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• (1535)

[*Translation*]

The Chair (Hon. Jean-Yves Duclos (Québec Centre, Lib.)): I call this meeting to order.

Good afternoon, everyone.

Welcome to meeting number 35 of the House of Commons Standing Committee on Public Safety and National Security.

Pursuant to Standing Order 108(2) and the motion that we adopted on September 18, we're meeting to study Canada's ability to remove foreign nationals with a criminal record.

We're fortunate today to welcome two ministers and their officials. We're joined by Minister Gary Anandasangaree, who is a member of Parliament and the Minister of Public Safety; and Lena Metlege Diab, who is also a member of Parliament and, of course, the Minister of Immigration, Refugees and Citizenship.

They're joined by Erin O'Gorman and Aaron McCrorie from the Canada Border Services Agency; and Ted Gallivan, deputy minister of the Department of Citizenship and Immigration.

Welcome, everyone.

The Minister of Public Safety will speak first. The Minister of Immigration will then take the floor.

Minister, you have the floor.

[*English*]

Hon. Gary Anandasangaree (Minister of Public Safety): Thank you, Mr. Chair.

Let me begin by welcoming some of the new members to the committee, including our newest member of Parliament, Doly Begum. It's really good to have everyone here.

I want to thank the committee for this opportunity to join you today.

I'd like to acknowledge that we're gathered on the traditional and unceded territory of the Algonquin Anishinabe people.

[*Translation*]

Protecting Canadians and maintaining the integrity of our immigration system are priorities for our government.

[*English*]

Central to this is ensuring that our borders remain secure and that immigration and border policies are applied fairly, transparently

and in compliance with Canadian laws and international legal obligations. Our government is committed to ensuring that people who no longer meet the requirements to remain here, including those posing threats to public safety or national security, are removed in accordance with the law and supporting processes.

I'd like to take a moment to discuss the role of the Minister of Public Safety on this matter. The minister is responsible for the administration of immigration enforcement provisions under the Immigration and Refugee Protection Act. These provisions include the power to examine individuals entering Canada, as well as the power to investigate, arrest, detain and remove inadmissible foreign nationals and permanent residents from the country. Finally, the minister also has the responsibility to shape national security, transborder criminality and organized criminality policies and provisions, and the non-delegable power to grant relief from their effect.

The CBSA prioritizes the removal of individuals who pose a risk to public safety. In 2025, the agency achieved a significant milestone, removing over 22,500 inadmissible persons, a record for a single year. Nearly 1,200 of these removals were due to serious concerns related to criminality, national security, human rights abuses and organized crime.

Over the past five years, removals on serious grounds have nearly doubled, reflecting the CBSA's commitment to and work in mitigating public safety threats. The agency is actively combatting criminal activities, such as extortion, by collaborating with law enforcement to remove individuals who are involved in these activities and are terrorizing our communities. These efforts have had an impact in areas such as British Columbia's Lower Mainland, Edmonton, Winnipeg and the GTA, where communities have welcomed the disruption of such networks.

Cases involving individuals who pose a risk to public safety are referred to the Immigration and Refugee Board, which decides whether to issue removal orders. A removal order does not automatically result in immediate action. One significant barrier is the lack of co-operation from certain foreign governments, which delays issuing necessary travel documents. This impacts the efficiency of removals, especially for cases subject to enforceable orders. We are working with these countries, and some of these efforts are bearing fruit.

Public understanding is also key. While not every removal is tied to an immediate threat, those who pose a threat to Canadians can be arrested and detained under immigration legislation. The agency relies on close collaboration, both domestically and internationally, to achieve its goals. Public tips submitted through the CBSA's border watch line remain a vital tool for identifying threats, reinforcing community engagement and improving case outcomes.

Investments under the border plan have also allowed the CBSA to expand its resources. The agency has hired additional enforcement case officers to support removals and reduce backlogs. The CBSA is also hiring 1,000 new officers to strengthen frontline operations, including inland investigations and removals.

[*Translation*]

All players in the public safety portfolio—and, in fact, across the government—take their mandate to protect Canadians extremely seriously. The Canada Border Service Agency's successes reflect the power of collaboration.

[*English*]

In closing, I want to acknowledge the dedication of CBSA staff and their federal partners. The agency's work, supported by law enforcement and international collaboration, is vital to protecting Canadians and maintaining a fair, transparent immigration system.

• (1540)

[*Translation*]

Once again, thank you for having me here today.

I look forward to answering your questions.

The Chair: Thank you, Minister.

Minister Diab, you have the floor.

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

I'm here with my colleague, the Minister of Public Safety.

The motion before this committee reflects a legitimate public concern. Canada's immigration system welcomes people who contribute to this country and keeps out people who could do harm. We're committed to maintaining that balance, which is fundamental to Canadians' safety and trust.

[*English*]

IRCC is a part of the first line of defence. From the moment a foreign national applies for a visa or a status, they are subject to a multi-layered, coordinated screening process. Officers assess their identity, eligibility and admissibility under the Immigration and

Refugee Protection Act. Officers have the authority to refuse entry to foreign nationals who have a history of criminality, organized crime or human rights violations. When concerns arise, we seek input from our partners in law enforcement, border security and intelligence.

We're taking a more proactive, intelligence-driven approach to the screening process. This includes continuously improving how we flag cases, share data with our partners and track status in Canada to support more timely action.

[*Translation*]

Our goal is to identify risks as early as possible so that we reduce the pressure on enforcement later. Safeguards exist at several stages of the process.

We're strengthening preventative measures at the visa stage, including tightening requirements and improving how we verify applications in higher-risk streams.

Once a foreign national is admitted to Canada, if they're found to have misrepresented their criminal history on their application, their case may be referred for enforcement.

When other inadmissibility concerns are identified, CBSA will investigate and take appropriate enforcement action, which may include removing someone from the country.

The law is clear. Non-citizens convicted of a serious crime are inadmissible, and those sentenced to six months or more of imprisonment have no right to appeal to the immigration appeal division.

I appreciate the committee's work and look forward to our discussion.

Thank you, Mr. Chair.

The Chair: Thank you, Minister.

Thank you, Minister.

We will now hear from the members.

Mr. Caputo, you have the floor for six minutes.

[*English*]

Frank Caputo (Kamloops—Thompson—Nicola, CPC): Thank you, Mr. Chair.

Thank you, Ministers, for being here.

Minister Diab, how did an IRGC terrorist get a visa to come to Canada?

Hon. Lena Metlege Diab: Let me be clear. We have taken strong action as a government to hold the IRGC to account. While I cannot comment on any individual case for privacy reasons, our government has been clear and consistent. We will always put the safety of Canadians first.

Frank Caputo: Minister, I don't want talking points.

Minister Anandasangaree, do you agree with that, yes or no?

Hon. Gary Anandasangaree: I'm unable to speak to a specific case, but I will confirm, Mr. Caputo, that no individuals representing Iran were at the congress in Vancouver today.

Frank Caputo: That's not what I asked. I asked how an IRGC member got a visa.

You say that privacy prevents you from telling us about the case. I have a copy of the Privacy Act here. Could you please tell me what section of the Privacy Act shields terrorists from your answering questions about how they got a visa?

Minister Diab, which section is it, please?

Hon. Lena Metlege Diab: Let me be clear. No IRGC member has been admitted to Canada.

• (1545)

Frank Caputo: Minister, let me be clear. Which section is it?

Hon. Lena Metlege Diab: I don't have those documents on me.

Frank Caputo: You are the minister in charge. Three questions were asked of you in question period. Not once did the Liberal government allow you to get up and answer those questions.

I'll ask Minister Anandasangaree.

Let me be clear. What section of the Privacy Act shields an Iranian terrorist? What section precludes you, Minister, from answering questions?

Hon. Gary Anandasangaree: Mr. Caputo, as a general rule, we do not speak about individual cases. It is part and parcel of the work we do to ensure that privacy interests are protected.

I will also say that, over the last number of years, it has been customary that ministers do not specifically discuss cases that may or may not be before the courts. In the situation you describe, there's a potential for litigation.

Frank Caputo: Minister, when was the last time a terrorist got a visa to Canada? I don't know when.

Minister Diab, when did this matter first come to your attention?

Hon. Lena Metlege Diab: Today is Thursday. The day in question....

Frank Caputo: You don't know when this matter came to your attention.

Hon. Lena Metlege Diab: This is the week that we're talking about. Let me just say that it was our government that designated the IRGC as a terrorist organization.

Frank Caputo: You did, after Conservatives asked you to do so, but I'm not asking about the designation. We called on your government to do it for years, so let's not pretend you have the moral high ground here, Minister.

Hon. Lena Metlege Diab: Well, the Conservatives were in power prior to the Liberal government, and they—

Frank Caputo: Minister, if you want a timeline about when planes were shot down and what have you, we can get into that, but that's for another day.

Did you sign for or know about this visa, yes or no?

Hon. Lena Metlege Diab: I certainly did not sign any documents on this.

Frank Caputo: Did you know about the visa, yes or no?

Hon. Lena Metlege Diab: Again, no IRGC member has been admitted to Canada.

We will not comment on individual cases.

Frank Caputo: I didn't ask whether somebody was admitted.

Hon. Lena Metlege Diab: Mr. Caputo, you are a gentleman of the court. You were, and maybe still are, the barrister of an association. You practised law for a long time. You understand the reason we are unable—

Frank Caputo: Actually—

Hon. Lena Metlege Diab: —to comment on particular, specific cases.

The Chair: We know each other well enough now. Once we observe conversations overlapping, we know the interpretation cannot function properly and therefore some can't follow the conversation.

I will ask you not to overlap the conversations of others so we can all follow the discussion.

Frank Caputo: Yes, I took an oath, just as other lawyers have, Minister. One of those oaths was to the rule of law, in my view, and the rule of law demands transparency.

There are Canadians here who have suffered under the IRGC. If you will not tell us exactly what you know, will you table your briefing notes for today, yes or no?

Hon. Lena Metlege Diab: Member, listen, you and I know that, for all of us in this room, the safety and security of Canadians is our priority. That is the reason we are in these positions of trust.

Frank Caputo: I get that, Minister. Here's the problem: It can be a priority, but there can still be a colossal mess-up.

I asked how it happened. Did you see something in the Privacy Act? No. The Privacy Act, I guess, doesn't apply there. I've asked repeatedly where in the Privacy Act that is. It took an independent journalist—a whistle-blower—to bring this about to both of you, Ministers.

Here's the problem. The TRP visa is there to overcome inadmissibility. He was not admissible. Somebody gave him the visa.

Who gave him the visa? Just give us a name.

Hon. Lena Metlege Diab: Again, Mr. Caputo, the member in question was not admitted to Canada. No IRGC—

Frank Caputo: I thought you couldn't comment for privacy reasons. "Oh, we can comment on that for privacy reasons, but on other things, we can't."

The Chair: I'm sorry, MP Caputo. The minister is trying to answer. You cut her off, which I let go the first time. This can't happen all the time.

I'll invite the minister to provide her answer.

Hon. Lena Metlege Diab: We've taken strong action to hold the IRGC to account. We will continue to do that. We will continue to act in the best interests of Canadians. That is our priority, and that is what we will be doing.

Frank Caputo: How many—what number—have you expelled? How many have you expelled? You're the minister. You should know this. Is it one or two?

How many from the IRGC have you expelled in the last year? Is it one or two?

• (1550)

Hon. Lena Metlege Diab: I don't do deportation.

Frank Caputo: Minister Anandasangaree, how many have been expelled—one or two?

Hon. Gary Anandasangaree: Mr. Caputo, I answered these questions prior. You're aware. We have had over 17,800 applications reviewed for potential inadmissibility—

Frank Caputo: Minister, we have five seconds left. How many have you expelled?

Hon. Gary Anandasangaree: —and 239 visas have been cancelled.

Frank Caputo: I asked for expulsions.

The Chair: I'm sorry. That is all the time we have for this first intervention.

Frank Caputo: How many expulsions, Minister? How many expulsions?

The Chair: We'll come back to others in a moment, but first we need to turn to MP Housefather.

You have six minutes, please.

Anthony Housefather (Mount Royal, Lib.): Thank you, Mr. Chair.

Ministers, thank you for being here.

I think this is important, just for clarity. Mehdi Taj, the head of the Iranian football federation who allegedly was a commander in

the IRGC, was denied entry, according to reports, at Pearson airport. That was the proper thing to do. Such a man should not have been admissible to Canada. He was not allowed to enter Canada, reportedly, according to the press.

Minister Anandasangaree, you'd agree with me that, hypothetically, any IRGC commander should not be allowed to enter Canada. Is that correct?

Hon. Gary Anandasangaree: I would say that in general terms, Mr. Housefather, senior members of the IRGC, members of the regime, are inadmissible to Canada.

If I may continue what I was explaining to Mr. Caputo, 17,800 applications were reviewed for potential inadmissibility, for those who wanted to come to Canada, and 239 visas were cancelled by IRCC because of potential links. As well, 174 investigations have been opened by the CBSA, and 79 of these investigations have been concluded by the CBSA. We're still investigating about 63. These are for people from the outside who are trying to come to Canada.

Anthony Housefather: That's 100% understood, Minister.

I just want to clarify again that the CBSA at the border is still capable, even if somebody were in possession of a visa, of denying entry if the CBSA determines that they are inadmissible to Canada and should not be entering the country. Is that correct?

Hon. Gary Anandasangaree: CBSA has a critical role in this. For example, if individual visas were issued, CBSA still, at the border, has certain authorities. They are very specific authorities under IRPA. Oftentimes, it will require a referral to the Immigration and Refugee Board, who makes a determination.

Anthony Housefather: There's been a lot of speculation—not only speculation, but claims made as well—related to the number of IRGC members in Canada who should not be here. The number of 700-and-some has been floated. To my understanding, there is no basis whatsoever for that number. I've asked for a clarification on where that number came from and what the truth is with respect to that number, because it's been repeated over and over in the House of Commons.

That's for you or Ms. O'Gorman.

Hon. Gary Anandasangaree: Let me begin, and then I'll ask President O'Gorman to answer.

Look, the 700 number has come up in my many engagements with Iranian Canadians. A number of lists have been floated. What I can say that is that every single name that has been brought forward to the Canada Border Services Agency has been reviewed and extensively studied. Conclusions have been made on whether or not they're inadmissible. Right now, we are tracking 32 persons who have been reported inadmissible. Essentially, we are tracking 26 individuals for removal.

Anthony Housefather: For further clarity, just so that nobody is confused about this, Minister, on the names that have been submitted to you by the different Iranian organizations or other organizations that have claimed that these people are higher-level IRGC and inadmissible, the agency has looked at each and every one of those names. Is that correct?

Hon. Gary Anandasangaree: These are not political decisions. These are decisions and processes by the Canada Border Services Agency, which is an independent agency. Their primary responsibility is the safety and security of Canadians and to implement our laws. In that regard, yes, every single name that has gone to them and continues to go there....

There is a phone line that individuals can contact. In the number of meetings I've had, I've shared that information with the community and members of the community. Those names continue to come in. CBSA reviews those names extensively. It's not just open-source research; it's deeper dives into those names that are in their possession. The conclusions essentially are made by CBSA.

• (1555)

Anthony Housefather: I have one last question.

Mr. Gallivan, this is to you.

In the event, ever, that a visa was issued erroneously to any hypothetical individual, I presume clear instructions would be issued related to clarifying that. If somebody was given a visa who should not have been, this should never be reproduced. You would give strict instructions to your team not to do that again. Is that correct?

Ted Gallivan (Deputy Minister, Department of Citizenship and Immigration): At a tactical level, we can review the facts available to us continuously throughout somebody's voyage. Absolutely, this shouldn't happen again. Leading up to the FIFA games themselves, it is my accountability to make sure that we don't find ourselves in this situation again.

Anthony Housefather: Thank you.

I assume that's my time, Mr. Chair.

[Translation]

The Chair: Thank you, Mr. Housefather. Congratulations on your first intervention here at the committee. You took less time than you had. Once again, well done.

Mr. Deschênes, you have the floor for six minutes.

Alexis Deschênes (Gaspésie—Les Îles-de-la-Madeleine—Lestiguj, BQ): Thank you, Mr. Chair.

Good afternoon, everyone. I'm pleased to be with you.

Mr. Gallivan, I just want to come back to what you just said. What happened should never happen again. You acknowledge that a mistake was made when a visa was granted to a former senior member of the Islamic Revolutionary Guard Corps. Is that correct?

Ted Gallivan: What I would say is that halting the processing of a high-risk file at the appropriate time is ideal. Timely action would have been better.

I can comment on things that are in the public domain. Obviously, this person was allowed to fly. Then the decision was reversed.

I think the ideal is, first, to determine which files are at risk and then to make the right decision as quickly as possible, which requires having all the right information and taking a good look at the decision.

Alexis Deschênes: Ms. Diab, in 2022, when the inadmissibility ban for members of the Islamic Revolutionary Guard Corps was announced, Mr. Anandasangaree's predecessor, Mr. Mendicino, said that we had the means to ensure that the ban was enforced. The ban applies to current senior officers, but also to all those who have been senior officers since 2004.

How can we explain that a former senior officer in the corps was given a visa?

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

As I have said before, Canada continues to hold the Iranian regime accountable for its actions. As you know, it was our government that designated the IRGC as a terrorist organization.

We cannot comment on this specific case, but let us be clear, we will always act—

Alexis Deschênes: Ms. Diab, I have to stop you there.

Yes, you can comment on that case. We're talking about three Iranian citizens. You don't have to protect the privacy of Iranian citizens linked to a terrorist entity. What you have to do is protect the safety of Canadians. There's no reason why you can't tell us what happened.

I'll ask you again: How could a former member of the Islamic Revolutionary Guard Corps be granted a visa when you must have a list? Mr. Gallivan and Mr. Anandasangaree explained that there is supposed to be a list of these people. How is it possible that they were flagged when they got to Toronto, but nothing was noticed when they applied for a visa?

Hon. Lena Metlege Diab: You're right, the safety of Canadians is always the priority.

Our system includes a lot of steps before the trip, during the trip and on arrival in the country. In this case, the system worked properly. They couldn't get into Canada, and they didn't get into Canada.

Alexis Deschênes: They came to Toronto on a visa. The question is about that. You're right that they left. They didn't stay.

How could the system issue a visa when you're supposed to have a list of inadmissible persons?

• (1600)

Hon. Lena Metlege Diab: As I said, we cannot comment on this case—

Alexis Deschênes: Yes, Ms. Diab. You can comment on it. There's nothing stopping you from doing that.

Hon. Lena Metlege Diab: No, we cannot comment on individual cases—

Alexis Deschênes: You don't have to protect the privacy of Iranian citizens, Ms. Diab—

The Chair: Mr. Deschênes, since we really like you and would like to invite you back, let's agree not to talk over each other, because it's impossible for those who depend on the English interpretation to understand what's going on.

Ms. Diab, the floor is yours.

Hon. Lena Metlege Diab: In that case, it is true that one of the individuals was inadmissible and did not have the right to enter Canada.

Alexis Deschênes: That's correct. However, this person received a visa. Why was a visa given to someone who is inadmissible to Canada?

Hon. Lena Metlege Diab: As I said, there are a lot of steps. The visa was cancelled. When this person came to Canada, they didn't have a visa.

Alexis Deschênes: Ms. Diab, the visa was granted, so there's a flaw in your system. That's what we have no choice but to retain.

We're talking about members or former members of the IRGC. I would remind you that the corps is suspected of killing as many as 33,000 people during the recent protests in Iran. There's a reason these people are inadmissible here. They've obviously been inadmissible for a number of years. Despite everything, when a former member of the corps applied for a visa through your system, he got it.

Are you able to identify where the flaw is? What's the system that needs to be fixed? Are your lists not up to date?

Hon. Lena Metlege Diab: We work closely with our colleagues at the Royal Canadian Mounted Police, the Department of Public Safety and Emergency Preparedness and the Canadian Security Intelligence Service, as well as with our local and international partners. We have lists, not just for Immigration, Refugees and Citizenship Canada, but also for Public Safety Canada and for the officials here.

Alexis Deschênes: Mr. Anandasangaree, what's going on with our lists?

Hon. Gary Anandasangaree: Thank you for the question.

[English]

Which list are you referring to, specifically?

[Translation]

Alexis Deschênes: I'm talking about the IRGC list. That's the discussion topic.

The Chair: We'll have to wait for the next round to get the answer to that question.

Before that, Mr. Lloyd, you have the floor for five minutes.

[English]

Dane Lloyd (Parkland, CPC): Thank you, Mr. Chair, and thank you to the ministers and witnesses for being here.

Minister Diab, was the individual in question related to this case issued a temporary resident visa or a temporary resident permit?

Hon. Lena Metlege Diab: Let me be clear.

Dane Lloyd: It's a simple question.

Hon. Lena Metlege Diab: Yes, absolutely, for sure.

Dane Lloyd: Was it a temporary resident visa or a temporary resident permit?

Hon. Lena Metlege Diab: As I said, I cannot comment on the individual person in question—

Dane Lloyd: This is a very simple question.

Hon. Lena Metlege Diab: —but no IRGC member has been admitted to Canada.

Dane Lloyd: Was it a temporary resident visa or a temporary resident permit?

Hon. Lena Metlege Diab: I believe I've already responded to that.

Dane Lloyd: Why can't you answer the question, Minister?

Hon. Lena Metlege Diab: As we said, we cannot comment on the specific case in question. What is important is that—

Dane Lloyd: For the benefit of the Canadians who are listening—

Hon. Lena Metlege Diab: —the individual did not come into Canada.

Dane Lloyd: I have the floor. Thank you, Minister.

For the benefit of the Canadians who are listening, a temporary resident visa is required for any Iranian citizen to enter Canada. Many do on a daily basis. A temporary resident permit is required for anyone who is found inadmissible to come to Canada for criminal reasons or other reasons.

According to the Raoul Wallenberg Centre, this individual was an IRGC intelligence commander from 1979 onwards. I find it interesting that Liberal members said he was an alleged IRGC member. It's been well reported that he was an intelligence commander in the IRGC. He would have had to be issued a temporary resident permit. That is a special permit from your department.

Minister, did your department know that this person was inadmissible to Canada before you issued a permit?

Hon. Lena Metlege Diab: Again, I'm not going to comment on an individual case, for privacy reasons. What I will say is that the individual had no status to come into Canada by the time they landed. They left. They are back in their own country.

We are very much looking forward to learning what happened in this case to ensure it does not happen in the FIFA games, which are happening in the months of June and July.

Dane Lloyd: Minister, I worked for the immigration department when Jason Kenney was the minister. In cases where you have high-profile people coming into this country.... We're talking about FIFA here and an official with IRGC connections, while there's currently a very real war going on in Iran. Somebody with this high a profile coming into this country with known IRGC connections had to have been issued a temporary resident permit.

Are you saying, Minister, that you received no memo and that you were not involved in the decision at all to let this inadmissible person enter Canada?

• (1605)

Hon. Lena Metlege Diab: These decisions are not political.

I, as the minister, am a political person. It would not be something that I—

Dane Lloyd: Are you saying you're not accountable, Minister?

Hon. Lena Metlege Diab: I'm definitely accountable, but I would not have been part of that decision-making process.

Dane Lloyd: Were you aware that this decision had been made before the visas were issued, Minister?

Hon. Lena Metlege Diab: What I can tell you is that it was annulled prior to the individual landing, and the individual returned home—

Dane Lloyd: Minister, I think we can all appreciate that once it became very newsworthy, your officials took the right course of action in annulling this person's visa. What we want to know at this committee, and what Canadians, particularly the Iranian diaspora and the Persian community, want to know is, why did your department issue this IRGC-linked official a visa in the first place?

Did you know about the decision before the visa was issued, yes or no?

Hon. Lena Metlege Diab: I did not know about the decision. What I can tell you is that the document was annulled prior to the individual landing in any Canadian territory. The individual returned back to their own country.

We will ensure that for the FIFA games coming in June and July, we learn from this. I was clear months and months ago: Even for the FIFA games, it is not a guarantee that anybody buying a ticket for soccer will be able to come in.

Dane Lloyd: I've given you lots of time to respond to that, Minister.

If this IRGC-linked official had been allowed into Canada, would the government have been obligated to arrest him for being a member of a recognized terrorist entity?

Hon. Lena Metlege Diab: Again, I would look to—

Dane Lloyd: President O'Gorman, can you answer that question? Could they have been arrested for being a member of a listed terrorist entity if they had been allowed to enter Canada?

Erin O'Gorman (President, Canada Border Services Agency): I'll speak generally about CBSA's authorities.

If somebody comes to Canada and they are inadmissible and have documentation, we make the representation before the Immi-

gration and Refugee Board. We make the case around inadmissibility and they make a decision.

Dane Lloyd: Presumably, if they had a TRP, you would have been aware of their criminal connections. It would have been kind of odd for you to arrest somebody the government gave permission to come knowing that they had a criminal record. They would have had to receive a temporary resident visa, and if you had found out they were criminal then, you could have arrested them, could you not have?

The Chair: Give a short answer, please.

Erin O'Gorman: The process at the border is that our officers form an opinion of inadmissibility. They make that before the Immigration and Refugee Board, which makes the decision.

[*Translation*]

The Chair: Thank you for that exchange.

Ms. Dandurand, the floor is yours for five minutes.

Marianne Dandurand (Compton—Stanstead, Lib.): Thank you, Mr. Chair.

Thank you to the witnesses for being with us today to talk about this issue.

Ms. O'Gorman, I'd like to ask you a fairly technical question about removal procedures in cases like the one we're talking about today.

Could you explain the various stages of the removal process for foreign nationals who have a criminal record, and the criteria used to determine their eligibility for removal? I would also like to know a bit more about the turnaround times.

Erin O'Gorman: Okay. It's a bit of a technical question, so I'll answer in English to make sure my words are accurate.

[*English*]

Individuals who are inadmissible to Canada and who have gone through the process enter our removals inventory. We prioritize people with serious inadmissibilities, which can include criminality and membership in certain organizations. Those are at the top of the list. As the minister said at the outset, we have returned many people who have criminality.

Most of the individuals in our removals inventory do not have criminality. About 2% do. When we say we prioritize them, there's a small number, but they are our top priority. Our officers are looking for them. If we find them and we believe they're a flight risk, we will detain them until such a time as we remove them.

Individuals have a right to recourse. We also have to make the case for detention before the Immigration and Refugee Board. From our lens of protecting public safety, we make that case. Often it's upheld; sometimes it's not. Then we undertake other actions if we believe there's a public safety risk. We're constantly re-evaluating.

• (1610)

[Translation]

Marianne Dandurand: Thank you. Your answer is very clear.

In the case of foreign nationals with criminal records, what do you think are the main obstacles that delay the procedures? How can we improve procedures and reduce these obstacles?

[English]

Erin O'Gorman: There are several rights to recourse.

For example, if an individual has a refugee claim and that claim is not upheld by the Immigration and Refugee Board, they can in most cases have recourse to another division within the Immigration and Refugee Board. They can have recourse to the Federal Court. If the Federal Court does not overturn the previous decisions, they have a right to a pre-removal risk assessment. That's conducted by the Department of Immigration.

If there is significant criminality or a public security risk associated with that individual, there will be a danger opinion. That means they may be seen to be at risk by being returned. However, if they are deemed to be a danger to Canada, we can return them notwithstanding the risks they might face. There are a lot of steps, and when you have a large volume, they move at pace.

There are some countries that do not provide travel documents to their citizens. We've been working very hard on that. The hard work has paid off with some countries, so we are now receiving travel documents. We are working through those, at pace, with the individuals in our inventory, but there remain some countries that are recalcitrant in that regard.

[Translation]

Marianne Dandurand: My question is for you, Mr. Anandasangaree.

Can Bill C-12, which has received royal assent, reduce the barriers that Ms. O'Gorman is talking about?

[English]

Hon. Gary Anandasangaree: Certainly there are some provisions in Bill C-12 that will help the IRCC, as well as the CBSA with its ability to remove. There are safeguards in place, including a pre-removal risk assessment for those who are ineligible to seek an asylum claim.

The IRCC minister also has broader powers to suspend TRVs that have been issued to a group or to individuals. Those are broader powers that have been bestowed on the Minister of Immigration.

From a public safety perspective, the tools have enabled a better focus on asylum claimants who have sought asylum in a timely manner and are in need of protection, to ensure that the process we have is efficient and is not bogged down by others who may not be

genuine asylum seekers and may be doing this as a last resort to stay in Canada.

The Chair: I'm sorry for interrupting.

[Translation]

Thank you for that exchange.

Mr. Deschênes, you have the floor for two and a half minutes.

Alexis Deschênes: Thank you, Mr. Chair.

Minister Diab, I too want to talk about Bill C-12. On March 26, when Bill C-12 received royal assent very quickly, your department sent a letter to asylum seekers who arrived in Canada after June 24, 2020, and who applied a year after their arrival.

The letter was widely criticized because, according to many people, its tone is misleading. People are being told that they have to leave Canada as soon as possible. That's already a bit direct. Furthermore, on the second page, it says that these people could be eligible for a pre-removal risk assessment application, when in reality, it should instead say that they have an opportunity to request a pre-removal risk assessment.

Do you agree with me that the letter is misleading and that the wording should be changed to properly inform people?

• (1615)

[English]

Hon. Lena Metlege Diab: Bill C-12 went through the parliamentary process, as you know. It went through committees and through the Senate. There was robust debate. It went through a summer.... It was reported by many organizations and the media.

We've been clear and transparent from the beginning as to why it was there and what we were going to do. When the letter was sent, it was part of the transparency to let people who were not eligible know what they can and can't do. In terms of the letter itself, as you know, as the minister, I don't write the letter. The deputy is here, if you want to speak to the contents of the letter, but I think what we're doing has been clear and transparent to Canadians.

[Translation]

Alexis Deschênes: Okay.

Mr. Gallivan, isn't the wording stating that these people could be eligible misleading, given that there is the possibility of conducting a pre-removal risk assessment?

Ted Gallivan: First of all, knowing that people's feedback is that the letter is very misleading, we will change the wording of all future letters.

Second, the intention was not to lead people down the wrong path. I think that, legally, the words used are accurate, but I recognize that they can be misleading. The very fact that this is misleading motivates us to change tack, because the intention was not to mislead people.

Alexis Deschênes: You're going to change the wording of the letter, is that it?

The Chair: I'm sorry to cut you off, Mr. Deschênes.

Ms. Kirkland, the floor is yours for five minutes.

[*English*]

Rhonda Kirkland (Oshawa, CPC): Thank you, Ministers, for being here today.

I appreciated your five-minute introductions. You said some things that were very important.

Minister Anandasangaree, you talked about your commitment to things being fair, and you talked about transparency. I think you know that's why we're asking all of these questions today.

Minister Diab, you said that the responsibility of IRCC is to keep out those who could do harm. You said that responsibility starts from the moment people apply.

You've been asked this several times, and you said that you did not specifically sign off on the temporary resident permit for Mr. Taj. I think you know that the buck stops with you. Were you briefed at all on Mr. Taj's case at any point prior to the decision to grant him a TRP?

Hon. Lena Metlege Diab: I'm going to answer in the following way and say that—

Rhonda Kirkland: I just want to know if you were briefed on it.

Hon. Lena Metlege Diab: —Canada does have a robust system that is coordinated—

Rhonda Kirkland: I'm sorry, Minister, but that is not my question. I'd appreciate you answering the question I asked.

The question I asked was, were you briefed at all on Mr. Taj's case at any point prior to the decision of him being granted a TRP? Were you briefed beforehand, yes or no?

Hon. Lena Metlege Diab: Let me just say that I will not comment on the individual, but I didn't know—

Rhonda Kirkland: I don't want you to comment on him.

Hon. Lena Metlege Diab: —the name of the individual either. It was not that—

Rhonda Kirkland: Can I ask you or the public safety minister...? Did either of you personally intervene in this case?

Hon. Lena Metlege Diab: Again, the system is robust, where officials—

Rhonda Kirkland: Yes, I know that. The system is robust. I know that people are working hard. That's not my question.

My question is this. Did either of you intervene at any point in the process? You said in your testimony that there are safeguards at several stages. I would hope that some of those safeguards would mean speaking to the ministers themselves. That's my question.

Did either you or Minister Anandasangaree personally intervene in this case? You don't have to say anything about the case, just whether or not you personally intervened.

Hon. Gary Anandasangaree: If I may just clarify, the process of issuing a TRP is not within the purview of the Minister of Public Safety.

Rhonda Kirkland: So, no, you didn't, because it's not in your purview.

Hon. Gary Anandasangaree: No. However, the safeguards that are in place, because there are safeguards in place, as President O'Gorman spoke about... Once an individual, in broader, general terms, is in Canada, the CBSA has broader authorities to intervene. If the individual is inadmissible or does not have the proper documentation, they are able to refer the matter to the IRB.

Rhonda Kirkland: I'm going to interrupt, because I think we have that point.

Did you hear if any of your officials advised against him getting a temporary...? Hopefully, you've looked back at this file and at this case. At any point did anyone advise against granting him the temporary resident permit before he got it?

Ms. O'Gorman, do you think CBSA at any point advised the ministry that he should not be granted a temporary resident permit?

• (1620)

Erin O'Gorman: CBSA officers make a recommendation. The IRB will determine inadmissibility in cases, depending on the circumstances, at the port of entry.

Rhonda Kirkland: Okay, thank you.

I respect the work of CBSA officers. I think everyone in this room knows that. I know that they work hard. They work very hard. Very often, they make recommendations, and they have guidance on what is permitted.

I'd like to know how often IRCC fails to follow CBSA's guidance, Minister Diab. How often would you say that your ministry fails to follow the guidance of CBSA?

Hon. Lena Metlege Diab: We work together. IRCC, CBSA, CSIS and the security system team domestically work together in a very coordinated fashion.

Rhonda Kirkland: Okay. That's great. You work together. It sounds wonderful to say—

Hon. Lena Metlege Diab: In fact, with Bill C-12 and other measures—

Rhonda Kirkland: It sounds wonderful to say—

Hon. Lena Metlege Diab: —there will be a lot more info sharing.

Rhonda Kirkland: I'm sorry, ma'am, just wait one moment.

I have spoken to many CBSA officers over the course of the last six months. I can tell you that more often than not, I hear stories that when they see a danger, they get a call from someone in the ministry—either public safety or immigration, but usually IRCC—overruling their wise decisions. Why does that happen?

The Chair: I'm sorry to cut you off. We need to move to MP Powlowski for five minutes, please.

Marcus Powlowski (Thunder Bay—Rainy River, Lib.): Well, let me start off by saying that the Conservatives are asking rat-tat-tat questions and not giving you a lot of time to reply.

Is there anything further that you'd like to add to your previous replies, Ministers?

Hon. Gary Anandasangaree: Ms. Kirkland, I completely appreciate the work you've been doing, especially with CBSA.

I want to clarify the role of CBSA.

First of all, it's an independent agency, which means that political interference is not something that is part.... I'm unable to direct CBSA on a range of issues, because it's independent.

Second, any time there is an issue of danger or issues that will pose a risk to Canadians' safety and are not in line with IRPA, it is the strictest prerogative of CBSA to enforce its provisions through the Immigration and Refugee Board or through other mechanisms. It is not a routine process. I would be fully surprised if, under any circumstances, a minister's office from IRCC is able to override.

Having said that, there are specific provisions that enable me to provide stays. You would have seen some of the stuff in the media. I have provided stays on occasion. There are a number of cases in Quebec where there was a misinterpretation and families were being separated. I immediately intervened and issued stays, and President O'Gorman gave further direction to her officers.

There is a very specific, narrow set of circumstances in which there could be ministerial discretion, but that's used sparingly, and it's not used in any way from a political perspective. I have been tracking the stays I've issued. I've issued stays to a number of Bloc MPs' constituents, and I believe even to a Conservative MP's constituent, but they are used sparingly in the interest of ensuring fairness and equity. I want to just clarify that for the record.

Marcus Powlowski: Minister Diab, do you have anything you want to add, or do you, Deputy Minister Gallivan?

Hon. Lena Metlege Diab: Yes, just to clear up.

Ted Gallivan: On the question about IRCC as a decision-maker not going with CBSA advice, it's important for the committee to know that this is in cases where there's an inconclusive finding. In other words, a case gets referred for security screening and there are clear red lights. In those cases, IRCC decision-makers will enforce the red light.

There's a second group of yellow lights, where the information is inconclusive. It's derogatory information, but it may not meet the legal standard. The latest data I have is that in 46% of the cases, IRCC agents are granting permission to enter the country despite that information.

Having come from CBSA—I testified last week—that's something I want to see very closely. I spent three and a half years at the border service, and I know it's a concern. Now that I'm in this chair, I want to understand the veracity of the 46%, but I believe that goes to the crux of the question.

• (1625)

Marcus Powlowski: Do I have any time left?

The Chair: You have one minute.

Marcus Powlowski: Minister Anandasangaree, I know that you were involved in human rights cases before you went into politics. What concerns me a lot in the testimony we've heard today is that if you commit a criminal act in Canada, as a result you're deported from the country. I think we have reasonable trust in the legal system in Canada, but certainly, as we both know, there isn't that same level of trust in other legal systems.

I constantly wonder about that when they say that somebody has committed a crime in another country. A lot of countries have corrupt police and a corrupt judiciary. How do we know, with a person who's been convicted in a country where we don't really trust the legal system, whether we ought to be sending them back to their country?

Hon. Gary Anandasangaree: We have some very specific laws, especially with respect to senior members of the IRGC and their association with the regime. We are much more conclusive in those cases, just because there is a decision of cabinet. They are listed as a terrorist entity. Under Canadian law, a number of them have been sanctioned. An allegation against an individual, a senior member of the IRGC, should be taken at face value.

Having said that, I think routinely the CBSA challenges the findings. That's why we have a process through the IRB whereby an individual may be able to bring their case forward. With respect to the—

The Chair: I'm sorry to interrupt, Minister. I'm always sorry to do it, but we need to move on to the next slot, which is MP Au and MP Gill for five minutes, please.

Chak Au (Richmond Centre—Marpole, CPC): I'm going to share my time with MP Gill.

Ministers, you've been trying to hide behind the excuse that you cannot comment on individual cases, but something went wrong. You know that the permit was being issued to that person. This is a shame, a failure and a mistake.

Somebody has to take responsibility. Who has to take responsibility? Will somebody have to resign, yes or no?

Hon. Gary Anandasangaree: I will say that the issuance of any temporary resident permit is not within the purview or authority of the Minister of Public Safety or any one of the agencies.

Hon. Lena Metlege Diab: From an IRCC perspective, these are done as a last resort for specific cases that are allowed under the IRPA.

Chak Au: I will repeat my question. A mistake has been made. Will somebody be accountable? Will somebody have to resign, yes or no?

Ted Gallivan: If I can, I'll make two points quickly.

First, decisions are made based on the information available. It's clear in this case that the decision made wasn't the one we wanted.

I'm the deputy minister of IRCC. I am accountable. I'm not going as far as offering my resignation by answering, but I want to make clear that I'm accountable. It happened under my watch.

I'm very motivated to tighten the controls within Canada's immigration system. I've been on the job for six weeks, and I see lots of opportunities to improve. I'm accountable, and I'm not offering my resignation today.

Chak Au: A mistake has been made and you said that you're accountable. What steps will you take to take on that responsibility?

Ted Gallivan: There are a number of changes being made across IRCC, first, in relation to visa processing—

• (1630)

Chak Au: I'm talking about you personally.

The Chair: I'm sorry, MP Au. If you want to split the time in half, it's the time to do so. I don't want to interfere in your sharing of the time, but two and a half minutes have passed.

Sukhman Gill (Abbotsford—South Langley, CPC): Thank you very much for that, Chak.

My colleague Rhonda asked earlier if you were ever briefed about Mr. Taj prior to him ever landing in Vancouver. You guys did not answer the question. Yes or no, were you ever briefed? Could you please answer the question?

Hon. Lena Metlege Diab: About who...?

Sukhman Gill: I'm asking about Mr. Taj, who landed in Vancouver. It's the case you referred to that's going on this week. You didn't know which date either.

Hon. Lena Metlege Diab: I'm not aware that anybody landed in Vancouver.

Sukhman Gill: I'm sorry; that's my bad. It was Toronto.

As to the IRGC agent who landed in Canada, were you ever briefed on that case prior to them landing in Toronto? It's a yes or no, for either minister. Could one of you please just say if you were ever briefed?

Hon. Lena Metlege Diab: The individual in question was in a plane on the way. The document was cancelled—

Sukhman Gill: So you were briefed.

Hon. Lena Metlege Diab: Officials made those decisions—that's in their purview—having looked at the facts.

Sukhman Gill: You're the minister for a reason. You're at the head of the table. You call the shots at the end of the day. That's what your position is. You are responsible for someone coming into this country when they're not supposed to—when they are inadmissible and they're not supposed to be here.

You said that it takes multiple steps to get here. What went wrong under your watch? At the end of the day, it was under your watch, Minister.

Hon. Lena Metlege Diab: Again, people are screened for security before they arrive, when they land and when they are inside Canada at any point in time. At any point in those situations, if something arises that is wrong, then it's either IRCC or CBSA, or a combination of both, that takes—

Sukhman Gill: Minister, your job is to make sure you serve Canadians. Canadians could have been put at risk because of this mistake, so why was there no stance before this? You said you were briefed; that is what I understand.

What steps did you take that failed? What is the reason this person was allowed on Canadian ground at a single point? They were not allowed entry into the country, but they were at a port of entry. What went wrong?

The Chair: I'm sorry to cut you off, but we need to move on to MP Sodhi.

Welcome to the committee, Amandeep.

Amandeep Sodhi (Brampton Centre, Lib.): Thank you, Mr. Chair, for the warm welcome to the committee. I look forward to working with all my colleagues.

Minister Anandasangaree, Brampton and other regions in the GTA have been directly affected by transnational fentanyl trafficking networks and other serious criminal activity. Most recently, there was a major bust on Albright Road in February 2026 as part of Project Ollie. Oftentimes, we find that criminal organizations and individuals exploit our immigration system to stay in our country.

Can you please explain to the committee what tools Bill C-12 will give the CBSA and law enforcement to more effectively remove individuals who are linked to organized crime? Also, what additional tools will this bill give to help break up and crack down on networks that, for example, drive fentanyl into communities like Brampton?

Hon. Gary Anandasangaree: Thank you. I too want to welcome you to the committee.

The role of Bill C-12 will have some implications for the CBSA on the container side with regard to goods moving in and out of Canada. Fentanyl that's potentially going out of Canada will be searched for at ports of exit, particularly where we currently do not have facilities for outbound searches. Even though we have the authorities to do so, Bill C-12 compels operators of ports to give us the space for facilities for outbound searches, which is critically important for us, especially vis-à-vis the U.S.

With respect to packages that are coming in, there are additional measures now that you will hear about in the spring economic update. You will see a provision that ensures mail under 500 grams can be searched, with judicial authority, by law enforcement.

This is particularly important—less so in a place like Brampton—for northern and remote communities where fentanyl and other illicit drugs are moved in very small packages and can have lethal consequences for communities. We've seen that. The fentanyl czar talks about it all the time. I was in Iqaluit last week, and the Minister of Justice, George Hickes, spoke to me about it, as well as many members of the community, so that's going to have a significant benefit.

The other piece is the collaboration between the CBSA and police in British Columbia's Lower Mainland. We've removed 45 individuals who were linked to extortion in the Lower Mainland.

We are continuing to work with the Peel Regional Police and the OPP to strengthen that model in places where collaboration could be greater, and we've made some very significant advances. Presi-

dent O'Gorman and the chief of the Peel Regional Police are very much working together, and Secretary of State Sahota and I have been at the meetings where these discussions are taking place.

There are a number of ways we are integrating the CBSA component into actual laws that are being broken here, whether through transnational crime syndicates, through extortion or through fentanyl and other illicit drugs.

• (1635)

Amandeep Sodhi: Thank you, Minister.

Mr. Chair, how much time do I have left?

The Chair: You have less than one minute.

Amandeep Sodhi: I don't think I'll be able to ask a question and get a detailed answer in one minute, so I'd just like to say thank you to all of the officials and to both of the ministers for attending.

Thank you.

The Chair: Thank you for being so graceful.

[*Translation*]

I'd like to thank all the witnesses who took the time to prepare and travel for today's meeting. We wish them a good rest of the day.

We will suspend the meeting for a few minutes before resuming in camera.

[*Proceedings continue in camera*]

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