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• (1530)

[English]

The Chair (Julie Dzerowicz (Davenport, Lib.)): Good afternoon, everyone, and a warm welcome to all of you—and a special welcome to our Polish Canadian student guests who are here today.

We are very privileged to have the Minister of Immigration, Refugees and Citizenship here with us again to introduce the immigration elements of Bill C-12.

I just want to start off with a few reminders. First is a reminder to all of our colleagues to kindly ensure that the witnesses have the time to answer the questions.

Witnesses, we only have limited amounts of time, so kindly try to be as succinct as possible with your answers.

I want to avoid as many points of order as possible, and I want to ensure a maximum amount of time for all. As we always do, let's try to be as collegial in our tone as possible.

Finally, I will just remind you that we have amazing interpreters, so let's make sure that we are not crosstalking over them. As always, please wait until I recognize you by name. Of course, please ensure that all your comments are addressed through the chair. Please raise your hand, members, if you wish to speak, and the clerk and I will manage the speaking order as best as we can.

Also, I have my two cards. The yellow card means that you have one minute left, and the red card means that your time is over. I'm going to save five minutes at the end of our meeting just for a couple of administrative matters that we have to take care of today.

With that, pursuant to Standing Order 108(2) and the motion adopted by the committee on October 23, 2025, the committee is commencing its study of the subject matter of Bill C-12, an act respecting certain measures relating to the security of Canada's borders and the integrity of the Canadian immigration system and respecting other related security measures.

I would now like to welcome our witnesses for today's meeting.

We have the Honourable Lena Metlege Diab, Minister of Immigration, Refugees and Citizenship. From the Canada Border Services Agency, we have Aaron McCrorie, vice-president, intelligence and enforcement. From the Department of Citizenship and Immigration, we have Jean-Marc Gionet, acting assistant deputy minister, protection and family programs sector; Jason Hollmann, director general, asylum policy; and Tara Lang, director general, integrity policy and programs. Finally, from the Department of Jus-

tice, we have Mory Afshar, acting executive director and senior general counsel, IRCC legal services; and Anna Lillcrap, senior counsel, IRCC legal services.

We offer a warm welcome to all of you. Thank you for being here today.

Minister Diab, I now invite you to make an opening statement of up to five minutes after which we will proceed with rounds of questions.

Hon. Lena Metlege Diab (Minister of Immigration, Refugees and Citizenship): Thank you very much, Madam Chair.

Thank you, colleagues, for the invitation.

I'm here with a lot of support at the table, hoping to be able to address your questions so that you are able to make recommendations on the study.

Canada's immigration and asylum systems reflect our values. They are fair, compassionate and grounded in the rule of law. However, the world is changing. Conflict, climate pressures and shifting migration patterns are driving unprecedented movement of people, and countries everywhere are adapting. We must also do so responsibly to uphold trust, maintain order, and keep our system fair, efficient and sustainable.

[Translation]

Bill C-12 is part of this approach. It brings together targeted reforms that strengthen protections for vulnerable people, responsible migration management and public confidence in a system that works for everyone.

[English]

That trust depends on a system that's fair and firm, one that protects the vulnerable, attracts needed talent and prevents misuse. It needs to be controlled to protect our integrity and build public confidence.

Let me be crystal clear to everyone everywhere: Asylum is not a shortcut to immigration. The bill will reinforce that with two new targeted ineligibility rules.

First, asylum claims made more than one year after the initial arrival in Canada after June 24, 2020, will no longer be referred to the Immigration and Refugee Board. Second, claims by those crossing irregularly from the United States and waiting more than 14 days to apply will also be ineligible.

[Translation]

Individuals whose applications are inadmissible will still be eligible for a pre-removal risk assessment, ensuring that no one is returned to a dangerous situation.

These measures will strengthen integrity and fairness and maintain public confidence in the transparent application of Canadian rules.

As Canada's asylum system faces increasing demand, this bill modernizes the claims processing system so that decisions are faster, fairer and final.

• (1535)

[English]

A single online application will make the process more consistent, reduce errors and improve coordination. We're building a modern and efficient system. Increasing the number of hearing-ready files referred to the IRB will help reduce delays and keep cases moving efficiently. The board would also gain authority to remove abandoned claims, keeping resources focused on active cases.

Separately and to stay prepared for future crises, the bill provides authority to manage immigration documents at scale when required in the public interest. It allows temporary pauses, cancellations or adjustments of visas and permits, protecting Canadians while maintaining flexibility. These updates make the system more adaptable, sustainable and forward-looking.

Efficiency and control must go hand in hand with accountability and trust. This is essential to strengthening co-operation and accountability.

[Translation]

Bill C-12 modernizes the way information is shared within the government and with provinces and territories, ensuring that it is done in a secure and transparent manner, while strengthening privacy protections.

Written agreements will clearly define what information can be shared, how it can be used and the strict limits on its disclosure to foreign entities.

[English]

By strengthening co-operation and protecting privacy, these reforms support faster decisions, stronger integrity and better service for newcomers and Canadians.

The bill is not about closing doors; it is about taking responsible steps to keep them open. It balances compassion with control, speed with fairness and modernization with accountability. It gives us the tools to manage migration with humanity and order, protecting those who need refuge and maintaining a system Canadians can trust.

Thank you.

The Chair: Thank you, Minister.

We will now begin with the first round of questions. The first round of questions is six minutes, and we start with Ms. Rempel Garner.

Hon. Michelle Rempel Garner (Calgary Nose Hill, CPC): What a mess. There are over 300,000 asylum claims, and it will likely take 25 years to process the backlog. Your government has spent over \$2 billion on things like hotel rooms for bogus asylum claimants. Bogus asylum claimants are getting resources that Canadians aren't eligible for, and here we are today.

Minister, the Canadian Bar Association, Refugee Law Lab, Amnesty International and other legal advocacy groups have argued that the immigration provisions found in Bill C-12 are unconstitutional. Several of them have said that they are preparing for challenges and that there could be over 24,000 court challenges.

Have you, Minister, directed your officials to begin preparing to defend the provisions of this bill in court in advance of these challenges?

Hon. Lena Metlege Diab: Thank you very much, Member, for that question.

There are two parts to the question. In the first, you are talking about asylum. Our government is committed to rebuilding Canadians' trust in Canada's immigration system. We're making our border stronger—

Hon. Michelle Rempel Garner: Thank you. I asked you a pointed question. I asked a pointed question, so I expect a pointed response.

Have you directed your officials to begin preparing for legal challenges to defend those in court? You're asking us to support this bill, which is highly likely to be challenged in the courts. Have you directed your officials to begin preparing legal defences?

Hon. Lena Metlege Diab: Again, the intent of the ineligibility measures is to protect the integrity and efficiency of the in-Canada asylum system against sudden increases.

Hon. Michelle Rempel Garner: Thank you.

I'll take that as a "no" from your word salad, which is really unfortunate. You are asking us to support this bill, which virtually every legal association in the country has said is unconstitutional, and you're word salading us on whether or not you have directed your officials to begin preparing.

Would you say it is fair to characterize this, given what you've just said, as an attempt by the Liberal government to punt the mess of the asylum system to the courts?

Hon. Lena Metlege Diab: I don't know what salad you're speaking of, but the courts have confirmed that neither the charter nor the refugee convention require a particular form of refugee determination process. In this legislation, we have the PRRA system, the pre-removal order, so the government's position is that these provisions are consistent with both the charter and Canada's international refugee law obligations.

• (1540)

Hon. Michelle Rempel Garner: I'll just ask one of your officials: In the ministry's opinion, is the asylum deadline contained in Bill C-12 charter-compliant?

Does anybody want to answer?

Jean-Marc Gionet (Acting Assistant Deputy Minister, Protection and Family Programs Sector, Department of Citizenship and Immigration): Can I get a clarification, Madam Chair?

The deadline...?

Hon. Lena Metlege Diab: What deadline?

Hon. Michelle Rempel Garner: That's correct. It's the deadline by which somebody has to apply. I think there's an arbitrary timeline.

Is that charter-compliant?

Jean-Marc Gionet: Our assessment, based on the bill being tabled, is that the provisions are consistent with the charter.

Hon. Michelle Rempel Garner: Thank you.

These provisions are going to be appealed.

Minister, you haven't directed your officials to begin preparing to defend these appeals, so it's highly likely that many people will perceive the measures in this bill as a way to just punt. The government is punting this to the courts.

Have you consulted with your provincial colleagues and come up with a cost estimate of the legal costs it will cost provincial governments in terms of bogus asylum claims challenging the provisions in this bill?

Hon. Lena Metlege Diab: Again, charter challenges would go through the federal court system. That is the responsibility—

Hon. Michelle Rempel Garner: There are legal—

Hon. Lena Metlege Diab: —of the federal government, and I have the Justice officials here.

Hon. Michelle Rempel Garner: Who pays for the legal aid, Minister?

Hon. Lena Metlege Diab: That is the responsibility of the federal government.

Hon. Michelle Rempel Garner: There's also provincial support that happens as well. That's what you haven't done. You haven't gone to provincial governments, as you guys helped #WelcomeToCanada 300,000-plus bogus asylum claimants across the border from the U.S.

I digress.

A recent news story involved over 200 similar stories for applications for asylum where they used copy-and-paste language. They all shared a similar immigration consultant. Why doesn't Bill C-12 contain provisions to require asylum claimants to state their reasons for claiming asylum orally, on the record, upon arriving in Canada, to prevent this type of fraud?

Hon. Lena Metlege Diab: These are excellent. That's exactly why we're here today to study these provisions.

These are to protect us against fraud and are about fraudulent claims.

Hon. Michelle Rempel Garner: That's not in the bill.

Why isn't it in the bill?

Hon. Lena Metlege Diab: The approach targets fraud in individual applications, as well as coordinated fraud schemes, to prevent systemic abuse within immigration and citizenship programs and thus hold actors accountable.

Hon. Michelle Rempel Garner: I don't think you.... That's not in the bill.

Hon. Michelle Rempel Garner: Shouldn't asylum claimants have to prove that they made their claim in a timely manner, instead of making the government do so?

Why didn't you include that provision in Bill C-12?

Hon. Lena Metlege Diab: There are clear provisions in this act—

Hon. Michelle Rempel Garner: But not that provision.

Hon. Lena Metlege Diab: —in terms of the ineligibility rules, the one-year deadline and the 14 days.

Hon. Michelle Rempel Garner: Those are likely to be punted to the courts, and some simple switches, which could have prevented people from abusing the asylum system, you chose not to include, which is interesting.

Minister, have you done any sorts of studies on the totality of costs of bogus asylum claimants with regard to benefits across jurisdictions over the last six years?

The Chair: Give a quick response, please.

Hon. Lena Metlege Diab: I just recently met on the federal-provincial-territorial, and that was part of the discussion. We talked about it. We talked about the federal support—

Hon. Michelle Rempel Garner: What was it? What was the total cost?

The Chair: I'm sorry. That's time. You're going to have to continue this in the next round, Ms. Rempel Garner.

We next go, for six minutes, to Ms. Amandeep Sodhi.

Amandeep Sodhi (Brampton Centre, Lib.): Thank you, Madam Chair.

Thank you, Minister and our witnesses, for being here today.

Minister, I want to give you a little bit of time to complete your answer from Ms. Garner's questioning time.

Are you able to tell us how Bill C-12 will protect against fraud within the asylum system?

Hon. Lena Metlege Diab: Thank you for that.

I think it's an important question that actually deserves a minute or two on it.

IRCC actively targets organized and coordinated fraud schemes through its administrative investigations and undertakes fraud disruption techniques in collaboration with the Canada Border Services Agency, and for that I want to thank the individual who is here assisting us with this study. If there are any questions in relation to that, I will ask him to address them because I know he would have those answers. I believe he's also attended other committee meetings on this topic, because CBSA is responsible for pursuing enforcement action related to foreign nationals in Canada.

A combination of recent program reforms and an enhanced focus on program integrity is increasing refusal rates. I believe everybody has seen that across the country, as well as across the different lines of requests that people are sending to the department. However, rates are expected to stabilize over time as prospective students and institutions adapt to the updated requirements and non-genuine students are disincentivized from accessing the system.

• (1545)

There have been a number of incidents of international student fraud. Again, the good news is that we are seeing that come down. There will be some regulatory amendments when the bill passes, in whatever manner it passes, that will also address the unsustainable growth. The government is introducing measures to strengthen the integrity of the international student program and better protect the students themselves as well.

I'm happy to give you more.

The point of the bill, as well as the measures that were taken before, is that the system is not only catching fraud but also deterring it. That is something I would stress that we want Canadians to know, as well as people who are coming and applying to immigrate to Canada or coming in using our temporary streams.

Again, Prime Minister Carney has been very clear in his mandate letter. He's been very clear to Canadians that our role is to stabilize the numbers to bring us down to 1% of the permanent resident population and to stabilize the number of temporary residents at 5% of the population by 2029, as well as to create an attraction strategy for the best talent.

Of course, we are very much looking forward to working with stakeholders, provinces and territories to increase our francophone immigration numbers.

Amandeep Sodhi: Perfect. Thank you for your well-detailed answer, Minister.

My next question is for any of the IRCC officials or the minister.

As we know, an important part of Bill C-12 concerns the ability of the government to share information, whether that's across departments or with law enforcement, and with the provinces and territories. Can any one of you please outline how the bill's informa-

tion-sharing provisions will improve co-operation and coordination across government partners?

Hon. Lena Metlege Diab: I can start, and then I can turn it over for a bit more.

Part of the bill that has been introduced is to improve how client information is shared within IRCC and with federal, provincial and territorial government partners. I think that is an extremely important part of the provisions. It would facilitate the sharing of immigration, citizenship and passport information, with our domestic partners to help improve the integrity of government programs and provide better client service.

Of course, we take privacy seriously. There are safeguards. We will need to have regulations in there.

The Chair: You have one minute.

Hon. Lena Metlege Diab: Why don't I hand it off? There's less than a minute.

Tara Lang (Director General, Integrity Policy and Programs, Department of Citizenship and Immigration): Thank you, Madam Chair.

These proposed changes will close gaps in how we share client information, saving time and money. Federal, provincial and territorial partners will get faster access to this info, which they might use to confirm the identity of people who arrive in Canada through the immigration system, which is needed to deliver and give people access to a variety of public services and support their successful integration. They're going to detect people who use different identities to defraud benefit programs and other services, which will allow us to carry out law enforcement activities and investigations.

We're also going to be able to share client information across IRCC to reduce the amount of information that applicants need to re-submit as they apply for different programs. This will lower the risk of discrepancies between case files belonging to the same person. It will make decision-making for the IRCC more efficient, and it will help us improve the integrity of our programs and better detect fraud.

• (1550)

The Chair: Thank you so much.

That's six minutes exactly.

[*Translation*]

Mrs. DeBellefeuille, welcome to our committee.

You have six minutes.

Claude DeBellefeuille (Beauharnois—Salaberry—Soulanges—Huntingdon, BQ): Thank you very much, Madam Chair.

I am pleased to meet you, Minister.

As you know, there is a backlog in processing refugee claims. People claiming refugee status integrate into their communities, but often it takes two or three years before they learn whether or not their refugee status has been recognized. It takes eight to nine months before they obtain their work permits. There is a backlog of applications.

I wonder how you will manage, Minister, given the powers granted to you in part 6 of Bill C-12, which stipulates that all applications deemed admissible by the officer will land on your desk before being finally approved. This means that an officer does the work and, normally, if the application is approved, the officer will forward it on. However, it will land on your desk. Don't you think you are too busy to be able to process the asylum and refugee applications that will land on your desk within a reasonable time?

I'm a little surprised. It seems to me that you already have enough work to do.

Hon. Lena Metlege Diab: Thank you for that question.

I agree, there is a lot of work to be done. That is why I am here, alongside so many competent people.

Claude DeBellefeuille: Can you tell me whether, as a minister, you think you will be able to process all the files requiring your approval that will land on your desk within a reasonable time frame? That is what the bill states. Since you are already inundated with work, I wonder how you will manage to do that.

Can you give me a straightforward and quick answer?

Hon. Lena Metlege Diab: Absolutely.

I will ask Mr. Gionet to answer.

Jean-Marc Gionet: Thank you for your question.

We anticipate an increase in inadmissible claims to the Immigration and Refugee Board, or IRB. We are preparing to ensure that we have enough decision-makers to handle the anticipated increase in order to implement the measure in the bill that seeks to make the system more efficient.

Claude DeBellefeuille: Can you explain what "prescribed time limit" means? Do you have any idea of the time limit you would like to meet at this step in the process?

Let's take a concrete example. A request physically arrives on your desk, accompanied by a recommendation from the agent that the applicant's refugee status be recognized. Can you tell me what the prescribed time limit would be? You really should be able to tell me. What are your plans?

I am wondering why you don't want to answer me. It's part of your powers. Why are you delegating this to a civil servant?

Hon. Lena Metlege Diab: It's because there are numerous laws involved.

Claude DeBellefeuille: Minister, we are discussing a bill that gives you considerable power. I am somewhat surprised that you are unable to defend this measure without the help of your official. My question is not complicated. I am asking you what the prescribed time limit is. Do you have any idea what time limit you would like to meet at this step? It is a fairly simple question, really.

Do you know the answer?

Hon. Lena Metlege Diab: Are you referring to the current time limits?

The transfer of authority to the IRB—

Claude DeBellefeuille: Minister, I will rephrase my question.

Part 6 of the bill essentially grants you a power. Officers will issue recommendations on the admissibility of refugee claims, and the claims will pile up on your desk. Bill C-12 states that your power will have to be exercised according to a prescribed time limit. I would like to ask you what that prescribed time limit is and whether you have any idea of the time limit you would like to adhere to at this step in the process.

In other words, people who are listening to us and who are thinking of applying would like to know how long it will take for their application to be processed if it is admissible. It's not a complicated question.

Hon. Lena Metlege Diab: It is impossible to handle all cases within the same time frame. Each case is unique and depends on the circumstances.

• (1555)

Claude DeBellefeuille: Since it's handled by an agent, aren't you afraid of clogging up and delaying the process, which is already overloaded?

Hon. Lena Metlege Diab: It's true that it's the minister's responsibility, but it's not really the minister who handles it. It's the officers who conduct the pre-removal risk assessment and make these decisions. I don't do it.

Claude DeBellefeuille: I know that, but you still have ministerial responsibility. If I rise in the House to say that you have granted refugee status to a particular person, your official is not the one who is going to answer me. I understand that you will not read all the applications, but there must still have been an analysis to determine what would be a reasonable time frame for processing these applications.

Hon. Lena Metlege Diab: I think decision-makers are educated professionals, and they have already done this work.

Claude DeBellefeuille: You know that every department must optimize its processes and eliminate positions. Your government has set reduction targets for you. You can't just make human resources materialize.

The Chair: Thank you, Mrs. DeBellefeuille.

Thank you, Minister Diab.

[English]

Now we'll move to round two, which has five-minute rounds.

First up for the Conservatives is Mr. Redekopp.

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

Thank you, Minister, for being here.

I want to pick up on something you said to MP Sodhi. You were talking about the temporary resident population.

Did I hear you say it's going to be 2029 before we see 5% of the population...?

Hon. Lena Metlege Diab: I believe 2029 is the francophone target. The 5% target is for 2027.

Brad Redekopp: If you don't mind, that brings up another question I think we're all curious about. The levels plan is due two days from now. I'm wondering when you will be tabling that in Parliament.

Hon. Lena Metlege Diab: Last week, the Prime Minister indicated that the immigration levels planning will be part of the budget, which will be tabled on November 4.

Brad Redekopp: Thank you.

Bill C-12 creates new regulation-making authority in section 87 of the Immigration and Refugee Protection Act. Essentially, it gives cabinet the power to cancel immigration applications and documents en masse.

Obviously, this provision was added to be used, so which applications do you plan on cancelling?

Hon. Lena Metlege Diab: The legislation was not drawn up with cancelling anything specific in mind at all—

Brad Redekopp: Hold on.

Hon. Lena Metlege Diab: Please, go ahead.

Brad Redekopp: You created a new section and went through a lot of work to put this new law into the regulations with no intention of ever using it.

Hon. Lena Metlege Diab: I'm not saying it will never be used—that's why it's there—but it wasn't created with that intention. It came out of COVID, quite frankly, and these were brought in as part of the 2024 levels. This is not new. It's been public for more than a year now.

Brad Redekopp: On September 23, your own official was here at this committee talking about this new power, and he said it would allow mass cancellations. He said, "For instance...issuing fraudulent visas. We would want to mass cancel those."

If you had this power today, would you recommend cancelling permits for phony asylum claimants?

Hon. Lena Metlege Diab: That's certainly a measure that I, as the minister, could make a recommendation on, but it would have to go to the Governor in Council for agreement. Then the reasoning would need to be....

Now we can do things on a case-by-case basis. The reason this is being brought in is to try to deal with the public interest—

Brad Redekopp: I understand.

Hon. Lena Metlege Diab:—whether it's a health matter, safety, national security, large-scale fraud....

Brad Redekopp: Minister, would you agree with your official that this authority should be used to cancel the permits of asylum claimants who are here fraudulently?

Hon. Lena Metlege Diab: Again, part of this would be used for large-scale fraud purposes.

Brad Redekopp: Okay, so you have put some thought into how this would be used. What are some other situations where you would use this mass cancelling ability?

Hon. Lena Metlege Diab: Again, I will go back to where I started. It is not designed to block people in need of protection from accessing the asylum system.

• (1600)

Brad Redekopp: Who exactly is it designed to block then?

Hon. Lena Metlege Diab: It's the people who are going to be committing large-scale fraud. It will be done for safety reasons or public interest reasons, and those reasons would have to be.... Before the powers are used, they would be transparent because we would have to tell the Canadian public.

Brad Redekopp: Do you have some examples of those you've talked about in your department?

Hon. Lena Metlege Diab: Yes. If you go back to COVID, there were a lot of things that could have been done differently had this legislation been there.

Brad Redekopp: Like what, for example?

Hon. Lena Metlege Diab: Like stopping the intake of all the applications that were coming in, which we don't have the power to do at the moment.

Brad Redekopp: All of the applications would have been shut down. That's what you're saying.

Hon. Lena Metlege Diab: The inventory kept going, but we were not able to bring anyone in. As a result of that surge...that's what happened after COVID. That's part of what we're living today.

Brad Redekopp: We have a similar problem now where we have nearly 300,000 asylum claims—a surge of inventory, as you would say.

Is that the method you're going to use to get rid of the massive amount of asylum claims?

Hon. Lena Metlege Diab: Again, they're not designed to block people who are coming here and in need of safety. What they're designed for is to block groups of individuals who are really committing fraud.

Brad Redekopp: Like the 300,000 asylum claims...? Should the people in that pool be worried?

Hon. Lena Metlege Diab: It's not going to give the government any new powers to cancel asylum claims or affect an individual's status—

Brad Redekopp: This section of the law—pardon me—doesn't actually give you any new powers. Is that what you're saying?

Hon. Lena Metlege Diab: It gives government powers, but not on an individual, one-on-one basis, because that power already exists.

Brad Redekopp: So why is this—

Hon. Lena Metlege Diab: It's for large-scale applications.

The Chair: Thank you, Mr. Redekopp, and thank you, Minister Diab.

Next, we have Ms. Salma Zahid for five minutes.

Salma Zahid (Scarborough Centre—Don Valley East, Lib.): Thank you, Chair.

Thanks, Minister, and thanks to all the officials for appearing before the committee as we go through this important legislation.

Minister, I have been hearing from my constituents about having to submit the same information multiple times, even within IRCC, from TRV to permanent residency to citizenship applications, adding time and complexity to their applications. Could you please outline how the information-sharing provisions in Bill C-12 would help address this significant issue?

Hon. Lena Metlege Diab: Thank you.

In large part, again, the measures in this bill are to do exactly that. It's for information sharing, but it's also to make our immigration system more efficient for the clients, for the individuals applying, as well as for government. The proposed changes would close gaps in how we share client information, which would save time and money.

Federal, provincial and territorial partners have been asking for this, actually. They would get faster access to this information, which they can then use to confirm the identity of people who arrive in Canada through the immigration system, which is needed to deliver and give people access to a variety of public services. They can detect when people are defrauding benefit programs and other services by using different identities, and they can carry out law and border enforcement activities and investigations.

IRCC would also be able to share client information. I think this is what your question is specific to. It would cross immigration, citizenship and passport programs more easily. Believe it or not, they can't do that now. It would reduce the amount of information that applicants need to resubmit. If they've already applied, for example, to come in on a student application or a work visa or a visitor visa, and then later they want to apply for permanent residency, this will allow us to use the same information and to also check against what they're saying to make sure that the information is all the same. It lowers the risk of discrepancies between case files belonging to the same person and makes decision-making for immigration, citizenship and passport applications more efficient. It will help us both improve the integrity of the programs and detect fraud better, really.

Salma Zahid: Thank you.

There is one thing I want to clarify. You mentioned mass cancellations. Mass cancellations are not for asylum claimant applications. Can you clarify that those mass cancellations will not be for asylum-seeker applications that are within the system of IRCC?

• (1605)

Hon. Lena Metlege Diab: That is exactly true. The mass cancellation does not apply to asylum claims. It applies to exceptional cases. It's not defined, because it will be looked into in the regulations. It's to give a maximum amount of discretion to the Governor in Council. It includes things like the pandemic, regional health

crises and safety or national security threats that Canada might learn of, and, again, it responds to large-scale fraud.

The legislative package provides for immigration document cancellation, suspension or variance of applications for documents. Claims for refugee protection before the Immigration and Refugee Board are not applications for documents, and thus are outside the scope of these authorities. Any use of these powers, including their impacts on vulnerable clients, would be carefully considered as part of a rigorous process.

They're only intended to protect Canada's public interest, as I said, in areas such as safety, security and orderly migration.

The Chair: Thank you so much, Ms. Zahid.

Thank you, Minister.

[*Translation*]

Mrs. DeBellefeuille, you now have the floor for two and a half minutes.

Claude DeBellefeuille: Thank you very much, Madam Chair.

Minister, pursuant to the bill, a person cannot apply for asylum after having lived in Canada for one year.

I have some questions about that. Some people may find themselves in a situation where, after one year, the situation in their country has changed, and returning could put their lives at risk.

What will happen to those people who, after one year, apply for asylum because their situation has changed?

Hon. Lena Metlege Diab: Thank you for that question.

We have considered that possibility. If changes occur in their country after one year, those affected by these new rules will have access to a pre-removal risk assessment.

[*English*]

That's the predeportation assessment.

[*Translation*]

If their application is submitted within the regulatory time frame, they may be granted a stay until IRCC makes a decision regarding the risks they may face.

Claude DeBellefeuille: Thank you.

So we're talking about safety in the country of origin. For example, because of their homosexuality, a person could be subject to repression there. In short, many things could happen.

Because of all the reasons that could jeopardize their safety, a person could have access to a pre-removal risk assessment, even after a year. That is my understanding.

Furthermore, with regard to the inadmissibility of the application, why was June 20 chosen as the deadline? Is there a reason for choosing that date?

Hon. Lena Metlege Diab: Yes, there is a good reason. It's the date when Canada began to.... I can't think of the words in French.

The Chair: You have 30 seconds.

[*English*]

Hon. Lena Metlege Diab: They started to track people coming into the country, in their passports—their entry.

[*Translation*]

That is why we chose this date. The details are—

Claude DeBellefeuille: Is my time up, Madam Chair?

The Chair: Yes.

Thank you, Mrs. DeBellefeuille.

Thank you, Minister.

[*English*]

Next, we have five minutes for Mr. Menegakis.

Costas Menegakis (Aurora—Oak Ridges—Richmond Hill, CPC): Thank you, Madam Chair.

Thank you, Minister and officials who are here with us today.

Minister, how did Pakistani national Gulfam Hussain, who has a criminal conviction in the U.K. for adult sexual activity with a child family member 13 to 17 years old get a visitor visa to come into the country?

• (1610)

Hon. Lena Metlege Diab: All people applying to visit Canada are screened under our security regulations. When they get here—

Costas Menegakis: Minister, this vile rapist of a young girl is on the U.K. sex offender registry. I'll ask you again: If they're screening as you're suggesting, how did he get a visitor visa?

Hon. Lena Metlege Diab: Canadians are concerned when reports suggest that someone who has committed serious crimes abroad has entered Canada. That is exactly why Canada must continue to maintain and strengthen the screening and enforcement system.

Costas Menegakis: Minister, that's a talking point. I'm talking about an actual case of a rapist who came into this country from a G7 country and was on the child abuse registry of the United Kingdom.

Clearly, giving me a talking point as an answer doesn't answer the question of how that person got into this country.

Hon. Lena Metlege Diab: The IRCC can't disclose individual cases, but this one is public. I will tell you that the court decision—because it has gone to court, so the decision is public—indicates that the individual moved to Spain in 2020, then came to Canada on a visitor visa in 2023, did not disclose his criminal history on the visa application and has now been found inadmissible and is being deported.

Costas Menegakis: That was in a National Post story on October 5, 2025, a day that you were the Minister of Immigration in this country.

Basically, is that all it takes for someone's background check? As a proper screening for coming into the country, is it okay with you if someone just doesn't tick off the box that says they have a criminal record? A proper screening would have surely found this individual.

Hon. Lena Metlege Diab: Canada has a robust screening process—

Costas Menegakis: I doubt it. This is not explaining it at all. Do you really have a robust screening system if someone who is on a child registry got into this country?

It raises the question of how many more of these vile people are walking around our streets, in our communities, around our schools, around our community centres, around our children.

As another case in point, Minister, two ISIS members, Ahmed and Mostafa Eldidi, came into this country in 2018 and moved to my community in Richmond Hill. A month later, shortly after obtaining their Canadian citizenship, they were found by CSIS. It was found out that they were plotting a terrorist attack in the GTA. CSIS actually found a video—which we were very easily able to obtain as well, because it's on the Internet—of one of them dismembering a prisoner with a sword in 2014.

Can you explain how this person that your government let into this country got into my community, and it took CSIS many years to identify that indeed they were planning this? It was only because somebody, I'm sure, was whistle-blowing that they were planning an activity, a terrorist activity, a terrorist act on Canadians in the greater Toronto area.

Hon. Lena Metlege Diab: The IRCC department is responsible for managing migration. Foreign nationals are all screened before coming into Canada.

When things like that happen, we work with the CBSA and with policing partners. We work in the system, and people are treated accordingly. That's why you now have another bill in the legislature to deal with criminals.

Costas Menegakis: You mentioned the CBSA.

Hon. Lena Metlege Diab: Yes.

Costas Menegakis: CBSA officials testified before this committee that IRCC officials can and do overrule the CBSA and issue permits even if the CBSA has given a negative assessment. Why?

Hon. Lena Metlege Diab: I'm sorry—who can do that?

Costas Menegakis: The IRCC can overrule a decision by the CBSA. If the CBSA has found that the person is inadmissible and they get a negative assessment, the IRCC has overruled, and does on occasion overrule, the decision of the CBSA.

Can you explain why your officials would overrule something like that and why these people would be allowed into our communities and on our streets?

The Chair: Give a quick response, please.

Hon. Lena Metlege Diab: Look, we're here to study Bill C-12, and it is part of detecting fraud. That is why we're here today. It's so that your committee is able to make its best recommendations to the safety committee for inclusion in the bill, recommendations regarding fraud or whatever else you would like to make recommendations on.

The Chair: Thank you, Minister.

Now we have five minutes for Mr. Zuberi.

• (1615)

Sameer Zuberi (Pierrefonds—Dollard, Lib.): Thank you, Madam Chair.

Thank you to the witnesses for being here.

I want to follow up on the line of questioning we just heard. Maybe this is more for officials, given the level of detail I will ask about.

I'm curious: Has the level of screening evolved over the years? We heard just now about cases from a decade ago. Has the level of screening evolved over the years to ensure that the safety and security of Canadians is always intact?

That's to the officials. I'm sure it's a very detailed question.

Hon. Lena Metlege Diab: We have been modernizing, for sure. We have biometrics now, and fingerprinting, to help build confidence in Canada's system.

Why don't I hand it to Tara to explain a bit more in terms of how things have evolved and what exactly we're working on to modernize the system even more?

Tara Lang: I might highlight a few areas that we have improved to protect Canadians, including security screening, biometrics and information sharing with partners.

As you know, all foreign nationals are screened before coming into Canada to determine their eligibility and admissibility.

In addition, we do have a comprehensive security screening assessment to confirm that anyone who wants to come to Canada isn't inadmissible under sections 34, 35 or 37, which are the security, human rights, organized crime and war criminal sections of the act. We make sure that we assess all permanent resident and temporary resident applications, and we work very closely with our partners

on the security side—the RCMP, the CBSA and CSIS—to make sure that an applicant is not inadmissible.

Additionally, we collect biometric information to help build confidence in Canada's immigration perimeter, and it serves as a foundation of identity management.

Sameer Zuberi: Thank you.

I have very limited time. I just want to get to the question. Are our practices evolving and homing in to increasingly ensure that any misfits are not entering this country?

Tara Lang: Very recently, on January 17 of this year, regulation changes came into force to implement amendments to the agreement between the Government of Canada and the Government of the United States for the sharing of visa and immigration information. These changes enable the automated exchange of biographic and biometric information on permanent residents of both Canada and the United States.

Sameer Zuberi: That's helpful. Thank you for that. We are getting info from America. That's helpful. That answers my question

I have about two and a half minutes left.

I would like to go into charter compliance. I have heard many civil society organizations speak about challenges that they have with this legislation. They include a number of organizations that have expertise in immigration. We know that every law must pass a charter test. Can you elaborate a bit about the testing that has gone on and how you view this as being charter-complaint?

Hon. Lena Metlege Diab: The government believes that the bill is charter-compliant. The justice department assessed the proposed measures as set out in the charter statement. This was done when Bill C-2 was introduced. We know that the provisions in C-12 that we're studying are identical to that. The assessment of the proposed amendments is that they are consistent with the charter both on asylum ineligibilities and as well as on the document control authorities. There are four parts that we have here as well as the information-sharing authorities and the asylum reforms.

[Translation]

Sameer Zuberi: Thank you.

I would like to circle back to Mrs. DeBellefeuille's question about what happens when the situation in a country or of an asylum seeker changes.

[English]

You've referred to the pre-removal risk assessment. The pre-removal risk assessment isn't as robust as the procedures that relate to asylum and refugee claims. How do you square that circle in terms of when a situation changes for an individual who would merit a normal claim, but the PRRA isn't exactly the same? It's not as robust. How do you square that circle please?

Hon. Lena Metlege Diab: If the situation changes for the individual, they are allowed to bring that into evidence at the pre-removal risk assessment. These are trained professionals who will be conducting these adjudicative hearings, and they are able to ascertain those facts. We believe that the system should be efficient. Obviously, when we first start, it will take a bit of time, but we believe that it will make it more efficient and make us more productive.

• (1620)

The Chair: Thank you, Minister.

Thank you, Mr. Zuberi.

We are now on our third round, and we are going to start with five minutes for Mr. Ma.

Michael Ma (Markham—Unionville, CPC): Thank you, Madam Chair.

Minister, under section 81 of IRPA how many warrants for arrest were issued last year, and what were the results of these warrants?

Hon. Lena Metlege Diab: Thank you, colleague, for the question.

That's not under my purview. IRCC doesn't issue warrants. That's not something that we do. Again, as I said, we work with CBSA, policing partners and so on.

Michael Ma: I understand CBSA executing it, but it's the ministry and IRCC that determines whether a warrant should be issued for this individual.

Hon. Lena Metlege Diab: No, it wouldn't be in the purview of IRCC.

Michael Ma: The short answer is that you don't know how many there are. It's never been reported to the government or Canadians.

Hon. Lena Metlege Diab: It wouldn't be in the IRCC's purview. If you would like CBSA to comment a bit on it, the official is here.

Michael Ma: That's okay. We'll move on.

This leads to the consideration that your ministry lets people in, yet you lose track of them. It was testified, by the RCMP and CBSA in previous sessions, that they don't know where these people are. No wonder we're in such a mess with 300,000 people and we don't know where a lot of them are.

Moving onto the next question, people are apprehended under section 82.2 powers of IRPA. Again, last year how many people were apprehended and how many people were released?

Hon. Lena Metlege Diab: IRCC doesn't apprehend anybody. IRCC expects temporary residents to leave Canada when their authorized stay is over. If they do not, that's when CBSA, for deportation, and policing, if there are other issues, take over.

Michael Ma: It sounds like it's on a volunteer basis, then, once you inform them.

Moving on, last year, how many social insurance numbers were disbursed under section 90 of the IRPA? Surely, that's within the purview of the ministry.

Hon. Lena Metlege Diab: Social insurance numbers...?

Michael Ma: Yes, these are for—

Hon. Lena Metlege Diab: That would not be under the IRCC. It might be under Service Canada.

Michael Ma: No, this is section 90. This is special—not your regular Canadian citizens or permanent residents. This is under the immigration purview.

We're short of time. Obviously, you don't have the answer to that.

Hon. Lena Metlege Diab: We can take that back. If there's a question, we'll be happy to bring it back to you.

Michael Ma: Minister, do you report on the number of removal orders, then, enforced within the last 30 days' interval?

Hon. Lena Metlege Diab: The IRCC doesn't....

Michael Ma: You don't have that, either.

Where I'm leading to, Minister, is that a lot of these data are not available to Parliament, to Canadians. How do we expect a transparent and, as you described earlier, a trustworthy ministry, when none of these transparencies are provided and you don't have regular reporting to Parliament and Canadians?

Hon. Lena Metlege Diab: Again, we're here to talk about Bill C-12, how we strengthen it, what recommendations you do for the study....

Michael Ma: Yes, and that is my point: You have an opportunity, under Bill C-12, to enforce that and enhance that while you're at it.

Let me just move to a last point, also—

Hon. Lena Metlege Diab: To answer that, I'm told these data you're asking for are available on the CBSA website.

Michael Ma: What data are you talking about?

The Chair: Mr. McCrorie, do you want to respond?

Aaron McCrorie (Vice-President, Intelligence and Enforcement, Canada Border Services Agency): We publish, on the CBSA website, data on all of our removal inventories, as well as the number of removals we're doing—

Michael Ma: Is that including the warrants for arrests under this category?

Aaron McCrorie: We'll capture that in our "wanted" inventory. If you look, you'll see there are four inventories that we cover for removals: when they're not actionable, not possible, wanted and inactive.

• (1625)

Michael Ma: In wrapping that topic up, for Canadians and for Parliament we expect to have a more comprehensive reporting, everything relating to immigrants and refugees under the purview of the ministry, including the data provided by CBSA.

I just want to clarify one comment you made earlier. You talked about the mass cancellation. From my experience inquiring for the Hong Kong pathway—well over 20,000 applicants—for a lot of them, the response from IRCC was—

The Chair: That's time, Mr. Ma. I'm very sorry. You'll have to continue with that question in the next round. Thank you.

Thank you, Minister.

The next five minutes will be for Ms. Sodhi.

You have five minutes, please.

Amandeep Sodhi: Thank you, Madam Chair.

I'd like to ask this next round of questions of the officials from the Department of Justice.

This legislation introduced two new ineligibility rules that would not allow an individual to claim asylum if they have been in Canada for more than one year or if they cross irregularly from the United States and wait more than 14 days to make a claim. Can you please explain why the legislation is designed this way, and why that specific length of time?

The Chair: Go ahead, Ms. Afshar.

Mory Afshar (Acting Executive Director and Senior General Counsel, IRCC Legal Services, Department of Justice): I think, in terms of why, because it goes to the policy rationale, it would be for Jason or Jean-Marc. If there are questions around the legal charter, I can respond, but in terms of the policy rationale, it would be over to Jason or Jean-Marc.

The Chair: Mr. Hollmann, go ahead, please.

Jason Hollmann (Director General, Asylum Policy, Department of Citizenship and Immigration): The two provisions are designed to protect the asylum system in relation to the potential for surges, given the volumes that we're seeing today, as well as to support deterrence for those who might be looking to misuse the system for reasons other than protection.

The 14 days is designed to interplay with the safe third country agreement with the United States. Right now, that agreement is in place and helps to manage the asylum claims across our shared border. It means that anyone who crosses the border, in this case irregularly, within 14 days, would be subject to the agreement and returned to the United States. If 14 days have passed, the agreement doesn't apply to them. In this particular circumstance, we're trying to mitigate those who are looking to evade the agreement and file their claim after the 14-day period.

In relation to the provisions for one year, that's a date that's easy to understand. The majority of claims are filed within one year of somebody's arrival to Canada. We are then trying to deter, potentially, the people who are looking to use the asylum system to extend their stay.

Amandeep Sodhi: I just have a follow-up question.

We're introducing all of these provisions. Overall, what effect do you expect these provisions to have on the overall asylum system?

Jason Hollmann: The two ineligibilities are designed to mitigate the risk of a surge in the volume of claims. It will help to process those claims faster by steering people toward the pre-removal risk assessment. That pre-removal risk assessment looks at the same criteria as the protection decisions made by the Immigration and Refugee Board. It applies the same circumstances. People who go through that process can receive the same protected person decision as they would under the Immigration and Refugee Board.

The others measures in there, in relation to the various reforms to the system, look at the system from a comprehensive perspective and try to streamline elements where we have seen various bottlenecks to try to arrive at a decision faster. As well, they have some client service benefits to make things easier for the individuals applying, such as providing information only once in a single online application, as opposed to potentially answering the same question three times.

Amandeep Sodhi: Thank you.

Minister, I just wanted to talk a bit about Bill C-12 within IRCC and across departments. We know that Bill C-12 would allow the immigration department to share information within itself. We know that this is a critical point.

Can you please elaborate and tell us how IRCC's work and ability to process applications will change when this provision comes into force?

Hon. Lena Metlege Diab: The new provision will facilitate the sharing of immigration files between immigration, citizenship and passport information, which would make it easier for the client, as was just answered here at the table. Rather than the individual trying to make three different applications with three different sets of answers, we would be able to combine all that information and use it at different times.

It would help reduce fraud. It would ensure that we are dealing with the same individual. We'll be better able to identify identity, so they don't say one thing today and then say something else two or three years from now when they are applying for, let's say, citizenship.

It's also helps us to share with the provinces and territories. That is something that is not available, obviously. When that comes in the regulation, there will be memorandums. It will dictate the type of agreement the federal government must sign with the corresponding provincial or territorial government in terms of what to share, how they can use it and who they can use it with to ensure that they don't take it outside Canada or use it inappropriately. There are lots of safeguards in that law and in the documents that will be signed.

• (1630)

The Chair: Thank you, Minister.

Thank you, Ms. Sodhi.

[Translation]

Mrs. DeBellefeuille, you have two and a half minutes.

Claude DeBellefeuille: Thank you, Madam Chair.

Minister, I did not quite understand why you chose the June 24, 2020 deadline. Could you briefly explain it to me?

Hon. Lena Metlege Diab: That is the date when Canada began collecting data on arrivals and departures at airports, particularly for returns to Canada.

Claude DeBellefeuille: Can you tell me whether this provision could be waived in certain circumstances, such as if a person were in danger or if the public interest were jeopardized? Do you have the authority to waive this provision, or is it a rigid measure in the bill?

Hon. Lena Metlege Diab: What power would I have?

Claude DeBellefeuille: Could this provision regarding June 24, 2020 be lifted if, in a particular circumstance, the public interest were jeopardized?

Jason Hollmann: As the minister indicated, this date was chosen because it is the date on which the entry and exit data system was implemented. We have reliable data to determine whether someone has actually returned to Canada.

We therefore use this date—

Claude DeBellefeuille: Can you answer my question? I only have two and a half minutes.

Could this provision be waived in a situation where, for example, the public interest would be jeopardized?

Jason Hollmann: We do not anticipate changing—

Claude DeBellefeuille: I see.

Madam Minister, what worries me and the Bloc Québécois is that, as a result of these legislative changes, some people will slip through the cracks and not receive the protection they need.

We're also very concerned about pre-removal risk assessments. Statistics show that the success rate, or the rate at which refugee status is granted, is quite low. This also concerns us because it is the last resort for people seeking refugee status or asylum.

This brings me to the 14-day deadline for people who have entered Canada illegally from the United States to file an application.

In the case of people of Haitian origin, we can't remove them to their country because there is a moratorium on removals to Haiti.

Does Bill C-12 prevent a person in need of protection from bearing the entire burden of proof to show that they come from a country where their safety is truly at risk?

The Chair: Thank you, Mrs. DeBellefeuille.

[English]

We're going to have to respond to that in the next round. I'm sorry about that.

We'll now go to Mr. Davies for five minutes.

Fred Davies (Niagara South, CPC): Thank you, Madam Chair.

Minister, I want to take this local, if you don't mind. The federal government spent \$1 billion on hotel rooms for asylum seekers and had to give Niagara Region just under \$565,000. What was the reasoning? Was there an opportunity cost analysis to suggest that it was okay to take 1,406 prime hotel rooms off the market in Niagara Falls for 18 months?

• (1635)

Hon. Lena Metlege Diab: Thank you.

We knew at the time there were pressures within provinces, particularly in Ontario and Quebec, and municipalities, so the federal government stepped up at that time and gave money to municipalities, in your case, to help them with that. What I can tell you is that there's no one in a hotel room anymore. Everybody has been moved and there are no hotel rooms being used anymore.

Fred Davies: I'll get to that in a second.

The mayor of Niagara Falls and I had a chat about this, and he said that when a tourist comes to the Niagara area, they need a room. There is an impact on the restaurants, the events and the tourist attractions—even booking a simple tour of the falls. Those are the major sectors in Niagara. We rely on tourism for economic success.

In your analysis of this after the fact, have you done an analysis of what the negative impact on our regional GDP may have been as a result of taking 1,400 of the most prime rooms out of the capacity of the city of Niagara Falls to market these rooms?

Hon. Lena Metlege Diab: Again, I can't right now confirm or deny your specific facts, because I don't have the facts for Niagara with me. What I do know is that there's nobody—no one—in any hotel room anymore. This I know.

Fred Davies: Again, Minister, I'm sorry, but I have limited time. That's really not the point. The point is that Niagara Falls is only 85,000 people. You took the largest inventory of prime hotel rooms out of the tourism market for a year and a half. People lost their jobs and the tourism industry lost money. It had a huge impact.

I'm just curious how anybody could want to have such an impact on an important community like Niagara Falls by taking 1,400 rooms all along the cataract out of the mix and out of the market for 18 months.

Hon. Lena Metlege Diab: There were significant volumes, and shelter needed to be found. The federal government provided funding to those municipalities in order to do what it needed to do.

Fred Davies: Minister, Mayor Olivia Chow in Toronto said she's going to have to raise property taxes in Toronto by about 2% to continue funding the asylum seekers. You said there are no asylum seekers in any hotel rooms in Niagara Falls. Where are they?

Hon. Lena Metlege Diab: They've all moved to accommodations. Again, some of the asylums are people who are working or going to school, or else they have work permits. Some of the asylum seekers you're talking about are people who are working in your communities as well.

It depends. Those who don't have valid claims to stay will obviously be asked to leave or deported, but those who do will be protected persons and will have work permits and.... Again, I would go back to when Premier Ford was pretty loud a few months ago there. He wanted to do his own provincial work permits. I could tell you that the IRCC gives work permits for those who need to work—obviously, after they ensure there's no criminality and they get the medical tests—so there are people who are also working and living in communities.

Fred Davies: Thank you for that. They're living in communities, but the mayor of Toronto says she may have to raise property taxes by 2% to raise the amount of money that is still needed to respond to the economic impact of the hotel rooms that were taken off the market in Toronto, and similarly in Niagara Falls.

How do we recover from that negative economic impact?

Hon. Lena Metlege Diab: Funding in the beginning did focus on short-term housing. That is no longer the case. There is no short-term housing. It's now all long-term housing.

I'll give you the municipality of Peel as a great example of where they have built—

The Chair: Thank you so much, Minister.

Thank you, Mr. Davies.

We now go to Ms. Salma Zahid, the last person in this round, for five minutes.

• (1640)

Salma Zahid: Thank you, Chair.

Continuing on the information sharing, Minister, would the provisions that allow IRCC to share information with other government departments help the newcomers access programs and benefits from other departments to which they may be entitled?

Hon. Lena Metlege Diab: It would probably make it more efficient and speedier if they were able to have the provinces access the data in a one-source kind of shop.

Salma Zahid: How would that be beneficial to the newcomers?

Hon. Lena Metlege Diab: Again, if I only use Canada or the federal government as an example, when people come here to im-

migrate, that's one application. For citizenship, they have to do everything all over again. Then, if they want to apply for a passport, that's a third application. Just with those ones alone, if we were able to combine all the information of an applicant, it would make it more efficient and less time-consuming. It would improve the integrity of the programs, but it would also be better for the clients. These applications take a lot of time. Many people go and hire people to do them. People are very worried about it: Did I dot the i's appropriately? Did I miss something?

If we can help them make it clearer, then it helps us, because we won't need to process it three times. It will make it more efficient for us as well so that we can concentrate on the other things we do in the department.

Salma Zahid: Thank you.

Our government has invested more resources in the Immigration and Refugee Board, which has been increasing its capacity to hear cases, but the system is still overwhelmed, leading to significant wait times for people waiting to start their new lives here in Canada, many times without their loved ones.

Could you share how the measures in Bill C-12 will help ensure more timely access to a fair hearing for asylum claimants?

Hon. Lena Metlege Diab: Yes, I can. I just want to be precise in the information I provide to you.

Again, it would be a single online application for the individuals. There would be legislative changes that would provide a clear authority to specify the information and documents required when an asylum claim is initiated to begin with, including requiring that the information be submitted online. This authority is required in order to make changes to the online application process, which will mean that information usually provided to the IRB after referral, such as the basis of claim, is provided earlier so that they will get their information earlier. They will get it online and it will be a single application.

Once the claim is referred to IRB, IRB will then have all the information in order to do the hearing, as opposed to waiting for different information to come from different places. The changes will ensure that claimants are subject to the same requirements, whether they made their claim at a port of entry or inland. It will make it easier to process the claims. It should be more efficient for IRB but also for the asylum claimants themselves.

Salma Zahid: What is the expected reduction in wait times with this change?

Hon. Lena Metlege Diab: I'm not sure I would be able to answer that question.

Jason, do we have...?

Jason Hollmann: We can't quantify that, in large part because the time is also contingent on the number of claims that come in. As the minister explained, we're changing the period at the intake when people apply. We're changing how we review those claims to make sure the IRB can get the information and process the hearings faster. We're also trying to give authorities to clear out and complete claims from the system so that we're not spending time looking at documentation that's incomplete.

As well, we are changing the ability for people to access designated representatives. This is for people who don't understand the claim process, like minors, so that they can have that support through the system to ensure that they have fairness and get their claims through faster as well.

The Chair: That is time. Thank you.

I'm calling this a two-hour session. I wonder if everyone would approve a five-minute break. We will extend the whole meeting time by five minutes, so no one is losing any time.

I'm just asking if it's okay if we take a break.

Ms. DeBellefeuille, would you like a break?

Would you, Mr. Ma?

Go ahead, Mr. Fragiskatos.

• (1645)

Peter Fragiskatos (London Centre, Lib.): We always take a break to transition over. There's no transition here, but I don't think it's unreasonable to have five minutes, and then we make it up—

Hon. Michelle Rempel Garner: No. It is unreasonable. There's no protocol for this.

The Chair: I know there's no protocol. We're just asking the question, and we're not losing time. We would extend it by five minutes, Ms. Rempel Garner.

Hon. Lena Metlege Diab: We're okay to keep going. It's up to the committee, obviously.

[*Translation*]

The Chair: Mrs. DeBellefeuille, what do you think?

Claude DeBellefeuille: Madam Chair, I think it would be a good idea to take a few minutes so that our interpreters can have a quick break. However, I don't agree with extending the meeting by five minutes. As Mr. Fragiskatos said, we often change panels without extending the meeting. We should allow our excellent interpreters, who are enabling me to participate fully in today's meeting, to take a short five-minute break.

The Chair: Thank you.

[*English*]

Go ahead, Ms. Rempel Garner.

Hon. Michelle Rempel Garner: Why are we doing this? This never happens. It's a two-hour committee meeting. Does the minister need a break?

The Chair: Ms. Rempel Garner, I'm asking you and everyone else here if we could take a five-minute break. If you are against it,

that's okay. You have said no, so we will continue. Despite everybody else saying yes, we will continue.

We now have Ms. Rempel Garner starting the fourth round for five minutes.

Hon. Michelle Rempel Garner: Thank you. I'm here to work, Chair.

The Chair: So are we. Thank you.

Hon. Michelle Rempel Garner: Thank you, Chair.

Minister, I just want to be clear. There are presently, per your testimony, no asylum claimants in any hotel or temporary accommodation in Canada.

Hon. Lena Metlege Diab: I said that there are no asylum claimants in hotel accommodations. No, there aren't. Obviously municipalities have places, but they're not in hotels that are paid for by the federal government or anyone else. That's correct.

Hon. Michelle Rempel Garner: You're not paying for those asylum claimants who were in hotels to be in other places right now, in any way, shape or form?

Hon. Lena Metlege Diab: We have transferred funding to municipalities, but there are no asylum claimants in hotels.

Hon. Michelle Rempel Garner: Okay, so basically what you guys have done is remove the hotel line item, forcing people out on the streets, while transferring more money to municipalities. Is that about right?

Hon. Lena Metlege Diab: I didn't say that.

Hon. Michelle Rempel Garner: Okay. Thank you.

I would like to go back to the section on mass cancellations.

Just to re-emphasize what you said, you said that this section doesn't apply to asylum claimants. Is that correct?

Hon. Lena Metlege Diab: That is correct. These powers are used in exceptional cases for fraud purposes, health crises like pandemics and safety and national security, but not for individual asylum claimants.

Hon. Michelle Rempel Garner: Fraud is not once mentioned in Bill C-12. The section that gives you power to cancel immigration applications, including permanent resident visas, doesn't include fraud. The public interest isn't defined.

You weren't able to give a specific example of where you would use this. I'm just puzzled why you would be asking Parliament to grant you authority to cancel somebody's permanent resident visa without going through Parliament if you can't name an example.

Hon. Lena Metlege Diab: As I said earlier—and I am happy to repeat—these are not meant to be used for individual cases.

These powers are intentionally.... Public interest is not defined in the legislation to allow flexibility for government to respond to various measures that are not individual cases.

Hon. Michelle Rempel Garner: You talked about some of these examples being during the pandemic, when there were a lot of fraudulent letters issued to students.

Hon. Lena Metlege Diab: No, I never said that.

Hon. Michelle Rempel Garner: I'm trying to find an example where you would use this.

To me, it seems like you're trying to give yourself and your department more powers to correct mistakes in the system that were made in screening out potential fraud to begin with, which affects real people with real lives. Essentially, you're asking Parliament to give the power to cancel people who've come to Canada on permanent resident visas and temporary resident visas, without a lot of definition.

• (1650)

Hon. Lena Metlege Diab: That is absolutely not correct—

Hon. Michelle Rempel Garner: Then what would the example be?

Hon. Lena Metlege Diab: The minister of IRCC will not have these authorities.

Hon. Michelle Rempel Garner: The Governor in Council would.

Hon. Lena Metlege Diab: The decision rests with government, which would issue an order in council that would be made public.

Hon. Michelle Rempel Garner: However, it's not Parliament, so—

The Chair: Ms. Rempel Garner, kindly allow her to answer the question.

Hon. Michelle Rempel Garner: If you were on RED FM, Minister, next week and somebody asked you—

Hon. Lena Metlege Diab: If I was where?

Hon. Michelle Rempel Garner: If you were on a RED FM panel and a radio host asked you who this applies to, what would you tell the radio host?

Hon. Lena Metlege Diab: Again, these are meant to protect us.

Hon. Michelle Rempel Garner: Who's "us"?

Hon. Lena Metlege Diab: The government.... The Canadian public.... It's to protect the Canadian public from safety...major crises—

Hon. Michelle Rempel Garner: It's to protect them from what people?

The Chair: Allow her to answer the question, Ms. Rempel Garner.

Hon. Lena Metlege Diab: That's what it's meant for. It's to intervene when, in the opinion of the Governor in Council, it's in the public interest to do so.

Hon. Michelle Rempel Garner: You're telling us that you would be giving the Governor in Council powers to protect Canada from groups of immigrants? Which groups of immigrants?

Hon. Lena Metlege Diab: There is a rise in exploitation. I don't think I need to tell you that. There are many who are brought in and we've learned a lot of lessons from the COVID-19 pandemic that pointed to gaps in the authorities that currently exist in Canada.

Hon. Michelle Rempel Garner: Why wouldn't you just make the system work, as opposed to punishing victims of human trafficking?

This seems like you're literally saying that you're going to cancel whole groups of people's permanent resident visas without defining what that—

Hon. Lena Metlege Diab: I'm absolutely not saying that.

Hon. Michelle Rempel Garner: That's exactly what the legislation says.

Hon. Lena Metlege Diab: This legislation is to make things work better.

Hon. Michelle Rempel Garner: You said protect Canadians from people. Which people?

Hon. Lena Metlege Diab: It's to protect Canadians from public crises that are deemed in the—

The Chair: Thank you, Ms. Rempel Garner.

Thank you, Minister.

Next, we have five minutes that go to Mr. Zuberi.

Sameer Zuberi: Thank you, Madam Chair.

Thank you to the witnesses for being here for an extended period of time. We appreciate it.

I want to follow up on the previous line of questioning around public interest and the cancellation of applications.

You said that public interest isn't defined in the legislation. Are there any existing customary recognitions of public interest? How has it been defined in immigration law up until this point, by either the courts or the practice of immigration?

Hon. Lena Metlege Diab: It is intentionally not defined in the legislation, as I said, to allow maximum flexibility for the government to respond in a range of unforeseen circumstances that threaten the public interest. When we say "unforeseen circumstances", obviously, I can't predict each and every circumstance, which is why we are here to put that measure in.

It is to protect the public interest, including but not limited to protecting the integrity of the immigration system, protecting the safety, security and health of Canadians and the security of our border, and responding to large-scale emergencies or other unforeseen scenarios. Each use of these authorities would be decided by the Governor in Council after considering all relevant factors, including the potential impact on vulnerable people, as well charter considerations.

To ensure public transparency, each order in council is published in the Canada Gazette, which would give all of that information.

Sameer Zuberi: If I understand this correctly, you're saying it would be defined by an order in council.

Hon. Lena Metlege Diab: That's correct.

Sameer Zuberi: Next, you named a non-exhaustive list of cases, but they all seem to be very exceptional. Therefore, the application of this public interest provision within the legislation would be very narrow in scope. Is that correct?

Hon. Lena Metlege Diab: That is the intent—that it would be narrow in scope. With something like COVID that happened, it would have allowed us to do things differently at that time.

Sameer Zuberi: In exceptional situations, it would assist with the backlog, but we're not talking about addressing the backlog specifically through this particular aspect of the legislation.

Hon. Lena Metlege Diab: That's correct.

Sameer Zuberi: That is helpful, and I think that's fair, personally, given that it shouldn't be arbitrary. The usage of this is not intended to be arbitrary.

Hon. Lena Metlege Diab: Absolutely not.

Sameer Zuberi: Is there anything you'd like to add around the public interest provision, which I think you've really helped to define in this moment and exchange?

• (1655)

Hon. Lena Metlege Diab: Just to reiterate for those who are really concerned, it is not meant to mass cancel asylum claims. It is not meant for individual cases. This is in exceptional circumstances. The power does not rest with the minister; it rests with the Governor in Council. We are lucky in Canada to have governments, to have immigration systems, to have people who.... It's a privilege to be here in front of you today to talk about these measures. We want to ensure that we safeguard people's rights as well but, at the same time, protect the integrity of our immigration system.

Sameer Zuberi: I would underscore the importance of safeguarding the rights of Canadians and also creating legislation that passes the test of time, so that whoever is minister—and you are the Minister of Immigration—creates legislation that passes the test of time, including around these provisions, which give great power but, as you said, are well limited in their scope.

I wanted to go back to the one-year requirement to seek asylum and ask about the case of trauma. You did answer this in part with respect to PRRA, with PRRA being a potential safeguard, but has there been any consideration of what happens, say, for example, in the case of somebody who has gone through great trauma, be it domestic abuse or some other form, around this one year? Has this question been looked at—whether or not the one year is adequate to file an asylum claim for somebody in that situation?

Jason Hollmann: Yes, we think it's a reasonable time frame to give someone to apply in the situation that they face. They have the ability to document their case on an individual basis through the application form, including using legal assistance to do so. Then it's reviewed by trained officers against all of the same criteria that the Immigration and Refugee Board would apply in terms of determining protection for the individual.

The Chair: Thank you, Mr. Hollmann.

Thank you, Mr. Zuberi.

[Translation]

Mrs. DeBellefeuille, you have two and a half minutes.

Claude DeBellefeuille: Thank you very much, Madam Chair.

Madam Minister, I'm using my last few minutes to tell you that, in my opinion, after the Canada Revenue Agency, the department you head is the one most in need of modernization, because the processing times for all types of applications are unreasonable.

Every day, in our ridings, we support many immigrants, whether they are refugees or workers, in their journey. Our ridings are essentially branches of Immigration, Refugees and Citizenship Canada.

I'm concerned about your reform because I'm not sure you have the resources to achieve your goals. Your department is already overloaded and somewhat disorganized. I don't blame the public servants, but I can see that your department is under so much pressure; it's not easy to add tasks or change processes in a wave of change.

Truly, I'm not questioning your willingness, but I do feel that you may not necessarily have all the tools to manage your reform or your changes, and that you may find yourself frustrated in your ambitions because your department won't be able to keep up with the pace required by Bill C-12.

I'll now turn to the 14-day referral period. People who enter Canada illegally, outside of official ports of entry, won't be able to apply for asylum. Those who are caught within 14 days of entry and who come from the United States will be returned to the United States under the safe third country agreement. However, those who are caught after 14 days should technically be removed to their country of origin.

From a technical standpoint, given the way the bill is written, are we sure that we can avoid sending people back to a country where they could be harmed if they're caught in Canada after 14 days?

Hon. Lena Metlege Diab: No. As I said at the outset, everyone affected by these new restrictions will have access to a pre-removal risk assessment.

I can also tell you that we are modernizing the immigration system. We're committed to providing modern, client-focused services. We're also adopting new digital technologies to transform our services and simplify application processes. We're doing a lot of things that will simplify the process, I hope, and—

• (1700)

Claude DeBellefeuille: Simplify the process and reduce delays.

Hon. Lena Metlege Diab: Exactly.

The Chair: Thank you, Mrs. DeBellefeuille.

[English]

Next, we have five minutes for Mr. Menegakis.

Costas Menegakis: Minister, do you agree with your predecessor that the United States, a G7 country, is a safe third country for the purposes of asylum claimants, yes or no?

Hon. Lena Metlege Diab: The advice I've received is that it is.

Costas Menegakis: You do agree.

Do you agree that other G7 and developed EU nations are presumptively safe democracies, yes or no?

Hon. Lena Metlege Diab: I'm here to talk about Bill C-12.

Costas Menegakis: So am I. That's why I'm here as well.

Thank you. Thanks for letting me know that.

Hon. Lena Metlege Diab: We share with the Five Eyes countries all kinds of information when we screen applicants. That's part of the screening processes.

Costas Menegakis: You agree that they are presumptively safe democracies as well.

I'm talking about G7 and EU nations.

Hon. Lena Metlege Diab: We work with the Five Eyes countries.

Costas Menegakis: The question was about G7 and EU countries.

Hon. Lena Metlege Diab: Again, we can go to Global Affairs if you'd like a more detailed answer on that one.

Costas Menegakis: Does Bill C-12 bar asylum claims from the safe G7 and EU jurisdictions like we have barred claims from the United States?

Hon. Lena Metlege Diab: We have an agreement with the United States because we share the largest land border with them.

Costas Menegakis: I understand, but Bill C-12 doesn't bar asylum claims from G7 and EU countries. Anybody can argue a G7 or EU country has a judicial system on par with Canada.

Would you agree with that, yes or no?

Hon. Lena Metlege Diab: Again, we work with all the G7 countries, of course, throughout—

Costas Menegakis: Wouldn't it be helpful to have this power written into the legislation?

Hon. Lena Metlege Diab: You are here to.... This is a study that the committee's doing, and you're free to make recommendations—

Costas Menegakis: You're the minister. We only get you here for two hours. I'm asking you what you think. Do you not agree that we should be—

Hon. Lena Metlege Diab: I appreciate you want me longer.

Costas Menegakis: Do you not agree we should also be looking at G7 and EU nations the same way we look at the United States? They are safe countries; they are democracies.

Hon. Lena Metlege Diab: Claiming asylum doesn't guarantee the right to stay in Canada. They still have to prove a well-founded claim of fear of persecution, etc. It's on an individual case-by-case—

Costas Menegakis: You have a huge backlog, Minister. You said you want to reduce bogus claims. Can anybody come up with a bet-

ter argument that it's a bogus claim than if you want to come here from Portugal or England or Greece? These are democracies, like ours, around the world with judicial systems.

Hon. Lena Metlege Diab: Again, Mr.—

Costas Menegakis: Okay, so you don't want to do that, clearly.

Hon. Lena Metlege Diab: It is a case-by-case approach.

Costas Menegakis: Okay.

What about en masse cancellations, Minister? Are you saying you want to punish victims of fraud?

Hon. Lena Metlege Diab: IRCC is not here to punish anybody. We're neither the court nor the enforcement section of the land. I mean, that's why you have policing. You have provincial jurisdictions that administer the justice system and policing.

Costas Menegakis: All right, Minister—

Hon. Lena Metlege Diab: We have CBSA as well in terms of deportation.

Costas Menegakis: Here's who you are: You are a minister of the Crown who is responsible for IRCC—

Hon. Lena Metlege Diab: That's correct.

Costas Menegakis: —and for the immigration system in this country. You are also part of a government that has abysmally failed Canadians on the immigration file if one looks just at the backlogs and the number of people—and good people—waiting to get responses when all of our offices are inundated across the country. You have a backlog and we're giving you suggestions on how you can improve that backlog. Simply take away—

Hon. Lena Metlege Diab: All suggestions and helpful comments are very much....

Costas Menegakis: You haven't proven that, with all due respect.

● (1705)

Hon. Lena Metlege Diab: I mean, the committee's here to give recommendations.

Costas Menegakis: In a previous study, we passed amendments in this committee that you managed to discuss with your good friends from the NDP, and you're going to vote those amendments down, Minister. Your personal record and the record of your predecessors is that you ignore any amendments that come from other members of Parliament. I have news for you and your government: We are all elected to represent Canadians, not just you—

Hon. Lena Metlege Diab: You are absolutely correct.

Costas Menegakis: —so when we pass amendments in this committee—

Hon. Lena Metlege Diab: I am a member of Parliament—

Costas Menegakis: —it's your responsibility to listen.

Hon. Lena Metlege Diab: —just like you and everyone else—

Costas Menegakis: Okay, but you—

Hon. Lena Metlege Diab: —and we all have one voice in Parliament.

Costas Menegakis: We're making suggestions to you. We're talking about G7 countries. We're talking about EU countries, and it's ridiculous to assume that they should not be treated the same way that we've been treating people coming in from the United States. Wouldn't you agree with that?

Hon. Lena Metlege Diab: Again, asylum claimants are treated on a case-by-case basis.

Costas Menegakis: Do you know how many asylum claimants are in this country who have a criminal record? That's been reported here by officials to this committee in this session. Asylum claimants have criminal records.

Hon. Lena Metlege Diab: Again, that's why we have the enforcement section and we have policing.

Costas Menegakis: Do you have an enforcement section? How many people with criminal records are in the country right now who you let in?

The Chair: Thank you, Mr. Menegakis.

Thank you, Minister Diab.

For this round we have one more person. We have Ms. Sodhi for five minutes.

Amandeep Sodhi: Thank you, Minister, for always answering our questions so well. I'm going to give you a break for just a second.

I want to go over to Mr. McCrorie.

I want to talk a little bit about Bill C-12 and operational improvements. We know that frontline border and immigration officers are the backbone of Canada's immigration system, and we truly thank you for all the hard work that you do.

Can you tell us how Bill C-12 will improve day-to-day operations for CBSA and IRCC officers, and what practical benefits will these operational changes bring to service delivery at ports of entry and in immigration processing?

Aaron McCrorie: What I would use as an example would be the minister's due diligence and the process around that where, when we have an asylum claim come in, we have a role in terms of doing the security screening but also, from a hearings officer's point of view, doing a triage and assessing the claimants. It's a role that we share with our colleagues in IRCC. Right now, those claims will be scheduled and can be scheduled with the IRB prior to our completing our work, which is an inefficient process. It creates work for us. It creates work for IRCC and it creates work for IRB, but it's busy work. It's not getting anything done.

Having a process of ministerial due diligence is going to allow us to do our job and ensure that we meet our requirements from a safety and security point of view in Canada, doing our security screen-

ing, for example, but also making sure that the IRB gets hearing-ready cases, a more efficient process that the applicants will benefit from but also a process that ensures that we've met our security mandate at CBSA.

Amandeep Sodhi: Thank you for your answer.

Minister, you mentioned in your opening remarks that the provisions in Bill C-12 that would allow the federal government to manage immigration documents on a larger scale would then allow Canada to stay prepared for future crises like pandemics.

Can you tell us how the mass document change authority set out in Bill C-12 would look in practice?

Hon. Lena Metlege Diab: Would you like to take that one on, Tara?

Tara Lang: Absolutely. Concerning the use of the mass authority, we've spoken a lot about cancellations and backlogs; however, this is not something that we built with a cohort of people in mind or a reason in mind. There are crises that come about, and we need better tools to deal with them in the immigration system rather than on a case-by-case analysis.

One example that I might offer that we haven't talked about is the ability in this situation to also mass extend documents. Something that we learned during COVID is that we all knew that we needed a lot of health care workers, for instance. In this situation, we could try to define, as the immigration department, that it would be in the public's interest to mass extend to health care workers so that we wouldn't have to do it on a case-by-case basis—make people reapply for an application, find a job, etc. We could make that argument to the Governor in Council. The Governor in Council can do the assessment and make sure everything is charter-compliant. If so decided, it would be published in the Canada Gazette, and then we would have the authority in the immigration department to mass extend in the public interest.

Amandeep Sodhi: As a follow-up, we talked about COVID-19 and all of that, but what would this have looked like if these provisions were enforced during the COVID-19 pandemic? How would things have been different for us?

Tara Lang: Again, it's hard to give one example around this situation, but the fact is that we as the immigration department were down to being able to process only exceptional cases, urgent cases and family reunification cases. There were people who were trying to apply to Canada who were unable to travel, maybe for a health reason or because airlines were not flying. We could suggest that it might be in the public interest for the Governor in Council to make an order to pause application processing or prevent, as in stop, applications from flowing at this time, because we know that people cannot fly, people cannot come and it would be in our health interest. Once vaccinations were out, maybe then we would have a proof of vaccination to travel, so it could have resulted in, I think, the prevention of a backlog being built.

Again, it would have to be determined to be in the public interest by the Governor in Council and published in the Canada Gazette.

• (1710)

The Chair: Thank you, Ms. Lang.

Thank you, Ms. Sodhi.

We now go to our final round, which is our fifth round, and we have Ms. Rempel Garner for five minutes.

Hon. Michelle Rempel Garner: Thank you, Chair.

I'd just like to go back to the mass cancellation powers because, Minister, you really haven't outlined where you would use those powers. You mentioned preventing fraud that happened during the pandemic—you keep talking about the pandemic. I note that a lot of people who are on the Hong Kong pathways, for example, came in during the pandemic. What's to stop you—or not you but the government—from using this power to cancel the visas of everybody here on the Hong Kong pathway?

What would stop it, conceivably, if we let this pass? What's the safeguard from your doing that?

Hon. Lena Metlege Diab: There are a lot of safeguards. I already said I'm not going to have any singular power.

Hon. Michelle Rempel Garner: However, the government does. Is that not right?

Hon. Lena Metlege Diab: It's not in the power of the minister. It's in exceptional cases. It has to be deemed in the public interest. It goes to the Governor in Council. It has to be charter-compliant. There are a lot of safeguards in the system.

Hon. Michelle Rempel Garner: Like what?

Hon. Lena Metlege Diab: I just explained “like what”.

Hon. Michelle Rempel Garner: The government here.... We've seen examples where the government has done crazy things “in the public interest”, like issuing the Emergencies Act.

Hon. Lena Metlege Diab: That might be your opinion; it may not be someone else's opinion.

Hon. Michelle Rempel Garner: One of your former colleagues talked about using tanks on people. That actually happened during your government's tenure, so what is to stop...? I want to know because you're asking us to vote in favour of this bill. What is to stop you from, en masse, cancelling the entire PR and visas of everybody who's on a Hong Kong pathway right now? What's the safeguard in there, specifically?

Hon. Lena Metlege Diab: Again, these are not meant to cancel en masse—

Hon. Michelle Rempel Garner: But you just said it was to cancel en masse. It wasn't for individual cases—

Hon. Lena Metlege Diab: It could be extended. Again, it would have to be in the public interest, and that is why the regulations will specify some of these as well.

Hon. Michelle Rempel Garner: What's the public interest?

Hon. Lena Metlege Diab: It would go to the Governor in Council. There's a cabinet committee. All kinds of ministries would be involved.

Hon. Michelle Rempel Garner: Basically, what I take from this provision—

• (1715)

Hon. Lena Metlege Diab: Justice would be involved. It would have to comply with our charter.

Hon. Michelle Rempel Garner: You want Parliament to give the government the ability to kick out mass groups of people, undefined, whom they don't like. That's what it sounds like to me. You're not being specific with regard to safeguards here. You're literally asking Parliament to circumvent laws that protect charter rights and to mass cancel entire groups of people who could be here, and you can't say who. How could I go to ethnic groups in my community and say that I could vote for this? This is actually bananas and so anti-Canadian.

What are those specific safeguards? You haven't defined it in the legislation. You're sitting here, blathering. You're literally asking us to say, “Yes, we should give the government the right to just cancel, en masse, PRs.” Imagine you're sitting down with RED FM tomorrow. Are you going to be saying the same thing to them that you're saying to me now?

Hon. Lena Metlege Diab: Absolutely, yes, I will be.

Hon. Michelle Rempel Garner: Thank you for that.

Hon. Lena Metlege Diab: These are not designed to block people who need protection from accessing the system.

Hon. Lena Metlege Diab: These powers would be used only in exceptional circumstances, when determined in the public interest.

Hon. Michelle Rempel Garner: Yes, I get it.

Hon. Michelle Rempel Garner: What's an exceptional circumstance?

Hon. Lena Metlege Diab: There are safeguards that are built in here. It would have to be charter-compliant. We will have the justice department and officials in other departments involved.

That is how you run a country, believe it or not. That is part of ensuring we have the tools needed to manage migration integrity.

Hon. Michelle Rempel Garner: This is how you run a country: You ask Parliament to give you powers to cancel, as you said, permanent and temporary resident visas, en masse, without defining in which situations you would do it, with no examples, and then you say, “That's how a government should be run.” That sounds like an authoritarian dictatorship to me. Why should I give you the powers to do that? That sounds absolutely insane.

Hon. Lena Metlege Diab: Again, these are not powers for any one minister. These are triggered in exceptional circumstances. It is intended for Governor in Council. It is in the public interest. There are safeguards. It would be charter-compliant. There will be a lot of legal analysis that goes into it.

Hon. Michelle Rempel Garner: Would you use this to cancel...could you...? What's to prevent the Governor in Council from cancelling all of the people who are here on Gazan temporary visas right now?

Hon. Lena Metlege Diab: Again, these are used in exceptional circumstances and when it's deemed in the public interest—

Hon. Michelle Rempel Garner: Like what?

Hon. Lena Metlege Diab: It's to manage the immigration system, to give it more integrity.

Hon. Michelle Rempel Garner: For the record and for the analyst, I would like to note that the minister has not noted what those exceptional circumstances would be, and that is crazy—unbelievable.

Hon. Lena Metlege Diab: That is the purpose for the legislation. It is meant to give—

The Chair: On a point of order, I have Mr. Fragiskatos.

That's time as well.

Peter Fragiskatos: I'll withdraw it. It's fine.

The Chair: Thank you, Ms. Rempel Garner.

Thank you, Minister.

The next five minutes are with Ms. Salma Zahid.

Salma Zahid: Thank you, Chair.

Minister, we have been seeing more and more cases of corporations as well as government being attacked by malicious cybercriminals often backed by sophisticated organizations or even nation-states. Canada is acting to protect its technology infrastructure, but no one is invulnerable.

How would authorities granted in part 7 of C-12 assist in maintaining the integrity of our immigration system during a potential cyber-attack?

Hon. Lena Metlege Diab: Actually, that's an excellent example. That's where we could use these mass authorities to ensure that we would have the authority to deal with situations exactly like that. There's a lot of sophistication that is going on around the world with people who are doing a lot of criminal activities, exploitation and so on. Again, we in IRCC, we have digital technology that is transforming our services to simplify our processes, but it's also to detect these frauds a bit better. Again, we work with our partners as well, not just CBSA but also CSIS and, as I've said, our Five Eyes partners—the United States, United Kingdom, Australia, New Zealand and I guess we're fifth, Canada—to share information when we process cases or when we also look at that.

I'm not sure if anyone else would like to add anything.

Salma Zahid: Is there anyone?

Ms. Lang.

Tara Lang: A cyber-attack is an example of something for which we could perhaps argue it is in the public interest to make an order in council or suggest to the Governor in Council that there be an order in council to pause any applications we think came in because of the cyber-attack and could be fraudulent or could have been developed by non-state actors. In that instance, we could ask

the Governor in Council to pause those applications so that we could do an investigation within the department to analyze those applications to see if they're valid, to see if there's a source of organized crime and to work with our enforcement partners. This is another potential use of the mass authorities legislation, should Bill C-12 pass.

Salma Zahid: Just to make sure that there is accountability and transparency in that process in the case of mass cancellations, can you just explain the process a minister would have to follow or IRCC would have to follow? What would be the different steps, so that we know that there would be transparency and accountability?

Tara Lang: We would work horizontally within our department and with any other federal or provincial partners. For instance, if there was something provincially linked to any kind of application, whether it be for extension or...we would build the rationale for the justice department, like the minister said. We would balance vulnerable clients with public interest, safety and security. It would go to the Governor in Council. The Governor in Council would have the conversation and decide. There would be an order in council published in the Canada Gazette.

Any applicants who were named in the order would then receive an email from the department, and at that time it would indicate that your document is invalidated. It does not remove status. This is about invalidating documents. Status is a different piece. You are granted status when you enter the country from the Canada Border Services Agency, and that part of IRPA has its own rules and procedures.

At that point, the client or the applicant would then have an opportunity to come back to IRCC should they believe that they are improperly named in the OIC, for instance. Obviously, there would be a lot of rigour in putting forward those names beforehand, but there is an opportunity for the GIC then to back up or reverse any decisions and amend the order should there be adjustments that are needed to be made at any point along the continuum.

• (1720)

Salma Zahid: Thank you.

The Chair: Thank you, Ms. Zahid.

Thank you, Ms. Lang.

[Translation]

Mrs. DeBellefeuille, you have two and a half minutes.

Claude DeBellefeuille: Thank you very much, Madam Chair.

If you wouldn't mind, Madam Minister, let's talk about those who apply more than 14 days after their arrival in Canada.

What kind of proof will you require to verify that they've been in the country for more than 14 days? Have these kinds of details been discussed?

Hon. Lena Metlege Diab: I think Mr. Hollmann can answer that question.

Jason Hollmann: We will have to look into that, because people who apply less than 14 days after their arrival are covered by the agreement with the United States. So it's important to know who's been here less than 14 days and who's been here longer. That said, the burden of proof lies with the clients.

So, under the proposed measures, either asylum seekers will be subject to the agreement with the United States, or their applications will be deemed inadmissible—

Claude DeBellefeuille: That's right. Basically, if the person applying for asylum more than 14 days after arrival is from the United States, they will have to return there, but if they're from a country subject to a moratorium, such as Haiti, they will be able to stay.

If their country of origin is not subject to a protection moratorium, will you ask them to provide documents proving that they've been here for more than 14 days and that returning to their country would put their safety at risk, for example?

Jason Hollmann: People whose applications are deemed inadmissible may be referred to the Immigration and Refugee Board of Canada, or IRB, and will be subject to a removal process, but there will be a pre-removal risk assessment. That's where we'll assess the risks and determine whether they need protection—

Claude DeBellefeuille: I'm sorry to interrupt, but I want to talk about the process, because I'm struck by the unreasonable processing times. We're talking about human beings who arrive in Canada and apply for asylum 14 days later. If you tell them that their application is inadmissible, but they request a pre-removal risk assessment, how much time can they remain without legal status and—

The Chair: Thank you, Mrs. DeBellefeuille.

[*English*]

I'm very sorry, but I'll have to end this round.

We have two minutes left. I'm going to give one minute to Mr. Davies and one minute to Mr. Zuberi. Then we'll go into committee business.

You have one minute, please.

Fred Davies: Quickly, Minister, do you use AI in any application for any processes in the immigration department?

Hon. Lena Metlege Diab: No, not to process applications. That's a question that has come to me before, and I asked the department. The answer is no, not to process applications. They're done by human beings.

Fred Davies: My understanding is that there is a software package that is used by IRCC to screen visitors who want to come to Canada, and occasionally it comes up with problems, like somebody who says that they're going to go canoeing in northern Ontario in January.

Are you saying that this software is not in use at IRCC or the CBSA?

Tara Lang: No, what we use is a triage model. It's an Excel spreadsheet; it's not an automated or AI software.

The Chair: Thank you very much, Mr. Davies.

Thank you, Ms. Lang.

You have one minute, Mr. Zuberi.

Sameer Zuberi: Thanks to everybody for being here again.

I want to ask, in this short period of time, about the data-sharing elements of the legislation.

I'm curious as to why naturalized citizens can have their data shared. Also, with regard to the sharing that happens for permanent residents, temporary residents—their personal information—is it very limited in scope? Will it be very limited in scope, or will it be the wholesale information shared to different partners, including provincial governments?

• (1725)

Hon. Lena Metlege Diab: Because of privacy, obviously, we take that quite seriously—protecting the personal information of applicants. As I said before, all information-sharing agreements, whether within the federal government or with provincial or territorial governments, would be in writing, and they would include strong safeguards to protect people's privacy and charter rights.

The Chair: Thank you so much, Minister.

Thank you so much, Mr. Zuberi.

I want to thank all the officials, and especially you, Minister. Thank you. This was a marathon session. I really appreciate your time.

We have two very quick things that we need to do for committee business. We don't need to go in camera.

Committee members, the clerk has distributed a study budget for your approval. It's \$32,000 for the study of the subject matter of Bill C-12. Do I have a motion for this budget?

Thank you, Ms. Rempel Garner.

(Motion agreed to)

The Chair: Next, we need a deadline for the briefs regarding Bill C-12. The clerk and analysts are suggesting Monday, November 10, at 9 a.m., with a maximum length of 1,000 words. We need enough time to get them translated and distributed to members of the committee before Thursday, November 20.

Can I get a motion for that?

Thank you, Ms. Rempel Garner.

(Motion agreed to)

The Chair: Lastly, UNHCR will be visiting. They will be here on Tuesday, November 18. I'd like to propose an informal meeting with them. It will be a joint meeting with the foreign affairs committee between nine o'clock and 9:45. If it's okay with everyone, I'd like to ask the clerk to make the necessary arrangements to offer hospitality between nine o'clock and 9:45 to UNHCR and for us to cover the costs.

I want to see whether I can get a motion to cover the costs for that. It will probably be coffee and muffins.

Thank you, Mr. Zuberi.

(Motion agreed to)

The Chair: Thank you very much.

Madame DeBellefeuille.

[*Translation*]

Claude DeBellefeuille: I have a quick question.

Am I correct in understanding that the committee's report on Bill C-12 will be sent to the Standing Committee on Public Safety and National Security on November 20?

As I sit on the Standing Committee on Public Safety and National Security, I was wondering when we would receive the report.

Have you decided on November 20?

[*English*]

The Chair: Thank you for the question.

What we were discussing a couple of minutes ago was the external briefs that will come to this committee regarding the immigration section of Bill C-12. The deadline for that is Monday, November 10, at 9 a.m., because we need to be able to translate them. There's a length limit of 1,000 words. We need time to translate them and distribute them to the committee by Thursday, November 20, which is the last day we're considering it.

That allows me to more fully answer the second part of your question. This committee is only sending a list of recommendations

based on the four days of testimony that we will hear here. We're sending the list to the public safety committee, and they will look at our recommendations and take them into consideration when they're making the final report and doing clause-by-clause consideration.

[*Translation*]

Claude DeBellefeuille: When will we be getting those recommendations, Madam Chair?

In the motion that we moved as part of our study of Bill C-12, November 20 would be the last day to hear witnesses, and then we would proceed to clause-by-clause consideration.

Will your recommendations be tabled before November 20? That was my question.

[*English*]

The Chair: No. It will arrive at the end of our session on November 20. That's our last day. It will be a list of recommendations.

Thank you.

We are at the end of our meeting. Our next meeting will be on Thursday, November 6.

I declare the meeting adjourned.

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