, but that's not the only story about people fleeing persecution because the United States is not a safe country

for them. I don't know if we can understand that. I have never experienced it myself, to be persecuted in that way. I don't know what it is like to fear for your life, for being who you are, for loving the people you love. To be so desperate as to take on such a dangerous journey, that's the state people were in. That's the state Mr. Mohammed was in.

By the way, Mr. Chair, I invited Mr. Mohammed to this committee when we studied the Safe Third Country Agreement, and he offered his perspective. Afterwards, I was outside, and I recorded his story, if nothing else, just to remind myself how important this work is and what it really means to hear from someone who directly experienced that. Although he gave me permission, I never put that video on the public record.

● (8325)

**Mr. Tom Kmiec:** On a point of order, Chair, I believe the bells are going for votes, and you don't have consent to continue.

**The Chair:** That's what I was trying to figure out.

Is there unanimous consent to carry on?

**Mr. Tom Kmiec:** No.

**The Chair:** There's no unanimous consent.

We'll come back 10 minutes after the vote is done. Thank you.

● (8325)

(Pause)

● (8420)

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

MP Kwan, you have the floor. Please go ahead.

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

Just before the vote, I was talking about the history of what happened in the last administration. It was only one story, that of Mr. Seidu Mohammed. There are other instances that I can talk about and bring to the committee's attention.

At this juncture, though, I'd like to move an amendment to the motion. I will get my staff to send it in both French and English to the clerk for distribution. In the meantime, I'll read it into the record.

The motion reads—

● (8425)

**The Chair:** You mean subamendment, I think. It's a subamendment.

**Ms. Jenny Kwan:** Yes.

I will highlight the parts of the motion where I am amending. The language is as follows:

That, pursuant to Standing Order 108(2), the committee undertake a study on the implications for Canada

I'm adding “and for undocumented people and people with temporary status in the United States”. That's the change.

The original motion goes on to say:

of the measures announced by Donald Trump during the U.S. presidential campaign regarding the deportation of

Here I add in new language, “undocumented”. Then it's back to the original language:

persons

Then I'm adding new language, “and their family members, including children, who are U.S. citizens”. Then it goes on with the original language:

who are in the United States

My amendment would be to strike the word “illegally”. Then I add further new language, “examine the proposal by U.S. president-elect Donald Trump to carry out 'the largest deportation program in American history' of millions of undocumented residents of the U.S., including his stated intentions to declare a national emergency and deploy the U.S. military to carry out mass deportations to determine if the U.S. still qualifies as a safe country for refugees.”

Then, in the next clause, add a new word, “request”. Then it's the original language:

the Canadian federal government

Add new language, “to table their”. Then it's the original language:

plan to ensure border security and compliance with federal immigration statutes and policies;

Add new language “and to examine its implication in compliance with Canada's obligations under the charter and international law, including the 1951 Refugees Convention, to which Canada is a signatory for 55 years, and that the study take into account this committee's report on asylum seekers at Canada's border that recommended the Safe Third Country Agreement exemptions for gender-based claims and claims from moratorium countries in recognition of the risk of harms these claimants face in the U.S. prior to the current deportation issues.”

Those would be my amendments.

**The Chair:** There's a point of order from MP Kmiec.

Please go ahead.

**Mr. Tom Kmiec:** Chair, having heard what the motion is doing and amending, I don't believe that this amendment is in order. It changes the substance of the original motion. It's a subamendment, but it doesn't amend the amendment. It's like an entirely new thing that changes the total substance of it. I don't believe it's in order, and I'd like the chair's ruling on it.

**The Chair:** I'm going to suspend for a couple of minutes.

● (8425) \_\_\_\_\_ (Pause) \_\_\_\_\_

● (8430)

**The Chair:** Thank you, Mr. Kmiec, for raising the point of order.

I'm reading from chapter 12 about subamendments.

Most of what applies to amendments applies equally to subamendments. Each subamendment must be strictly relevant to, and not at variance with the sense of, the corresponding amendment and must seek to modify the amendment and not the original question. A subamendment cannot enlarge upon the amendment, introduce new matters foreign to it or differ in substance from it. A subamendment cannot strike out all of the words in an amendment, thereby nullifying it; the Speaker has ruled that the proper course in such a case would be for the House to defeat the amendment. Debate on a subamendment is restricted to the words

added to or omitted from the original motion by amendment. Since subamendments cannot be further amended, a Member wishing to change one under debate must wait until it is defeated and then propose a new subamendment.

According to this, my interpretation is that this is out of order, and we have to deal with Mr. Chiang's amendment first. Then, if MP Kwan wants to bring it forward, she has the right.

I'll give the floor to MP Kwan.

● (8435)

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

As I understand your ruling, this will not be deemed to be in order as a subamendment. However, when the amendment by Mr. Chiang is dealt with, I will be able to come back and move this as an amendment, separate and apart.

**The Chair:** That's correct.

**Ms. Jenny Kwan:** I'm okay with that.

In that case, I'll take it as giving notice on the amendment that will be brought about at the appropriate time. I think that those elements expand the study and take in crucial information that is important for the committee to evaluate if we're going to undertake such a study.

Mr. Chair, I'm fine with that ruling. I will not challenge your ruling from that perspective.

**The Chair:** Thank you.

**Ms. Jenny Kwan:** Mr. Chair, I'm going to seek your guidance in terms of process with respect to the next steps. I could go on with my deliberation on the matter and could offer my comments. However, I think that you wanted to ask a question of the committee.

I will cede the floor to you, at this point, with respect to that. I have much more to say about this, but perhaps we can come back to it after you have your intervention.

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

Honourable members, my thought process is this. We have postponed the witnesses. Monday, we already have business planned. There is only a handful of meetings left, if we can get this business, the ones that we have on the schedule, out of the way.

If we continue with this debate, I know that MP Kwan has tremendous knowledge and background, and she could keep going on this, so we might be doing this for a few days. My thought process is that we could adjourn this meeting and then go back to our regular business on Monday. That is my suggestion to you. Again, the committee decides its own work process.

Next, I have Mr. Redekopp.

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

I guess to aid in that discussion, could you please tell us what the plan is for next week?

**The Chair:** Certainly.

I would like to inform you that there is an absence of response from both ministers. I have requested that the clerk invite officials to appear on Monday, December 9, regarding the study of the issuance of passports to human smugglers.

CBSA and Public Safety have concluded that their involvement in this matter related to passports and human smuggling is limited. Additionally, the RCMP is unable to provide information at this time due to the ongoing nature of the investigation. As a result, Public Safety, the RCMP and CBSA are declining the invitation. Only people from IRCC and from the passport program can appear, and they will be invited on Monday.

**Ms. Jenny Kwan:** I'm sorry, Mr. Chair. Could you repeat that part? Did you say CBSA declined the invitation? Did I hear that correctly?

**The Chair:** The RCMP and CBSA are declining the invitation, as CBSA and Public Safety have concluded that their involvement in matters related to passports and human smuggling is limited.

**Ms. Jenny Kwan:** Oh, my goodness.

Could you clarify, Mr. Chair, that the minister has also declined?

**The Chair:** That is correct. They did not decline, but they are not available on that day.

**Ms. Jenny Kwan:** Did they say when they might be available? Did we seek that information from them?

**The Chair:** We're still trying. The clerk is still trying to work with them.

**Ms. Jenny Kwan:** I'm sorry, but I was asking those questions for clarification.

I think Mr. Redekopp has the floor, and then I would like to have the floor after.

**The Chair:** Sure.

We have Mr. Redekopp.

• (8440)

**Mr. Brad Redekopp:** With respect to the CBSA, to be clear, it's not that they just can't show up on a particular day; it's that they don't think they need to show up.

**The Chair:** That's what it is.

**Mr. Brad Redekopp:** That makes absolutely no sense, because that's a huge piece of the whole puzzle that we're trying to look at here. I think I need to raise the fact that that's not—

**The Chair:** We can always subpoena them if they say no.

**Mr. Brad Redekopp:** We might want to consider that, yes.

**The Chair:** We always have protocols in place that we can use as a committee.

Do you see what I mean? This is what they are saying; we are not accepting that.

**Mr. Brad Redekopp:** I guess that would be—

**The Chair:** Acceptance is one thing, declining is one thing; we as a committee accepting that is the other. A committee has its own destiny, so if committee members want to subpoena them—they

think that they must be here—we can always bring them here through that process.

**Mr. Brad Redekopp:** Okay, so—

**The Chair:** Are you okay with that? Can I go to Mr. Brunelle-Duceppe after you?

**Mr. Brad Redekopp:** If that's the case, I don't think I've ever been involved in subpoenaing somebody before. Is that a motion we have to make? How does that work?

If it is, I would like to move a motion that we subpoena the CBSA to come to this committee.

**The Chair:** I'll come back to you, Brad, and I will give you the floor, but perhaps we can listen for one second to Mr. Brunelle-Duceppe.

[*Translation*]

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

First of all, this is new to all of us. I think it comes as a bit of a surprise to everyone. Even though we're all surprised, I'm not sure we need to go as far as subpoenaing witnesses. However, I think those people need to understand that we can do so if we want to.

The clerk can contact them again to tell them that we really want them to be here and that, if they categorically refuse, we can subpoena them.

That's how I would handle it. Before we get to the subpoenas, I would let them know we can do that and it's better for them to come and testify and not get a subpoena that might get them into kind of a crazy situation. I think some journalists would be interested to know that people have been subpoenaed to testify before a committee.

If I were one of those people, I would understand the seriousness of my refusal to appear before the committee. We can play nice with them and make them understand that it's really not a good idea. I would leave that in the hands of the clerk.

That's what I suggest. Committee members may agree with me, or maybe they would prefer to issue a subpoena right away.

[*English*]

**The Chair:** That's an excellent idea. We will do that.

I have a couple of speakers. I have MP Zahid. Mr. Redekopp still has the floor. If he wants, I can go quickly to MP Kwan, and then come back to him.

Okay.

I have MP Zahid, and then we'll go to MP Kwan.

**Mrs. Salma Zahid:** I just wanted to check if the officials from IRCC are already scheduled for Monday. Will we have two hours with them, or will we have other witnesses also?

**The Chair:** No, we have one hour with them.

**Mrs. Salma Zahid:** In the second hour, who's coming?

**The Chair:** We haven't planned that yet. We can figure that out.

MP Kwan, go ahead.

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

It would seem to me that we're not ready to go on Monday. I don't think it's good enough to just have IRCC officials before us. I think we should go back to request the RCMP and CBSA to appear before the committee.

I don't know if subpoenaing them is the right approach or the next step. My understanding is that the committee could move a motion to compel them to come before we subpoena them to come. Maybe there are some intermediate steps to get there.

The other thing that I think is absolutely critical—

**The Chair:** [*Technical difficulty—Editor*] see the consensus, so I'll go back to MP Kwan.

Go to your original motion, then, because—

**Ms. Jenny Kwan:** I'm sorry. I'm not done yet with my comments related to this matter.

● (8445)

**The Chair:** Okay.

**Ms. Jenny Kwan:** Related to it as well is that I don't think it's good enough for the ministers to say that they're not available. I would like to ensure that the clerk continues to pursue the availability of the ministers so that they can come to the committee. I think they need to come and answer these questions. We can't just say, "Oh, shoot, they can't come", and then move on. There has to be really good justification for why they can't come.

I think this is an important matter. We need the ministers here.

**The Chair:** I'm going to close this, MP Chiang, because I have to go on. The thing is that this was not part of the business. I have heard enough from fellows. I think we might be able to continue with the debate, the way it's going on right now, unless you have a very compelling point.

**Mr. Paul Chiang:** Mr. Chair, I just wanted to remind the committee that we are still dealing with my amendment and Mr. Brunelle-Duceppe's motion. We need to vote on that before we carry on.

Thank you.

**The Chair:** Okay.

If that's the case, you have the floor, MP Kwan. Please continue.

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

I know that you were just trying to facilitate a process, and I understood that the process for Monday was that we would get all these officials here, but then, upon your clarification, that clearly is not the case. I think there's more work that needs to be done to bring them here.

Back to the amendment and the motion around the U.S. border, before all this happened and before the vote, I was talking about what had happened in the previous administration. I highlighted the example of Mr. Seidu Mohammed and his situation. I noted that I have had private conversations on many occasions now with Mr. Seidu Mohammed, by the way, about his experiences and what they meant for him.

I'm happy to report to the committee that, in my most recent meeting with him, I learned that he's now not only working, but he's also volunteering, coaching young people in soccer. That's his profession. He was a professional soccer player before he came to Canada. Not only is he working, he's also volunteering in support of the community coaching young people soccer. Then, of course, he's trying to reach out to those who are also refugees to make sure that their engagement in the community is supported.

I just think this is really important to note. Right now we're in an environment where people talk about immigrants, migrants and refugees as though they're just a drain on our society, that they're not good and we have to close the borders to them. People say that we need to kick them out, that we need to deport them, that we need to blame them for all the problems that the government has created such as the housing crisis and so on. When people come to Canada, not only do they contribute to Canada, they contribute to their community both economically and socially, and they volunteer.

On other stories of people experiencing persecution and the desperation that they're faced with, what do they do? There was another heart-wrenching situation. On February 8, 2017, we heard the heartbreaking story of the two-year-old making the trip from Minnesota into Manitoba as part of a group of over 20 individuals. It was reported in the media that, at that time, the temperature was -20°C. You can imagine how cold and frigid that weather is.

The family, the people who were trying to get to safety, were tired making this long trek, and they were ill-equipped. The child particularly was finding the entire journey unbearable. It was reported that the child said to the mother, "Mom, I want to die, you can go in the Canada. I want to die in the snow, you can go, mom, in the Canada." That's from the mouth of a child who was on a trek to make it to safety.

I need committee members to take that in for a minute and to understand what that means. When we talk about border security, when we talk about heightening all of this, what does it mean for the people who are faced with persecution. What are the implications for them? What do they have to go through to try to get to safety? If you were the mother of a child who you know is being persecuted in a country where you're not welcome and that you may well be deported back to where you had escaped the violence, would you not do everything you could to protect your child and get your child to safety? I would in a heartbeat. I know I would. I would walk through hot coals to try to bring my family to safety.

That's what these individuals are doing. In their instance, they walked through the snow in -20°C weather. I'm not a good person in cold weather. If it's 0°, I think I'm going to die, and I'm wearing a giant parka with snow boots and everything.

● (8450)

You can imagine being out in the extreme cold for an extended period of time if you're ill-equipped. Even if you have snow boots, if you're trekking through the snow, it will get wet, and your feet will get cold. If you're small, if you're a child, your ability to retain heat is further minimized. That is the reality people are faced with.

I really hope that we don't become a country that forces people into such desperation, but that's what we're doing. That's what's happening with the Safe Third Country Agreement. That's what happened in the first round with the Trump administration. You can imagine how that will escalate in this second round.

On February 22, 2017, there was another story. It was the story of Naimo Ahmed, which was reported by the CBC.

Ahmed, at the time, was 23 and is part of a minority group originally from southern Somalia. She was set to be married in July at that time, but members of her community were against the union because her would-be husband was not a member of her group. On the day of her wedding, a group of armed individuals came to her mother's house and murdered her mother, her husband and other members of her family. Ahmed spent her wedding day and many following fleeing and hoping to rebuild her life in safety.

After travelling from Somalia through Ecuador and Colombia to Costa Rica, she eventually made her way to Texas, where she was detained and then deported to Minneapolis to await her asylum hearing. Due to the fear of the Trump administration's discriminatory policies toward people like her from Somalia, Ahmed believed she had no choice but to make the trip to Canada instead.

She stated, "I am Black; I am Somali; I am a Muslim—the three things the president doesn't like. To him, I am a terrorist. But I am not. I don't want to harm anyone; that's the last thing I want to do. All I am looking for is protection." Those were the circumstances she found herself in and the reason she needed to get to a safe country. It's why the United States, for her, is not a safe country.

These are just some of the people who feel they had no choice. These are just some examples—not all of them—where they felt they had to make that journey, a dangerous journey. It's not like it's a walk in the park. It's not like a casual evening stroll or anything like that.

They have to make this dangerous journey from the United States to Canada because they don't feel that they can be safe in the United States. They don't feel that they can have a fair chance at a hearing to obtain asylum and safety because they don't feel that they belong. They don't feel that they're welcome. They fear that in that process they would be deported back to their country of origin.

Can you imagine if this woman who, on her wedding day, saw people come to her home and murder her family and newly wedded husband before her eyes, then had to entertain the prospect that she might be sent back to that country? Can you imagine what would happen to her, what that would be like, Mr. Chair?

I can't imagine it. The fear in her heart, the anxiety that she feels, the desperation. Honestly, it's desperation. Either you get sent back and get killed in a violent way, or you make a dangerous journey for the chance that you might have a shot to live in safety and have protection.

That's all that she was seeking. She's not a terrorist. She's not trying to kill anyone.

• (8455)

Isn't that what humanity is about when we see something like that? Isn't that what we should be trying to do to be supportive of each other?

During that period, in addition to the political and social upheaval that continues in Somalia, which had caused countless Somalis to flee, Somalia was facing a severe drought. In addition to the potential violence, there was another challenge that not just she but all Somalis would be faced with, which was the severe drought.

The UN estimated that 363,000 children were acutely malnourished at that time, with 270,000 more at risk. That was in 2017. They further stated that there was only a two-month window to avert a drought catastrophe. That was the reality.

We need to be very clear when we're talking about the individuals abandoning their claims in the United States to come to Canada. They have already fled serious and, in many cases, life-threatening situations in the hope that they could find safety. Under those circumstances, their fears that they would not have access to fair and just hearings or procedures are not unfounded in the face of what you saw in the United States with the Trump administration, with his travel ban and with his spread of hatred towards those folks.

On January 30, 2017, Amnesty International wrote an open letter to the then minister of immigration, Minister Hussen, as well as to the Prime Minister and to Minister Freeland. They urged the Canadian government to "immediately rescind the designation of the United States" as a safe third country.

In that letter, Amnesty International quite clearly states:

What has become clear is that all of the developments involve dramatic measures that blatantly violate numerous international refugee and human rights legal obligations, including under the 1951 Refugee Convention and its 1967 Protocol, the International Covenant on Civil and Political Rights and the Convention against Torture.

**Mr. Tom Kmiec:** Chair, I have a point of order.

Since we're approaching one hour on the clock, I just want to make sure I put on the record that you do not have consent to adjourn the meeting.

**The Chair:** Okay.

Continue please, Ms. Kwan.

**Ms. Jenny Kwan:** As I was saying, Amnesty International stated this clearly in their letter, which continues:

Most directly, crucial principles with respect to non-discrimination, non-refoulement, arbitrary arrest and imprisonment, fair trials and the rights of children have already been infringed.

We are strongly of the view that in this context Canada cannot wait to see how things continue to develop in the days and weeks to come.

While the original discriminatory executive orders that the letter responded to were struck down by the courts, Amnesty had the foresight to know it was unlikely that those would be the only attempts the Trump administration would pursue. At the time, they stated, "There is every reason to believe that there may be further changes, including through additional Executive Orders."

We know that some of the original discriminatory executive orders have remained in force. We know that additional anti-immigrant executive orders have been signed, and we know that an additional travel ban had been attempted. Over that period, we also know that irregular border crossings from the United States into Canada have sharply increased. Amnesty International took an observational fact-finding mission at the Canada-U.S. border in Manitoba.

• (8500)

**The Chair:** Ms. Kwan, I know you have lots to say, but it's past one o'clock. I have no choice but to suspend the meeting until Monday.

[*The meeting was suspended at 1:01 p.m., Thursday, December 5*]

[*The meeting resumed at 4:01 p.m., Monday, December 9*]

**The Chair:** I call the meeting to order. We are meeting in public. Welcome to the continuation of meeting number 119 of the House of Commons Standing Committee on Citizenship and Immigration.

Today's meeting is taking place in a hybrid format. I would like to remind all participants of the following points. Please wait until I recognize you by name before speaking. All comments should be addressed through the chair. Whether participating in person or by Zoom, please raise your hand if you wish to speak. The clerk and I will manage the speaking order as best as we can.

We are discussing the amendment by Mr. Chiang to the motion by Mr. Brunelle-Duceppe. At the time of the suspension on Monday, December 2 and on Thursday, December 5, MP Kwan had the floor. The following were on the list to debate the amendments: after MP Kwan, it's MP Dzerowicz, for whom Ms. Kayabaga will take over, and MP Kmiec.

With that, MP Kwan, you have the floor.

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

Before I go into comments, I'm wondering whether or not the committee could get a quick update with respect to the request for the RCMP and CBSA to appear before the committee. You had informed us, Mr. Chair, that they had declined the invitation, and that our committee's wish was to go back to indicate that we would like to extend the invitation again, and that, if they were to decline it, we would then take further action either to compel them to come to committee or to subpoena them.

In addition, I'm wondering if you have any updates for us with respect to the ministers who declined to come to the committee on this very important question.

Could we get a quick update before I get into it?

**The Chair:** Thank you, MP Kwan. That's an excellent question. Because you had the floor, I wanted to tell the honourable members that RCMP, CBSA, Public Safety, the passport program and IRCC have all agreed to come to the committee.

As for the ministers, they will not be able to appear in December. Basically, they will not be able to come before the adjournment of Parliament. It will be afterwards.

That answers MP Kwan's question.

MP Kwan, the floor is yours.

**Ms. Jenny Kwan:** I'm sorry. Perhaps I could just further ask a follow-up question on that. Did CBSA and RCMP indicate what date they would be available?

**The Chair:** That is not the question. They have said that they are willing to come forward, so I'm sure once we are done with the committee business and are in a position to bring them in, they will be able to come.

Mr. Clerk, do you have anything else to add?

**The Clerk of the Committee (Mr. Rémi Bourgault):** No.

**The Chair:** That's good. Thank you.

**Ms. Jenny Kwan:** For the ministers, you indicated that they would not be able to attend before the end of December. Was there any indication that they would be available in the new year? Did they give you any dates?

**The Chair:** All we heard is that they would not be able to come to the meeting until after the adjournment in December, so I'm not sure. I'm sure when we come back at the end of January, we'll send an invitation again and see what their response is. I or the clerk will be able to get back to honourable members.

**Ms. Jenny Kwan:** I see. Well, thank you very much, Mr. Chair. I guess we'll wait to see about the ministers' availability in the new year. I'm glad to hear that a further invitation will be extended to them. Maybe there's some ability to coordinate this effort with CBSA, IRCC and the RCMP. I think they all need to be here as the matter is important, and there are lots of questions from committee members.

On that note—

**The Chair:** They already said they will come, MP Kwan.

So that it's clear to every member, I can say it one more time. All of these officials I mentioned—the RCMP, CBSA, Public Safety, the passport program and IRCC—are willing to come, and they will come.

Thank you.

**Ms. Jenny Kwan:** That's good to know. Thank you very much, Mr. Chair.

I'll resume from where I left off last time at the committee. I was just about to go into the work of Amnesty International. They undertook an observational fact-finding mission at the Canada-U.S. border in Manitoba.

At that time, with the first Trump administration, which brought in the travel ban and all of their anti-immigration, anti-Muslim and anti-migrant worker policies, two researchers were sent to the border crossing to interview refugee claimants who had recently made the dangerous journey in frigid temperatures in order to bypass the Safe Third Country Agreement and be eligible to make an asylum claim in Canada.

The reason people had to do that was they were being forced to cross at irregular crossings. On crossing at irregular crossings, I know that some people, including the Prime Minister at one point, called it illegal, when in fact it isn't. I just want to make that clear as well, Mr. Chair.

People were trying to seek safety and, as a result of the Safe Third Country Agreement, they were—

**Mr. Greg McLean (Calgary Centre, CPC):** I'm sorry. I have a point of order, Mr. Chair.

**The Chair:** We have a point of order.

**Mr. Greg McLean:** Correct me if I'm wrong, but with the Safe Third Country Agreement back in place, is crossing at non-controlled borders now considered legal?

**The Chair:** That's a debate, Mr. McLean.

MP Kwan, the floor is yours.

**Ms. Jenny Kwan:** No, actually, it's a common mistake that people make. People sometimes purposely make those errors so as to gaslight asylum seekers who are needing to get to safety. When people cross at irregular border crossings—

**Mr. Greg McLean:** On a point of order, Mr. Chair, there's no gaslighting going on here. This is a routine question.

Thank you very much.

**The Chair:** Thank you, MP McLean.

**Ms. Jenny Kwan:** As I was saying, there are people who routinely call it illegal when, in fact, it isn't. When they do that on purpose and deliberately, that would be, in my books, gaslighting asylum seekers who are trying to get to safety. It's very clear in our regulations, in our laws and in our act that, when people cross irregularly into Canada, it is not an illegal act.

I was mentioning about Amnesty International and their fact-finding mission. They held interviews with asylum seekers. During these interviews, they observed the following. One was the notion of abandoned dreams of freedom in the United States. When asylum seekers arrived in the U.S., individuals interviewed said that their original feelings of optimism about finding freedom and safety there were replaced with feelings of vulnerability and a lack of protection.

This was not just through the direct policy actions undertaken by the first Trump administration, but by the change in public atmosphere ushered in by the rhetoric and climate that the Trump administration had created. We're seeing it now, too. The anti-migrant, anti-asylum-seeker, anti-immigrant viewpoint is becoming more and more extreme to the point where people feel very emboldened by their discriminatory and racist views and don't even try to hide it anymore. This is, in essence, what people were talking about.

When you have the first Trump administration creating that atmosphere, going about its racist way, targeting migrants, immigrants, asylum seekers and refugees, you can imagine what the public is picking up on. They think if the president can do that and if the president can say that, then there's nothing wrong with them carrying on with their racist views publicly and openly.

This is what people had to endure. I'm sad to say—and I fear this—that this is going to be even further escalated in this second Trump administration. I'm sad, too, from this point of view, that the Canadian government actually played into all of that in the approach the Minister of Immigration has taken in changing the levels plan and in blaming migrants and international students for the housing crisis. We're playing into that kind of narrative, that kind of approach and that kind of racist attitude toward migrants, international students, immigrants, refugees and others.

To me, it's wrong. We're just simply then.... It's the government, so I shouldn't say "we", because I'm definitely not in that space, but the Prime Minister, the minister and the Liberals are playing into exactly that kind of rhetoric. I don't even know if they know how dangerous it would be. It's politically convenient for them to blame migrants and international students for the housing crisis, but there's a price to pay, I think. There's a price to pay for the community and for people who look like me. That's what it will mean for them, ultimately, with the racism, the discrimination and the hate that is going to be hurled towards us.

Amnesty International also found in their fact-finding mission concerns about arbitrary immigration actions. Individuals from Somalia explained that, while they had made their asylum claims prior to the Trump administration at that time, their hearings had been cancelled without explanation and in some cases not rescheduled. That's what people were faced with during that time in the first administration. They weren't able to get any reassurances, including from their legal counsel. They didn't know if their claims would even be heard. They were just arbitrarily cancelled without any information about the status of their application.

You can imagine what that means for people. Many had feelings of fear. I guess that's one way to describe it and maybe the most appropriate way to describe that uncertainty, not knowing what your future is. What does it even mean that your asylum claim has been cancelled and that you don't have a date on when it would be heard? They don't know what further action might be taken. They don't know what their life is going to be like at that moment. This creates enormous stress, anxiety and fear in the hearts and minds of those who are waiting for their claim to be heard, for their status to be determined and for that fair procedural process to take its course.

The U.S. wanted to claim that they are a safer country. Can you imagine an asylum seeker whose application was arbitrarily cancelled and they have no idea when and if their claim will be heard and what it means for them in the meantime?

Another thing that Amnesty International found in their observations with their mission was around immigration detentions. Immigration detention had been well documented in the United States for decades, and the Trump administration expanded it with his hateful, discriminatory targeting of migrants with the travel ban and racist immigration policies. Several of the individuals interviewed explained that they were detained upon arrival and throughout the duration of their asylum claim process. That means they were never able to go out in the community. They were in detention the entire time.



As explained by the Harvard report, individuals under this detention are far less likely to have access to legal counsel or consultation and are also far less likely to be able to make a successful asylum claim as a result.

It was clear from the Amnesty researchers that individuals, including children, who were detained in the United States simply would not have been detained in Canada. This detention of individuals was in clear violation of the international legal standards and obligations governing the detention of refugees and migrants.

That's what happened to people in that first administration. We saw a lot of news coverage on this matter. As I indicated, I called for an emergency debate in the House, which was granted by the Speaker, to raise the alarming situation that was happening south of the border when the Trump administration came to office.

I remember this like it was yesterday. It kind of reminds me of what's going on today. It was cold. It was winter here in Canada. I remember people were lined up around the block outside to try to get into the gallery so that they could watch that debate. I had the opportunity to talk to some of the people there and ask why they were there. They all expressed their deep concerns for what was going on in the United States. Some of them raised the experiences of racism and discrimination that they had experienced themselves. Many of them raised the issue of how they wished for Canada to stand up, to be strong and to be on the right side of history. I talked to many of them. People braved the cold in order to try to get into the gallery to watch the debate in the chamber.

Now, of course, this was what was going on, so people did not get legal counsel. People were arbitrarily detained. People's application hearings were cancelled without knowing what their future held or when their hearing would even be heard.

Amnesty International also observed that claims were being rejected.

The Harvard report explained at length about how well-founded asylum claims were often summarily rejected in the United States. This was, in large part, due to the obstacles faced by the claimants, who were held in detention, in preparing their cases.

In a troubling example of this, an individual interviewed by Amnesty made an asylum claim in the United States based on his sexual orientation. He was held in detention and his claim was rejected. Luckily, he was able to raise funds to obtain a bond to be released from detention. Then he made the dangerous trip, crossing irregularly into Canada. That individual's claim was heard by the Immigration and Refugee Board, the IRB. It was so clear to them that he immediately received a positive decision on his claim at the completion of the hearing.

That's a stark difference, isn't it? The United States rejected the claim. Canada, on the other hand, accepted the claim immediately. Normally, through an IRB process, the decision could take some time, but for this particular situation, the decision was rendered immediately because the person was found to be at risk if they were to return to their country. The persecution that they were experiencing was real.

The IRB, by the way, is an independent board that undertakes this work. It is not subject to political interference. These are individuals who are doing this work and making that assessment entirely on their own with full independence. In many ways, I suppose it is a quasi-judicial kind of process that people undergo.

With respect to that individual, the fact is that had that individual not made the dangerous trip to Canada, he would have been deported and his life would have been put in real danger. With the Safe Third Country Agreement in effect, Canada would have been complicit in that man's demise. That's a factual case that Amnesty had reported.

During that time, Amnesty also witnessed, in a fact-finding mission, increased immigration raids. Many of the individuals who were interviewed spoke recently of experiencing a significant increase in immigration raids. This was most frequently experienced by Somalian asylum seekers. That's what Amnesty International found. They spoke of friends and neighbours being suddenly arrested and detained when reporting for regular immigration appointments, as well as raids occurring at workplaces, apartment complexes and so on. This was considered a key factor for individuals to make the decision to undertake the dangerous trip to Canada.

I should pause here to say that I know that some people think that people make these trips because they want to queue-jump and take advantage of Canada's system. Let us be clear. People don't embark on a dangerous journey in the dead of winter, trekking through snow just for fun. People don't do that for fun. This is not like a tobogganing trip with family and friends. This is not like a cross-country ski holiday. People were doing it because their lives were in danger. They felt that they had no other choice. They felt that if they were returned to their country of origin, they could lose their life. It is not a walk in the park by any means. It is not a fun thing for people to embark on.

Many media reports pointed out the significant raids taking place and what appeared to be a shift from targeting only those with criminal records to targeting anyone. We're now actually seeing, very potentially, the repeat of this history with a second Trump administration, perhaps even more aggressively so.

I will put on the record a little later some of the reporting on what's going on now, and what we might anticipate with the second Trump administration.

During that time, Amnesty indicated that many of the reports spoke to the fear, which is now gripping immigrant communities, that perhaps the first Trump administration would move forward with its promised forced deportation. That's the reality people were faced with. It was very real for people.

For us who are sitting here in safety in Canada, we may not know any of that. We may not have any of those fears in our hearts and minds. Unless you're a person who's been persecuted, unless you've been put in that position, you may never understand it.

One thing is for sure, though. I can hear them. I can hear their cries. I see their cries, and I think that, as Canadians, as a country that stands for fairness, that stands for justice, we need to ensure that we do our part.

I have more to say with respect to that, especially now in the face of this second Trump administration.

Amnesty International also found that there was exploitation and danger at the border. Due to the nature of the asylum claimants' journey and in order for them to be able to make a claim in Canada because of the Safe Third Country Agreement, asylum claimants are not only vulnerable to the harsh weather conditions; they're also vulnerable to exploitation by the so-called consultants and agents who charge significant sums of money to get them near the border.

There were situations where people were faced with such dire situations that they were taken advantage of. In those situations, people would literally—I guess, in their desperation—spend that money in the belief that those who are there, whose goal is really just to make some quick cash and exploit the situation and who don't really care about the safety of these individuals, would undertake that kind of activity.

There are concerns being brought up as well around trafficking of people who are in these desperate situations.

Amnesty International concluded this fact-finding mission by once again advocating that Canada suspend the Safe Third Country Agreement. That was the end of the fact-finding mission, and that's what they were calling for.

Unfortunately, as we now know, not only did the government not undertake that measure, but in fact, they went further to create further barriers and blockades for people to get to safety. Then we saw a number of those measures put in place as well after this. Amnesty called for the Canadian government to suspend the Safe Third Country Agreement. They also suggested that, at minimum, the government invoke article 10 of the agreement, which allows for the agreement to be suspended for three months.

That would have given us some time to talk with the Canadian counterpart about the situation, to see how we can go about addressing this issue in a thoughtful way. Unfortunately, the Canadian government did not take that advice, did not suspend the agreement, and we had every authority to do so. Canada could have done so itself under that article in the Safe Third Country Agreement. We didn't need agreement from the United States. We could have done that work unilaterally.

Amnesty International was concerned enough with the state of asylum crossings that they felt obligated to get people on the ground to try to better understand what was happening on the ground. That was the incredible work that they did.

Despite what the then minister of immigration seems to try and claim, that nothing has changed, it is important to note that many people, including experts, disagree with that sentiment.

As the immigration critic at the time, I can tell you about the volume of correspondence that I got from people in all walks of life, from all across the country and, in fact, from outside of the country as well. There are people who are real experts on this issue, who

will know about the Safe Third Country Agreement and its implications, its legality, far more than I would. They are the real experts, and they all expressed the same sentiments to me.

They all indicated how they believe the Safe Third Country Agreement puts people in danger and that, in fact, it is a violation of migrant rights and asylum seeker rights.

What's more, it was becoming evident that people in the asylum system knew what it felt like on the ground. To them, it was clear as day that the climate had changed drastically in the United States. That was a big part of the motivation for them to take their lives into their own hands to embark on those dangerous journeys.

Many of the media reports, such as the ones that I previously cited, detail both the number of hours that asylum seekers had to trek through the snow and the frigid temperatures. Often it was around  $-20^{\circ}\text{C}$ . I think that in Ottawa today it's actually about  $-5^{\circ}\text{C}$  or something like that. I am wearing snow boots and a big parka and I've been cold all day. I've been drinking hot water all day. For me it was only about a 15-minute walk from my apartment to the House of Commons. I can't imagine being in  $-20$  temperatures for hours on end, being stuck in snow that's waist deep and just trying to labour through the field in those kinds of conditions. I can't imagine. I'm pretty sure that if I were put in that kind of environment, I wouldn't survive it.

Despite these conditions and despite many of these people not being well prepared and not having the right coats, boots and so on to deal with the conditions, they undertook those journeys. For all those who think that people do this just for fun, there is nothing fun about that. People do this with great risks. It means that the situation for these asylum seekers has reached that height of desperation. I can't imagine why else people would undertake such a journey.

With the current situation, I don't know what's going to happen for the people who are going to be there. We're hearing in the news that the Trump administration is working on putting together a massive deportation plan. What will happen to those people this time around? That is the big question. This is about people's lives, at the end of the day. That is what we're talking about.

During the time of the first Trump administration, many individuals and organizations voiced their concerns. It wasn't just over the winter period that they were concerned about this. Many were concerned about when the weather would get warmer. In the warm weather, as the snow melts, people were worried about potential flooding and how dangerous those fields would be. It would be very wet. It's quite possible that the flooding season could also create a dangerous environment for people.

I suspect that many of the asylum seekers will not be familiar with the weather conditions and what it means when the weather turns like that. Those are the kinds of things asylum seekers are faced with. They are in such a desperate environment that they would often embark on these journeys hoping there would be light at the end of the tunnel and that they somehow would be able to get to safety.

At the time, we talked about getting ready for the Trump administration, with the impact of the first Trump administration's discriminatory immigration policy. I truly believe that at that time, everybody wanted the situation to be handled properly.

I should note that in Quebec, many of the residents opened their hearts and minds, and some of them even opened their doors, by the way, for the asylum seekers who were trekking through.

I know that the CBSA and RCMP officials were tremendous in treating these asylum seekers in their desperate situation at the time. There are many stories about how people were treated with some level of dignity when they managed to make the trip and were in Canada. Later on, they were able to make their asylum claim and go through the process.

I think it is the case that nobody wanted the situation to go from bad to worse. I truly believed at the time that it included everybody at committee from all sides and political parties. People did not want this situation to get worse.

Resettlement organizations servicing the communities were also stretched thin, by the way, by the big promise of the government around increased refugee targets and the inadequate funding of the services.

Mr. Chair, I'll share this story with you.

During that first administration, many people used Roxham Road to get to safety. First it was Manitoba, and then later on it was Roxham Road. British Columbia, at that time, was the second province to have the largest number of asylum seekers crossing the border. There were some asylum seekers who made it to Canada.

This is just about how beautiful people are. There is a small organization in my riding. I won't name them. They weren't hugely funded by the government by any stretch of the imagination. At that time, there were asylum seekers who came in. Many of these asylum seekers, when they came in, weren't getting any resources or support from the government in any way, shape or form. They were unhoused. They didn't have any ability to survive. Do you know what happened? On their own, the people working in that organization invited these people into their homes to stay, albeit temporarily, to get out of the frigid cold and environment where they had zero recourse or ability to survive.

They weren't funded by government. They just did it out of the goodness of their hearts because of their compassion. They saw humanity. They acted. That's what that organization did. Some of their staff ended up having asylum seekers in their own homes. There was no support for them anywhere else. They couldn't see how they could just be displaced, further displaced, by the way, because these asylum seekers were displaced from their country of origin. They fled to the United States for safety and then were forced again to flee. They were people who were fleeing over and over again and who were displaced over and over again.

This group has a very special place in my heart. I saw how beautiful they were in their compassion, kindness and humanity in the treatment of a fellow human being in distress.

During this period, my office spoke with Greg Janzen, the reeve of Emerson, Manitoba. He told us that crossings were no longer

just on some nights. As things escalated, they started to occur on a nightly basis. Temporary shelters for individuals were becoming a problem. As we now know, it's been an ongoing problem.

It does bring to mind the folks in Emerson, which is just a little town of about 600 people. He noted that about 300 people at that time had crossed into the town since February 3. The CBSA centre was full, and the local Salvation Army was also full. He was concerned that if these trends continued or increased, they would need to set up something, like a tent city, to house people.

As the people continued to get desperate, and as the crossings continued, asylum seekers and NGOs on the ground were doing the best they could. Some NGOs, by the way, without government funding, opened their doors and shelters to house some of these asylum seekers. The government had said they would retroactively fund these organizations in Manitoba. I don't believe they actually got the money, even though the government had said they would reimburse them for the services they had provided to the asylum seekers. I don't believe that actually happened.

The reality of this situation may well repeat itself in this second Trump administration. The question then is this: What have we learned from the first round, and what did the government do in preparing itself for this situation? Instead of taking a humanitarian approach, what I saw, of course, is that the government secretly negotiated an agreement, the Safe Third Country Agreement, with the Biden administration.

There were many occasions when questions were asked at this committee, when the minister showed up and committee members asked the then minister what was happening and what plans they had in place. They kept saying that there was nothing happening, that there were no negotiations and so on and so forth. Behind the scenes, of course, they were doing intense negotiations. We saw that when Biden came to Canada. Then, on that day, out of the blue, the government announced what they had secretly negotiated.

Canadians were kept in the dark the entire time. Members of Parliament were kept in the dark the entire time. There was zero inkling as to what the government was planning on doing. What we now know, of course, is that the government, in many ways I would say, built an invisible wall. It was not the wall that Trump talked about in terms of bricks and mortar, but rather an invisible wall by extending the Safe Third Country Agreement to the entire border, and then some. That's what we ended up seeing. They put in provisions that made it even harder for people to get to safety. It pushed them further underground, I think.

Mr. Chair, I know that committee members are asking why I am going on about this. I say all of this because I have to remind committee members that these are real people and real lives. We all have hopes and dreams when we come to Canada. I'm an immigrant. My parents had hopes and dreams for me and my siblings, for sure. We're all human beings. I learned this from the indigenous elders who taught me that we are all connected as one. I'm so grateful for their teachings. They have a phrase for it in their indigenous language, depending on which language they speak. They told me it's *nəççmat tē βxΣqΣelçwēn ct*—we're all united as one. I hope I pronounced that correctly, but it was to my best ability.

That is the essence of it. That's why I'm going on about it, because it isn't just out of sight, out of mind. As well, we should not just look inwardly, just for ourselves. We have to look outwardly too and know that we're all part of the human race.

I often try to understand the situation, and in that process ask myself what I would do. I try to put myself in their situation and try to imagine what it would be like and what they would hope for, as a means to better understand this and to motivate myself to do the right thing, as a policy-maker, a legislator, a parliamentarian. I've had the privilege of doing this for over 30 years now in different capacities, at different levels of government.

As part of that process, I try to picture myself in someone else's shoes—not that I could ever fully understand it, as I'm not there to fully experience it. I do my best to try to understand it. I talk with them, so that I can hear their stories and they can share in their own words their experiences and thoughts with me. It's so that I can better articulate that and use this platform to emphasize and elevate their voices.

That's really what I think my job is, in many instances. It's to elevate their voices. It's to use this platform to give voice to them, so that they could be heard. It's with the hope that they could be heard. It's with the hope that we can work across parties collaboratively to find a path forward in the interest of humanity.

That's what I keep coming back to. There really isn't much about life in general really, with the exception of our own humanity and how we receive, respect and honour it.

I use that as a guide for me to do my work, especially in this portfolio, because that's what we're talking about. It's about people who don't enjoy the freedoms that I enjoy and who don't enjoy the privileges that I enjoy. It's those who don't enjoy safety. A very basic thing for us is to feel secure and whole and to have that safety and protection in place.

That's what I try to do. That's what I hope we could do. I keep hoping for that, although there are many signs that show me otherwise. Maybe some people don't care anymore.

Maybe that's why people ask, "Why is she going on about this?" I actually do think that at this juncture, we need to be reminded of it. I need to be reminded of it. I try to remind myself of it every day. I think that we need to collectively remind each other of it.

I don't think people want to do this with ill intent. I hope that is not the case, but sometimes I feel sad about approaches that we take because I think that we've lost sight of why we're here and the

purpose of it. I think we've lost sight of humanity, Mr. Chair. It makes me sad when I think about that.

On that note, Mr. Chair, I'm going to cede the floor. I have much more to say. I'm interested in voting on the subamendment and seeing where we go with it. I know that there are other members who wish to speak. After that, I would like to get back on the speakers list after the vote on the subamendment, Mr. Chair.

**The Chair:** We are working on the amendment brought forward by Mr. Chiang.

MP Kwan has finished. We will go to MP Kayabaga and then to Mr. Kmiec.

MP Kayabaga, the floor is yours.

**Ms. Arielle Kayabaga (London West, Lib.):** I will pass the floor to my colleague, MP Chiang.

**The Chair:** No, you can't do that.

We will go to Mr. Kmiec.

I'm sorry. Before I go to you....

MP Kayabaga, if you want to speak, you are welcome to. You cannot give the floor to Mr. Chiang. He can put himself on the list.

**Ms. Arielle Kayabaga:** I was not here, Chair, to continue the conversation.

**The Chair:** Thank you.

Mr. Kmiec, please go ahead.

**Mr. Tom Kmiec:** Chair, I think we're on our third meeting now.

Briefly, I want to make sure I put this on the record.

The next time we have either Minister Miller or Minister LeBlanc before the committee, or someone from the RCMP, Public Safety Canada or immigration officials, I will be raising the question of the matter of...

It's relevant to this specifically because it's been in the news, the way Ms. Kwan has talked about it. The Globe and Mail reported last week that a Jordanian national who illegally crossed into Canada in 2017, stayed here, applied for refugee status, was rejected by the Immigration and Refugee Board, and overstayed for several years. He then crossed illegally into the United States, was apprehended by border patrol and then was deported back to Jordan. He had turned out to be a known terrorist and was on a terrorist watch list. This was reported last week.

I want to make sure that all the agencies know—because I know they'll be paying attention—that I will be asking questions about it when they appear before the committee on this motion or any other motion. I will ask them how it can be that someone who's on a terrorist watch list in the United States, and presumably on our watch lists.... This is a security issue. It's about our immigration system. It's about the security of our system. How can it be that someone who is also rejected by the Immigration and Refugee Board would then be allowed to stay for so many years, only to be apprehended in the United States and then deported to their country of origin?

To me, that's a big failure of our security system. It adds to the concerns that American officials will have that we don't seem to be able to control our border. Furthermore, this person had crossed illegally into Canada in 2017 and then crossed the entire country, presumably. From what I've been told, he crossed illegally into Canada across one of the states into the province of Quebec, then found himself all the way in British Columbia and then crossed back. I want to make sure the officials know that I will be raising the matter because I think it's of national interest and it is in the public interest.

The Minister of Immigration, when he made comments on it publicly, said that there were privacy reasons for not releasing information related to the case. This person is a foreign national. He has no privacy rights. In fact, he was rejected by the IRB. Moreover, he was deported by the Americans to his country of origin. It's in the public interest to disclose the particulars of that case, so the public is assured that all the agencies did whatever they could to stop this individual and to try to catch this individual, and that he was known. At least, I would like to know if he was known to our agencies, to the public safety minister and to the immigration minister.

With that being said, Chair, I move to adjourn the debate.

**The Chair:** There is a motion on the floor to adjourn the debate.

All in favour of adjourning the debate?

**An hon. member:** No.

**The Chair:** Okay. I don't see the vote there, unless Mr. Kmiec wants a recorded vote.

**Mr. Tom Kmiec:** I'm okay.

**The Chair:** Thank you.

Are there any other speakers before we take the vote on the amendment brought forward by Mr. Chiang?

**Ms. Jenny Kwan:** Mr. Chair, can you repeat the amendment?

**The Chair:** Sure, I will ask the clerk to repeat the amendment.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I have a point of order, Mr. Chair.

[English]

**The Chair:** Go ahead, Mr. Brunelle-Duceppe.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** If I'm not mistaken, Mr. Kmiec asked that we vote on adjourning debate. I believe we have to vote on that right away, without debate, and then come back to—

[English]

**The Chair:** That's already gone. I asked.... I thought that the—

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Okay. I didn't see the vote.

[English]

**The Chair:** No, Mr. Brunelle-Duceppe, I personally saw that there was not a majority of membership and I asked Mr. Kmiec if he wanted a recorded vote. He said no; he was fine with that. I had to take his word because he's the one who brought it forward.

[Translation]

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

[English]

**The Chair:** With that point of order dealt with, Mr. Clerk, on the request of MP Kwan, could you please state the amendment before we vote?

Thank you.

**The Clerk:** Yes, Ms. Kwan, I know it has been a while since we did that, but it was distributed.

For your information, the amendment was that the motion be amended by adding after the words “statutes and policies”, the following: “that the study consist of no less than four meetings”.

Then, it amends the motion by adding after the words “prioritize this study”, the following: “alongside the study of the recent reforms to the international student program and the study of the issuance of a passport to a human smuggler, that the committee”.

Also, it would add after the words “to the House”, the following: “and that pursuant to Standing Order 109, the government table a comprehensive response to the report.”

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

MP Kwan, do you have any questions?

**Ms. Jenny Kwan:** No.

**The Chair:** Thank you.

All in favour of the amendment brought forward by MP Chiang?

(Amendment agreed to on division [See Minutes of Proceedings])

**The Chair:** Now we are back to the motion as amended.

I have two speakers, MP Chiang and MP Kwan.

**Ms. Jenny Kwan:** I think my hand was up before MP Chiang.

**The Chair:** Go ahead, MP Kwan.

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

At this juncture, I would like to move an amendment to the motion. This was shared previously, and I'm going to move this amendment now. I will highlight the parts to which the changes are taking place, Mr. Chair.

The motion reads: That, pursuant to Standing Order 108(2), the committee undertake a study on the implications for Canada—adding in these new words—“and for undocumented people and people with temporary status in the United States”—then going back to the original language—of the measures announced by Donald Trump during the U.S. presidential campaign regarding the deportation of—adding a new word—“undocumented”—then going back to original language—persons. Then it's adding new language—“and their family members including children who are U.S. citizens;”—going back to the original language—who are in the United States—then striking out the word “illegally”.

Then it's adding in new language—“Examine the proposal by U.S. president-elect Donald Trump to carry out the 'largest deportation program in American history' of millions of undocumented residents of the U.S., including his stated intentions to declare a national emergency and deploy the U.S. military to carry out mass deportations to determine if the U.S. still qualifies as a safe third country for refugees;”

Then, “Request”—a change here, and then going back to the original language—the Canadian federal government—adding the new language—“to table their”—going back to the original language—“plan to ensure border security and compliance with federal immigration statutes and policies”—then adding new language—“and to examine that it's in compliance with Canada's obligations under the Charter and international law, including the 1951 Refugees Convention to which Canada is a signatory of for 55 years;”

It's adding new language—“And that the study take into account this committee's report on Asylum Seekers at Canada's Border that recommended [safe third country] exemptions for gender-based claims and claims from moratorium countries in recognition of the risk of harm these claimants face in the U.S. prior to the current deportation issues.”

Mr. Chair—

**Mr. Tom Kmiec:** I have a point of order, Mr. Chair.

**The Chair:** We have a point of order, MP Kwan.

Mr. Kmiec, please go ahead.

**Mr. Tom Kmiec:** Chair, this substantive amendment has the same problem as the subamendment that was attempted before, which you ruled out of order. On page 541, under “The Process of Debate” in chapter 12, it says distinctly, “An amendment should be so framed that, if agreed to, it will leave the main motion intelligible and internally consistent.” It says what's out of order. I would say that this amendment makes this motion that we've been debating not consistent anymore. It introduces a whole bunch of new ideas and entirely new subject matters for consideration, some of

which, I would submit to you, Chair, are out of order, because they are out of the scope of the committee's work.

I would also draw your attention to the three bullets on page 541. Some of the substance of this “is irrelevant to the main motion” and “it deals with a matter foreign to the main motion, exceeds its scope, or introduces a new proposition, which should properly be the subject of a separate substantive motion with notice”.

I submit to you, Chair, that is the case with this amendment.

I also would raise this question. It's substantially the same one that we have dealt with—a subamendment that you ruled out of order as well. I think it's contrary in some parts to the main motion, which was to invite two ministers to talk about the Canadian experience.

I would also submit to you that it also violates chapter 20 under the committee's work sections on what is an allowable amendment that can be submitted through the process. This is an entirely new motion. It can't be ruled in order, Chair.

I would like a ruling from you.

**The Chair:** Thank you. I'll give the ruling as soon as MP Kwan finishes her amendment.

MP Kwan, have you finished the amendment and the wording of the motion?

**Ms. Jenny Kwan:** Well, I have finished—

**The Chair:** My question is whether you have finished the wording of the motion.

**Ms. Jenny Kwan:** I finished the wording of the motion, Mr. Chair.

In the ruling that you're about to make on whether or not this is in order, I would argue that this is exactly the nature of the issue we're dealing with.

As you can see by the original motion, it actually says, “the committee undertake a study on the implications for Canada of the measures announced by Donald Trump during the U.S. presidential campaign regarding the deportation of persons who are in the United States”, and “the Canadian federal government's plan to ensure border security and compliance with...immigration statutes and policies.”

My amendment to this deals with the United States and its immigration policy. It expands on it by adding some additional components to it, but it is consistent with the thrust of this motion, which, centrally, is about the U.S. presidential campaign plan to massively deport people in the United States and the Canadian government's plan for how it's going to deal with it.

**The Chair:** I'm going to suspend for a few minutes and I'm going to come up with the ruling momentarily.

• (18455) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (18500)

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

I heard the arguments from both Mr. Kmiec and MP Kwan.

My ruling goes along with Mr. Kmiec. This goes beyond the scope of the original motion, so we are back to the motion as amended.

You can challenge the chair, MP Kwan, but that's what—

**Ms. Jenny Kwan:** Yes, I'm challenging the chair.

**The Chair:** Okay, the chair is challenged. There's no debate.

I'll take a vote on this one.

**Ms. Arielle Kayabaga:** What are we voting on? Can you read it out?

**The Chair:** Mr. Clerk, the decision of the chair is challenged.

**Ms. Arielle Kayabaga:** You're going to vote yes or no, but—

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I have a point of order, Mr. Chair.

[*English*]

**The Chair:** Go ahead.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I would remind everyone to consider the health and safety of the interpreters. We have to wait for the chair to recognize us and for the microphones to be turned on.

Need I remind you that our interpreters do an exceptional job and that they are the best in the world?

[*English*]

**The Chair:** Thank you.

MP Kayabaga.

**Ms. Arielle Kayabaga:** Thank you, Chair.

I apologize to my colleagues. I thought this was going to be a really quick thing.

You're about to call a vote and we're going to have to say yes or no. I'm just trying to figure out if we are voting yes or no to sustain the ruling of the chair.

Can you make the language plain and understandable?

**The Chair:** It is to sustain the ruling of the chair.

I would ask the clerk to say one more time what we are voting on.

**The Clerk:** The question is, shall the ruling of the chair be sustained?

(Ruling of the chair sustained: yeas 11; nays 1)

**The Chair:** We are back to the motion as amended.

I have Mr. Redekopp, MP Kwan and Mr. Chiang.

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

We're back to the motion as amended. There's one part of this where I would like to propose an amendment.

When it comes to the section that says, "as well as any other witnesses the committee considers necessary", I'd like to specify a little more clearly that I think we should be hearing from some witnesses, because a lot of this is about people travelling across the border illegally. We've heard lots of testimony that—

**The Chair:** There is a point of order, Mr. Redekopp.

I will go to MP Chiang on a point of order.

**Mr. Paul Chiang:** Mr. Chair, I was on the speaking order after Ms. Kwan.

**Ms. Jenny Kwan:** He was. It's true.

**The Chair:** Mr. Redekopp, the thing is, we are on the motion as amended, and it's not Mr. Chiang who brought the amendment forward. I apologize. I will come back to you.

**Mr. Brad Redekopp:** You gave me the floor, though.

**The Chair:** I will come to you, and I hope you will agree that I as chair can sometimes overlook things, but I'm always fair. I try to be fair.

Mr. Chiang, the floor is yours.

I'm so sorry.

**Mr. Paul Chiang:** Thank you, Mr. Chair.

Thank you to my committee member across the aisle.

Mr. Chair, I move to adjourn the meeting.

**The Chair:** There is a motion on the floor to adjourn the meeting. It's a non-debatable motion.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I request a recorded vote.

[*English*]

**The Chair:** We will have a recorded vote.

(Motion agreed to: yeas 9; nays 2)

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







Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :  
<https://www.noscommunes.ca>