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• (1305)

[English]

The Chair (Mrs. Salma Zahid (Scarborough Centre, Lib.)): I call this meeting to order.

Welcome to meeting number 42 of the House of Commons Standing Committee on Citizenship and Immigration.

Today we will continue our study of the conditions faced by asylum seekers.

I just want to confirm that all witnesses have conducted the required technical tests in preparation for this meeting.

For our first panel in today's meeting, I would like to welcome the officials from IRCC. I would like to welcome Ms. Christiane Fox, deputy minister; Mr. Scott Harris, associate deputy minister; Jason Hollmann, acting director general, asylum policy; and Michèle Kingsley, assistant deputy minister, operations. The officials will have five minutes for their opening remarks.

Ms. Fox, you have the floor and you can begin. You will have five minutes for you opening remarks and then we will go to a round of questioning.

[Translation]

Ms. Christiane Fox (Deputy Minister, Department of Citizenship and Immigration): That's perfect. Thank you very much, Madam Chair.

[English]

I want to start today by acknowledging that I am here on the traditional and unceded territories of the Algonquin Anishinabe peoples.

[Translation]

I am Christiane Fox, Deputy Minister for Immigration, Refugees and Citizenship Canada, or IRCC. I would like to thank the Committee for the invitation to appear. As mentioned, I am joined by Scott Harris, Michèle Kingsley, Operations and Jason Hollmann.

Canada is a top destination for people from all over the world who are seeking a better life. Our communities are welcoming, inclusive and diverse. Our economy provides many opportunities for work, and we offer an exceptional quality of life.

[English]

We have seen significant demand to come to Canada, with 2021 being a record-setting year for permanent immigration, with over 405,000 new permanent residents. The 2022 admissions are expect-

ed to pass 2021 in most immigration programs, including permanent residency, student visas, refugees and family reunifications.

[Translation]

And when Canada lifted its pandemic-related border measures earlier this fall, there was a renewed surge of asylum seekers, in particular at Roxham Road.

[English]

It is important to note that Canada's asylum system and refugee resettlement program are separate. The asylum system is for people making refugee protection claims from within Canada.

[Translation]

Three organizations share the mandate for the asylum system: the Immigration and Refugee Board, the IRB, Immigration, Refugees and Citizenship Canada, or IRCC, and the Canada Border Services Agency, CBSA. Additionally, the RCMP plays an active role in policing the border between points of entry.

[English]

An asylum seeker entering a point of entry would be met by a CBSA officer. For irregular arrivals, an RCMP officer is the first point of contact upon crossing into Canada, before being transferred to CBSA to process their claim.

[Translation]

IRCC handles asylum claims by individuals already in Canada temporarily, possibly as a student or a visitor, who then decide to seek asylum.

[English]

Asylum seekers can make their claim at a port of entry upon arrival or online if they are already in Canada. If IRCC or CBSA determines that an individual is eligible to make an asylum claim, the claim is then referred to the IRB to assess whether the claimant requires Canada's protection.

[Translation]

Individuals whose refugee claims are determined to be well-founded by the IRB receive protected person status in Canada and can apply for permanent residency.

[English]

If an individual's refugee claim is determined to not be well founded, CBSA oversees the removal process. The individuals are released on condition to report for a future removal proceeding, which is managed by the CBSA.

[Translation]

Canada's asylum system has been under significant strain due to sustained, high numbers of asylum claimants seeking our country's protection. This year, Canada has already received over 62,000 asylum claims.

[English]

The Government of Canada continues to urge individuals to seek asylum in the first safe country they enter after fleeing persecution, as per the safe third country agreement, and not to resort to irregular crossings. Irregular routes can be dangerous and individuals may be subject to exploitation.

[Translation]

However, we do recognize that a large number of individuals have continued to enter Canada irregularly at Roxham Road.

[English]

In response, the government has set up capabilities to process arrivals, conduct safety verifications and health screenings, and ensure that migrants are assessed for eligibility of their applications.

IRCC has been working to support CBSA in addressing the backlog to determine eligibility and admissibility to Canada.

[Translation]

Budget 2022 provided asylum delivery partners with \$1.3 billion over five years, and \$331.2 million ongoing, to support the long-term stability and integrity of Canada's asylum system. This funding will support a stronger system in the years ahead.

[English]

Recognizing that the determination process can take time and that higher volumes are causing delays, Canada provides asylum claimants support throughout the process.

[Translation]

The federal government has been providing temporary shelter to asylum seekers in Quebec and Ontario since the beginning of the pandemic at IRCC-leased hotels.

[English]

These facilities were initially established to support public health needs by providing newly arrived, asymptomatic claimants with an appropriate place to meet quarantine and testing requirements.

[Translation]

To support the Province of Quebec and City of Toronto, where the shelter networks have been overburdened with the increased volumes after November 2021, the government allowed claimants to stay in IRCC-leased hotels until a space was available in a shelter or claimants secured their own lodging.

[English]

The federal government has also provided support to provinces and municipalities through the temporary interim housing assistance program to reimburse some of the costs for housing asylum claimants—

The Chair: Ms. Fox, your time is up.

Can you quickly wind it up?

Ms. Christiane Fox: Absolutely.

I would close by saying that I want to thank the committee for your work to support a very strong asylum system to ensure that Canada remains one of the most welcoming countries in the world and for your work more broadly.

Being new to the department, I've been looking at the reports of the committee, and I look forward to working with all of you and taking your questions today.

Thank you very much, Chair.

• (1310)

The Chair: Thank you, Ms. Fox.

We will now go into our round of questioning. We will begin our round of questioning with Mr. Maguire.

Mr. Maguire, you will have six minutes for your round of questioning. You can please begin.

Mr. Larry Maguire (Brandon—Souris, CPC): Thank you, Madam Chair.

I'm going to direct these questions to Ms. Fox.

Thank you for your testimony.

By being a signatory to the safe third country agreement, the Government of Canada's official position is that the United States is a safe third country.

Do you agree with that statement?

Ms. Christiane Fox: I do agree with that statement, yes.

Mr. Larry Maguire: In the past 12 months, has IRCC ever issued a statement or press release or circulated anything to foreign media that unequivocally states that, in accordance with the safe third country agreement, individuals currently in the United States should be filing for asylum there rather than walking across the border?

Ms. Christiane Fox: I should take a look and see.

I joined the department in July. I can say that, since July, I have not seen any type of issuance from the department of that nature, but I can definitely do a check. Since I've been here, I have not seen that.

Mr. Larry Maguire: If you find some, can you table that with the committee, all of the communications products?

Ms. Christiane Fox: Absolutely.

Mr. Larry Maguire: Thanks.

Are you aware that Minister Goodale stated in 2018 that the Government of Canada wanted to negotiate with the American government to amend the safe third country agreement?

Ms. Christiane Fox: I think that, in working very closely with the United States, we always stay in close contact with officials from the United States to make sure that, since the inception of the agreement in 2004—

Mr. Larry Maguire: Excuse me, but I have questions.

Were you aware that Minister Goodale in 2018 made that request?

Ms. Christiane Fox: Yes.

Mr. Larry Maguire: Have you ever been part of any conversation on current efforts—this is more likely what you were looking at—to amend the safe third country agreement?

Ms. Christiane Fox: Our department has been in contact with officials from the United States, yes. I personally have not yet.

Mr. Larry Maguire: Has IRCC ever conducted any analysis or had any discussions on the specific language needed to amend the safe third country agreement so individuals cannot walk across the border to claim asylum?

Ms. Christiane Fox: IRCC has been looking at the agreement in working with the U.S., absolutely.

Have we written any paragraphs in terms of changes to it? Not at this stage, but we have been working very closely on the context.

Mr. Larry Maguire: You haven't put any specific language down to amend it and stop them from coming across the border.

Ms. Christiane Fox: No, we have not put such language down.

Mr. Larry Maguire: Can you please ask your officials to inquire if IRCC has produced any reports, memos or analysis on what would be needed to amend the safe third country agreement so individuals cannot walk across the border to claim asylum? Table that with this committee.

Ms. Christiane Fox: Yes, we have definitely done some work in that regard, and we definitely can table that with the committee.

Mr. Larry Maguire: You've had reports. Okay. If you could do that, please, that would be helpful.

Are you aware that in 2018 Minister Hussen—after Mr. Goodale—travelled to other countries such as Nigeria to discourage people from flying to the United States for the sole purpose of walking across the border to claim asylum in Canada?

Ms. Christiane Fox: I am aware that ministers did go—I think you referenced Minister Hussen in Nigeria—to share information about the asylum system in this country. Yes, absolutely.

Mr. Larry Maguire: Has IRCC ever been tasked to arrange for similar trips for the current minister?

Ms. Christiane Fox: Not to my knowledge, no.

Mr. Larry Maguire: In 2017, there was a dramatic increase in people walking across the border to claim asylum, and the Liberal government dispatched Mr. Pablo Rodriguez and Mr. Emmanuel Dubourg to the United States to communicate to various communities about respecting Canada's asylum system. Are you aware of these past efforts?

Ms. Christiane Fox: Yes, I am.

Mr. Larry Maguire: I believe these efforts were helpful in encouraging people not to walk across the border to enter Canada. Can you please table with this committee any memos, documents and reports that IRCC conducted after these trips to determine if they were successful? Do you know if they reduced the flow?

Ms. Christiane Fox: We can take a look at the data from the flows after visits to see whether or not there are any changes or shifts that would be noteworthy.

Mr. Larry Maguire: The numbers of people crossing into Canada are higher today than they were back in 2017. To date, has anyone in IRCC been asked to help arrange similar trips for MPs or other officials to discourage this or to encourage people not to walk across the border to claim asylum?

• (1315)

Ms. Christiane Fox: We have not been asked to arrange such trips.

Mr. Larry Maguire: The numbers of people, though, have increased. Is that correct?

Ms. Christiane Fox: The numbers of people have increased, absolutely.

Mr. Larry Maguire: Would your estimate for this year be the 50,000 that we've heard of at Roxham Road?

Ms. Christiane Fox: From January to September, irregular crossings in this country have been at about 27,500. The total from January to September is 62,000, and we are anticipating that our projections for the full year of both regular and irregular would be between 84,000 and 94,000. That's sort of the projection at this point.

Mr. Larry Maguire: In 2017, IRCC was specifically monitoring foreign press and other misinformation circulating about Canada's asylum system, which was contributing to the rise of people walking across the border. Is IRCC currently monitoring what is circulating in various media outlets or online about Canada's asylum system?

Ms. Christiane Fox: I think as part of our regular media monitoring we look at all data and information that could be useful to the department, including any information on asylum.

Mr. Larry Maguire: Can you please table that with the committee, all relevant information that IRCC has collected?

The Chair: I'm sorry for interrupting, Mr. Maguire. Your time is up. Thank you.

Mr. Larry Maguire: Madam Chair, I just wonder if I could get a response on the tabling of that information.

The Chair: Yes.

Go ahead, Ms. Fox.

Ms. Christiane Fox: I guess I'm not quite sure exactly what we would table in terms of all of our media relations activities and our reports. I'm not quite sure exactly what was requested.

Mr. Larry Maguire: Well, it's just the monitoring of what's being circulated in the various media outlets or online, if you are following it, as I think you indicated you were. I just wanted to know if we could have copies of that tabled for this committee.

Ms. Christiane Fox: Yes, I think we can table.... I'll take a look. I'll take a look at the media relations reports and see what's relevant to the question—absolutely.

Mr. Larry Maguire: Thank you.

The Chair: Thank you.

We will now proceed to Mr. Dhaliwal.

Mr. Dhaliwal, you will have six minutes for your round of questioning. Please begin. The floor is yours.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Thank you.

Ms. Fox, welcome to this new portfolio. It's not an easy file. I have dealt with immigration for the last 20 years, and I can tell you right now that this is one of the most difficult files. Good luck with this, and the very best to you.

I will carry on with my friend Larry's questions on the safe third country agreement. Is there anything you haven't added that you wanted to add? I'm open to comments and discussions about modernizing this agreement.

Ms. Christiane Fox: Thank you for the question.

It is indeed a very complex organization. I look forward to working with the team here and others.

The objective of the Government of Canada in working with the United States on the safe third country agreement is really to find a system that is compassionate, fair and a good way to handle asylum claims. In our bilateral conversations with the United States, we are working toward an orderly process for us to work together to ensure that the processing of asylum claims along our shared border is done in a humane way. That's one of the important parts of why it's integral for us to be working in lockstep with the United States.

Mr. Sukh Dhaliwal: It is economically imperative that Canada supports those who are coming to Canada, whether they are coming as immigrants, asylum seekers or refugees.

What are the economic benefits for the entire country because of these people coming to Canada?

Ms. Christiane Fox: Especially in light of some of the labour challenges we're seeing across the country, immigration is a big part of what Canada's response will be to that.

One thing I would share with the committee is around the issuance of work permits for asylum seekers. As people wait for their processing, which can be timely, this is an important part of how we can integrate these individuals into the workplace. That's something IRCC is very dedicated to doing.

Mr. Sukh Dhaliwal: Do you have numbers, dollar-wise, for how much the government has budgeted and allocated for the months and years ahead toward the irregular migration that you talked about?

Ms. Christiane Fox: Yes, absolutely.

I would say we work in very close partnership here at IRCC with the CBSA and the IRB in terms of the processing required for managing the asylum workload. In terms of funding overall, just recently in budget 2022, the government invested \$1.3 billion over the next five years and \$331.2 million ongoing to the supports required for asylum seekers from all three organizations.

• (1320)

Mr. Sukh Dhaliwal: What else can the Government of Canada do to assist asylum seekers once they're already in Canada?

Ms. Christiane Fox: Those supports are essential. It's about access to education, to health care and to social services, like shelters or legal aid.

Really, the government works very closely with provinces and territories because provinces and territories do manage some social supports, as do some municipalities and not-for-profit organizations as well. We work with them and, from a federal government standpoint specifically, I would point to the interim health benefits we offer asylum seekers, as well as the interim support for housing. Again, this is something we do in close collaboration with the provinces, including the Province of Quebec, which has seen a lot of pressure, obviously.

These are the types of things we try to do in terms of supporting. It goes without saying that children who come with their parents seeking asylum do have access to education without any type of permitting being involved.

These are some of the examples of the supports.

I would also say that mental health supports are also included as part of the health supports that are provided.

Mr. Sukh Dhaliwal: Thank you.

I'm sure you have heard that there are many refugee claimants whose claims were dismissed. They are still in Canada and the government can't send them back to their respective countries where they have come from. They have contributed enormously to Canada. They were here for many years. They have learned French, they have learned English, they are working and they have work permits.

What alternative pathways or streams can the IRCC bring to help the failed the refugee claimants or those who are seeking asylum here?

Ms. Christiane Fox: It's an excellent question.

As you may have seen in the minister's mandate letter, the department is looking to see what we can do for some of these either failed claimants or undocumented workers who remain in this country. We are looking at what some of the pathways and possibilities are to address undocumented workers because of the vulnerability they can represent.

One program I would also note is the guardian angels program during the last few years. It was a temporary public policy put in place during the pandemic to provide a permanent residence pathway for those who were pending or failed asylum refugee claimants who worked in direct patient care, and their family members.

That's an example of how the department is looking at some of these very challenging issues.

Mr. Sukh Dhaliwal: Many in the trucking industry as well face the same issue. The trucking industry is key to our economy, so I hope you will consider them as well in your mandate.

[Translation]

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): On a point of order, Madam Chair.

[English]

The Chair: Yes, Mr. Brunelle-Duceppe.

[Translation]

Mr. Alexis Brunelle-Duceppe: Madam Chair, the interpreter has just informed me that my esteemed colleague Mr. Dhaliwal has a sound problem. We should resolve that so we can continue the discussion and facilitate the interpreters' work.

[English]

The Chair: Time is up for Mr. Dhaliwal.

Was there interpretation available for his comments, or do we have to go back?

[Translation]

Mr. Alexis Brunelle-Duceppe: No, that'll be fine. The problem occurred at the end. We should just make sure it doesn't happen again. Thank you very much.

[English]

The Chair: Okay.

Mr. Dhaliwal, can you quickly take a minute to go through the tail end of your round of questioning?

Mr. Sukh Dhaliwal: The last question was around some of the immigration pathways or streams the IRCC could bring in order to help not necessarily the undocumented workers but the people who are documented and are failed refugee cases, who have been in Canada for many years, and who have learned French and English. Those are the people I'm talking about.

Hopefully, the deputy minister will address that.

Ms. Christiane Fox: Yes. Thank you.

I think I was indicating with regard to the department that in Minister Fraser's mandate letter there is a mandate commitment to look at regularizing some of these people and having programs in place, and pathways put in place, in order to address some of these vulnerable people who are either failed asylum claimants or undocumented.

One of the programs I referred to was guardian angels. It was a temporary public policy put in place during the pandemic to provide a permanent residency pathway for those with failed or pending asylum refugee claims who were in direct patient care, along with their family members. That's just one example. The department will be doing a lot of policy work in terms of how to address some of these challenges.

Mr. Chair, I think it was also noted that we should take a look at the trucking industry and perhaps the vulnerability of some of those workers. We will definitely take that back.

• (1325)

The Chair: Thank you.

Your time is up, Mr. Dhaliwal.

We will now go to Mr. Brunelle-Duceppe.

Mr. Brunelle-Duceppe, you have six minutes for your round of questioning. Please begin.

[Translation]

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

I want to thank the witnesses who are with us today for this important study. I have a lot of questions for them, and I'll go to Ms. Fox first.

I'd like to know, based on your most recent numbers, the rejection rates for asylum claims by people who have entered at Roxham Road.

Ms. Christiane Fox: Just a moment. I'll look through my documents.

I'm sorry; I just have percentages.

Mr. Alexis Brunelle-Duceppe: That's fine with me.

Ms. Christiane Fox: So you want to know the overall rejection rate; is that it?

Mr. Alexis Brunelle-Duceppe: Yes. I'm referring to claims made by people who entered at Roxham Road and were ultimately rejected.

Ms. Christiane Fox: I'd have to verify that in my numbers. I don't have that one to hand.

Mr. Alexis Brunelle-Duceppe: All right. Please let us know once you've found it. I'll ask my other questions in the meantime.

I'd also like to have numbers on the distribution of asylum claimants in the largest cities in Canada, including in Quebec.

Madam Chair, I hope you're not including time spent waiting for answers in my speaking time.

Ms. Christiane Fox: I'm sorry.

So first you want to know the rejection rate, and, second, you want figures on the distribution of asylum seekers in Quebec compared to other major cities. Is that correct?

Mr. Alexis Brunelle-Duceppe: I'm actually talking about all the major cities. I want the numbers on the distribution of asylum seekers in the largest cities in Canada, including in Quebec. I imagine you'll pass them on if you find them.

Ms. Christiane Fox: I'd say that the vast majority of people who enter Canada irregularly cross the border at Roxham Road. It's about 90%.

Mr. Alexis Brunelle-Duceppe: Great. Thank you very much.

How long does it take to process asylum claims made by people who enter at Roxham Road? On average, how long does it take to make a decision?

Ms. Christiane Fox: There's a major claims processing backlog. Consequently, it can take up to 18 months. So one of the measures we introduced to—

Mr. Alexis Brunelle-Duceppe: Just a moment. I'm talking about asylum claims, not work permits. From what I've heard, some people who've been here for four years have only now received a response. These are two different things.

Ms. Christiane Fox: Yes, pardon me. I thought you were talking about work permits.

Yes, it can take years. It also depends on how complex the cases are.

Mr. Alexis Brunelle-Duceppe: There must be an average. You should normally have those figures.

Ms. Christiane Fox: With your permission, I'll ask my team if they know the average processing time.

Generally speaking, it's roughly 26 months for the IRB.

Mr. Alexis Brunelle-Duceppe: So the average is 26 months, but some people wait a lot longer than that.

You said the waiting time for a work permit is currently 18 months.

Ms. Christiane Fox: Yes, but we just made a major operational change this week. Work permits previously weren't issued until the file had been forwarded to the IRB, which is why processing time was 18 months. We anticipated the decision. Now we'll be able to grant a work permit once the medical exam is done and we have the biometric data. So waiting time will be shortened from 18 months to approximately 1 month, and we'll even try to do it faster. We were obviously aware of the problems that arose when people had to wait 18 months for a work permit.

Mr. Alexis Brunelle-Duceppe: However, we don't yet have any evidence that this works.

Ms. Christiane Fox: No, we don't, because the public policy just went into effect on November 16, but that's the way it'll be done from now on.

Mr. Alexis Brunelle-Duceppe: There aren't yet any numbers showing that it really works.

Ms. Christiane Fox: No, we don't have any yet.

Mr. Alexis Brunelle-Duceppe: I'm really interested in this 26-month processing time. I'd like to ask your team to verify whether it takes 26 months to process an asylum claim from a person who enters at Roxham Road. That seems low to me, but I trust you.

How were asylum claims by people entering from the United States processed before the third safe country agreement came into force? What was the process before 2004?

• (1330)

Ms. Christiane Fox: I'll have to check with my team. We'll be able to give you an answer later because we'll have to do a little research on how the process worked prior to 2004.

Mr. Alexis Brunelle-Duceppe: I can't believe that no one in the department knows what the process was for a person entering from the United States and claiming asylum claim before the safe third country agreement was implemented. Excuse me, but you need to get on top of your files at some point.

No one in the Department of Citizenship and Immigration knows how asylum claims from the United States were handled before 2004. Is that what you're telling me?

Ms. Christiane Fox: It's more because the IRB previously handled that, not IRCC, since the duties were separated. However, we can provide you with the details on the process.

Mr. Alexis Brunelle-Duceppe: You should be aware of all that. You say you're having working meetings to modernize the agreement, but it'll be hard to modernize it if you don't know how it worked before the agreement came into force.

What I want to know is whether the process worked well before 2004 when someone who wanted to claim asylum from the United States.

Ms. Christiane Fox: You've raised a good point, and we'll be sending the committee an answer.

You shouldn't overlook the fact that the global context has changed enormously. As a result, even if it worked well in 2004, that doesn't necessarily mean the same system would work just as well in 2022.

Mr. Alexis Brunelle-Duceppe: That's absolutely true, but you have to know how the system previously worked in order to determine that. But what you're saying is that your team doesn't know how it worked. That's a major problem when we know you're attending meetings in order to modernize the agreement.

All things considered, if you want to modernize the agreement, doesn't that simply mean you're unhappy with it?

Ms. Christiane Fox: What we're seeing now on Roxham Road justifies the need to continue the talks. The trends show there are a lot of problems, particularly the large number of people irregularly entering at Roxham Road.

Mr. Alexis Brunelle-Duceppe: When you say the talks have to continue—

[English]

The Chair: I'm sorry for interrupting, Mr. Brunelle-Duceppe. Time is up.

We will now proceed to Ms. Kwan.

Ms. Kwan, you will have six minutes. You can please begin.

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

Thank you to the witnesses, the officials, for coming to our committee.

Could the officials advise, what is the first document that asylum claimants receive when they first arrive in Canada?

Ms. Christiane Fox: I recently went to Roxham Road. I think I can say that when a person comes through, the first point of contact is the RCMP.

Ms. Jenny Kwan: I'm sorry. Could I just get the answer to the question?

What is the document that IRCC issues to them when they first arrive?

Ms. Christiane Fox: I think there are a number of documents. IRCC would be the third person to issue one. They would see, essentially, the RCMP and then CBSA.

Ms. Jenny Kwan: You did not provide the document that IRCC provides. Could I get that answer, please?

Ms. Christiane Fox: Yes. It's the acknowledgement of claim. That is the name of the document that they receive from IRCC.

Ms. Jenny Kwan: Is this a new practice, issuing the acknowledgement of claim?

Ms. Christiane Fox: No.

Ms. Jenny Kwan: When does the asylum seeker get what is known as the "brown paper", the refugee protection claimant document?

Ms. Christiane Fox: Usually it's when they go to their follow-up appointment at the IRCC office, and that's usually about two weeks later.

Ms. Jenny Kwan: Is that the current time period in which people will get that, two weeks later?

Ms. Christiane Fox: Yes, from what I saw when I did the visit, it was about a two-week period. Maybe it's a little bit less or more, depending, but it's approximately two weeks.

Ms. Jenny Kwan: One of the witnesses who will appear before the committee has sent in a document to indicate that in fact it's taking much longer than that for them to get what's known as the "brown paper". The process has now added an additional 12 to 24 months before they can get it. If they can't get that document, that means the claimant cannot access the interim health program, for example. They can't get their identification to try to seek employment.

Is that the reality right now, where people are waiting that long to get that brown paper document?

Ms. Christiane Fox: I think it would depend. Apologies for the complexities, but I think it would depend on whether the CBSA referred, or whether or not we received. I think depending on who has processed them, there could be a change. That's why we have been trying to really coordinate with the CBSA and the RCMP.

I've written down the 12 to 24 months based on what the testimony has said and I'll go back and check, but our understanding was that for the IRCC processes it was shorter than that.

• (1335)

Ms. Jenny Kwan: From what I understand, it used to take three to six weeks for people to get an appointment to get their brown paper document. It's now taking 16 to 18 months to get that appointment and then on top of that, in addition to the acknowledgement of receipt document, they're now being issued an entry for further ex-

amination document. That is because CBSA is unable to process their claim in a timely fashion.

In total, people are now faced with a 12- to 24-month delay before they can get that document. In the meantime, what they have to do is to apply for income assistance through the province to just survive. You can imagine the hardship that's related to that.

My question is, why can't the government issue that brown paper document on arrival so people can actually get on with starting their legal process, and then of course being able to survive and access the necessary services?

Ms. Christiane Fox: I think that, just in terms of access to services, there are services right away upon arrival, including housing services and supports. There isn't a delay, but I will definitely go back and see what can be done in terms of accelerating the brown paper, seeing what the delays are, and what flexibilities we have.

Ms. Jenny Kwan: Yes, and could the committee get the information on what is the actual delay, not just from your visit, but in actuality in terms of the practice? This is because on the ground, if a refugee centre that's dealing with claimants day in and day out is regularly seeing this significant shift in timelines, which is causing huge problems for people, it would be good to get the data on what is the delay and the process for each step and how long it's taking. Then we can get a clear picture of what's going on and what more can be done to expedite this.

The other question is this. In your negotiations with the United States on modernizing—the government likes to use the term "modernizing"—the safe third country agreement, Canada used to provide an exemption for sending people back to their country of origin if it is deemed to be unsafe. We used to have an exemption and that exemption was taken away by the Harper administration in 2009. Is there any discussion on reinstating that exemption?

Ms. Christiane Fox: In light of the negotiations being bilateral negotiations, I don't want to get into what could be or could not be put on the table. I think what I can say is that we're looking at all elements to improve the STCA, but I wouldn't want to get into specifics just in light of the bilateral conversations that are taking place.

Ms. Jenny Kwan: More specifically, what's happening right now is that Canada is turning away and sending people back who face gender-based claims, for example, or other vulnerable classes of people. They're being turned back because of exemptions being taken away. You can imagine that people who face gender-based violence are being sent back to their country of origin to face gender-based violence because the United States does not recognize it and Canada will not provide an exemption to it.

These are huge problems. The NDP takes the view that the safe third country agreements should be, at a minimum, suspended, if not eliminated. The government should be taking that action.

The Chair: Ms. Kwan, your time is up. Thank you.

We will now proceed to Mr. Lloyd.

Mr. Lloyd, you have five minutes for your round of questioning. Please begin.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Madam Chair.

Is deterring asylum claimants who cross at an irregular crossing like Roxham Road a priority of your department and this government?

Ms. Christiane Fox: The message is always that we would like to have people claim asylum at ports of entry in this country. That is our message, absolutely, because it is—

Mr. Dane Lloyd: So you would agree that deterrence is one of your priorities.

Ms. Christiane Fox: I would say that we absolutely look to ensure that people take safe passages to claim asylum in this country, yes.

Mr. Dane Lloyd: Does your department have any programs to deter people from undertaking this dangerous journey in the first place?

Ms. Christiane Fox: I think there is information sharing about safe ways to seek haven in this country. I think that we continuously demonstrate a record in this country of accepting asylum claimants, and I think we share information around a safe way to do that.

• (1340)

Mr. Dane Lloyd: Are you spending any money to share this information with people coming from countries that we have identified are the source of irregular claimants? Is there any money being put into sharing that information so that people will choose not to come in the first place?

Ms. Christiane Fox: I think there's always capacity building that we do in terms of sharing information about the proper channels to be followed.

Mr. Dane Lloyd: How much money?

Ms. Christiane Fox: In terms of investment, it's part of our international protection systems, our information flows, that could have some of this but would have other types of—

Mr. Dane Lloyd: How much is the government spending to educate people to try to deter them from coming to this country irregularly?

Ms. Christiane Fox: I don't have that dollar figure. I think it would be part of the broader—

Mr. Dane Lloyd: Is it anything? Is it zero dollars?

Ms. Christiane Fox: There is work done in terms of information and capacity building in other countries, absolutely. It's not zero dollars.

Mr. Dane Lloyd: Okay, it's not zero dollars.

How much of the \$1.3 billion in new funding that's been announced is dedicated to reducing the Immigration and Refugee Board wait times that you admit take over two years?

Ms. Christiane Fox: I'd have to get the exact breakdown of how much the IRB is getting. I'm sure they can—

Mr. Dane Lloyd: Can you please provide this committee with that information?

Ms. Christiane Fox: Yes, I can.

Mr. Dane Lloyd: Do you agree that, if we were to cut down this two-years-plus claims process to a process that took a matter of weeks or possibly months at most, this would prove to be an effective deterrent to bogus claimants who come to this country?

Ms. Christiane Fox: I think it's hard to answer that question. I would say that we want to have an asylum system that is efficient, nimble, flexible and responsive to the demands we get. I think right now we don't have that, so we have to work with our CBSA and IRB colleagues to improve this system and the processing so that we don't have these delays.

Mr. Dane Lloyd: What efforts are being undertaken to reduce those wait times right now?

Ms. Christiane Fox: I would say that a good example of it is that, given the fact that it was 18 months to get a work permit, the department has just put in place a public policy to reduce that time to one month—

Mr. Dane Lloyd: That's for the work permit. I understand, but what is being done to reduce the two-years-plus wait time for hearing these asylum claims?

Ms. Christiane Fox: I think that would be better placed with the IRB. I can't speak to what their efforts are specifically on—

Mr. Dane Lloyd: Do you know if any money is being put forward to reduce these wait times?

Ms. Christiane Fox: Yes, there is. Absolutely.

Mr. Dane Lloyd: Can you please provide this committee with information on additional resources that are put towards reducing asylum claim wait times, as well as the number of full-time equivalents that have been hired to reduce this backlog?

Ms. Christiane Fox: Absolutely. I can say that budget 2022 has \$1.3 billion. The fall economic statement of 2020 had \$780 million. Budget 2019—

Mr. Dane Lloyd: But you don't know how much of those big numbers is being spent on these specific measures that I've asked about. Is that correct?

Ms. Christiane Fox: Do you mean the breakdown of the processing specifically?

Mr. Dane Lloyd: Yes.

Ms. Christiane Fox: I don't have it here, but we do have them, yes.

Mr. Dane Lloyd: I guess with my final time, my other question is this. I see in the estimates here that about \$87 million was spent on providing temporary accommodations to unvaccinated, asymptomatic travellers during the time when quarantine hotels were the policy of this country. Were there ever any efforts made to ask those people who were participating in these quarantine hotels if they could pay for the hotels themselves?

Ms. Christiane Fox: I think that just given the public health risk there was a decision made for the government to pay for the hotels, and just given the levels that we're seeing now, the government has agreed to continue to pay.

Mr. Dane Lloyd: For irregular—

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

Before we go to our next member, I want to clarify and let everyone know that when asking a question you should allow the other person to respond. If you speak over them, it becomes very difficult for the interpreters to interpret. Please allow the person to respond to your question and then speak. That is requested of all members.

Now we will proceed to Ms. Saks.

Ms. Saks, you will have five minutes for your round of questioning. Please begin.

Ms. Ya'ara Saks (York Centre, Lib.): Thank you, Madam Chair.

Through you, Madam Chair, to the officials, I had the opportunity to explore Roxham Road recently at the ethics committee. Roxham Road itself is actually a number of kilometres from the Saint-Bernard-de-Lacolle border crossing.

Knowing that the volumes have dramatically increased in 2022 and are even higher than prepandemic numbers, do you believe that closing Roxham Road would be a responsible solution to the thousands of asylum seekers, including children, who are seeking safety in Canada, despite knowing the dangers when they cross at Roxham Road, despite knowing that they will be out in the cold on a road with maybe about four or five houses around them? Knowing the dangers of going through this avenue, they still take it, knowing that they are at a distance from the Saint-Bernard-de-Lacolle border.

Do you think we should be closing it?

• (1345)

Ms. Christiane Fox: I think we have to have a system that works for the most vulnerable.

When we look at the asylum claimants, you're absolutely right: People are taking great risks to cross either at Roxham or at other border crossings. I think that Canada has to think about how we organize ourselves to protect the most vulnerable. Our view is that the points of entry are the safest way in which a person can make an asylum claim in this country and, as such, we need to build a system that can respond to that.

We are not closing Roxham Road right now. We need to efficiently deal with what we're seeing right now, which is the reality on the ground every day of a hundred or more who are crossing. Therefore, we have the systems in place. We're working with our partners at the RCMP and the CBSA. You're absolutely right that these are very desperate people coming through, so we try to provide those supports, and that's what we'll continue to do.

Ms. Ya'ara Saks: Great, and thank you.

Just launching off on that, we know that asylum seekers are fleeing governments that persecute them, and they also face tremendous dangers in crossing the border into Canada. I think everyone in this room can recall the story about the family who died at the Manitoba border in the freezing cold even within the last two years. I've heard stories of women giving birth nearly at the border, even at the Roxham Road crossing. The dangers are real.

What measures do you think we need to take to make life easier for them when they enter Canada, so vulnerable, without them having to risk their lives in this manner?

Ms. Christiane Fox: Absolutely. What I would say is that we need to continue to offer supports in terms of that access to education, access to health care and access to shelter and housing. We recognize that there are a lot of pressures on housing just more broadly. However, that's why the government has continued to provide the interim housing program: because it's such an essential part of protecting people.

I think that access to education and study permits for those who need it and access to work permits are all ways that the government can continue to provide those supports to the asylum seekers, and not only for a short duration of time, but if we can provide open work permits, that allows them to contribute and that allows them to perhaps start thinking about the supports differently in terms of what they can do for themselves and their families.

I would say that everything we put in place with respect to education and work permits helps to build the stability that they so very much need in order to continue to do what they need to do for themselves and their families.

Ms. Ya'ara Saks: Okay. Thank you for that.

Some of my colleagues were talking about the volumes. Let's keep it in perspective here. When I look at the numbers just for Quebec alone, if you look at 2022, which is only January to September, comparatively to even 2019 prepandemic, 2022 is tracking at almost 27,000 coming through Quebec, as opposed to 16,000 in 2019. That is almost an 11,000-person increase in a relatively short period of time. Particularly at Roxham Road, I've heard numbers as high as 400 and 500 a day coming through that border at peak times—less at other times, obviously.

With the number of asylum seekers crossing at Roxham Road increasing over the years, how can we improve the immigration system resources to ensure asylum seekers are efficiently resettled and integrated into the country and can contribute to our communities? You have alluded to some of those measures with visas and so on, but even at the border itself there have been some measures that have been put into place.

Ms. Christiane Fox: I think the investments that we've received in order to increase the efficiency for processing... I recognize we're not there yet, and we need a lot of work to get there.

If we can have an efficient system that can deal with people upon arrival, so that they are in a position to be assessed by the IRB in a short time frame and then either become a protected person or can move to a permanent residency and, eventually, citizenship, that's the stability that we hope these people will go through as part of their journey.

I think that in order to do that—

• (1350)

The Chair: I'm sorry for interrupting, Ms. Fox. The time is up for Ms. Saks.

Ms. Ya'ara Saks: Thank you, Madam Chair.

The Chair: Thank you, Ms. Saks.

We will now proceed to Mr. Brunelle-Duceppe for two and a half minutes.

Mr. Brunelle-Duceppe, you have the floor.

[*Translation*]

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

I just want to point out that I still haven't received an answer regarding the rejection rate among asylum claimants who've entered at Roxham Road or concerning the distribution of asylum claimants. So I hope the officials can provide me with that information later on.

On another matter, you mentioned a policy under which waiting time for a work permit would be reduced from 18 months to 1 month. From what I understand, it's a temporary policy. Is that because you're expecting an increase in the number of people wanting to cross the border irregularly?

Ms. Christiane Fox: Actually, it's really to assist people who'll be arriving from now on, but also those who are already in the system.

Mr. Alexis Brunelle-Duceppe: So you weren't expecting a volume increase in the next few months.

Ms. Christiane Fox: We monitor the volume of arrivals every day. As I indicated in my projections, we expect the numbers will be very high this year and are therefore working accordingly.

Mr. Alexis Brunelle-Duceppe: You had a lot to say about the negotiations for modernizing the third safe country agreement. How many meetings have been held at the department since 2019 to discuss modernizing the agreement?

Ms. Christiane Fox: I just took up my position in July, but I could give you a list of meetings—

Mr. Alexis Brunelle-Duceppe: Did all the team members with you today take up their positions in July?

Ms. Christiane Fox: No.

Mr. Alexis Brunelle-Duceppe: So some of them must have attended those meetings, right?

Ms. Christiane Fox: I think the last meeting was held in September.

Mr. Alexis Brunelle-Duceppe: The people accompanying you today aren't here for no reason, and they haven't been in their positions only since July. Could they tell us how many meetings have been held on modernizing the safe third country agreement since 2019?

Ms. Christiane Fox: No, but I could provide you later on with a list of the dates when those meetings were held.

However, you have to understand that these are bilateral negotiations between Canada and the United States and that some of that information is sensitive.

Mr. Alexis Brunelle-Duceppe: I know you discussed this in your opening remarks, but how many irregular entries do you expect in 2023?

Ms. Christiane Fox: Based on projections for this year, we expect to see a total of between 84,000 and 94,000 entries, including regular and irregular entries.

Mr. Alexis Brunelle-Duceppe: I'm just asking about irregular entries.

Ms. Christiane Fox: There have been approximately 27,000 irregular entries to date. To date, there have been a total of 55,000, or rather 62,000. So, if you add—

Mr. Alexis Brunelle-Duceppe: Is that 62,000 irregular entries for 2022?

Ms. Christiane Fox: No. Those figures are solely for the period from January to the end of September, and it's 62,000 regular and irregular entries.

Mr. Alexis Brunelle-Duceppe: No, pardon me. This is my last question, and I want it to be clear. I'm talking about irregular entries only. I understood that they had reached 27,000, but how many irregular entries do you expect for the entire year? I imagine the department has made projections. So what is the projected number of irregular entries for all of 2022?

Ms. Christiane Fox: It will probably be around 50,000.

Mr. Alexis Brunelle-Duceppe: Good Lord.

Thank you very much.

[*English*]

The Chair: I'm sorry for interrupting. The time is up, Mr. Brunelle-Duceppe.

We will now go to Ms. Kwan.

You have two and a half minutes. Please begin.

Ms. Jenny Kwan: Could the official tell us what the processing time is right now for asylum seekers who are crossing over irregularly into Canada?

Ms. Christiane Fox: I'll turn to Michèle Kingsley for this one.

Ms. Michèle Kingsley (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): Thank you, Chair.

I think it depends on which exact process you want to know about. The deputy has spoken about the fact that—

Ms. Jenny Kwan: I'm sorry. Could I get the entire process?

How long is it taking for someone to go through IRB processing and for it to be completed? What's the average processing time?

Ms. Michèle Kingsley: I believe the deputy indicated earlier that right now, on average, it's taking 26 months.

That would be a question to pose to the IRB.

Ms. Jenny Kwan: Could the officials provide us with all the data or information around the processing timeline? Could we also get information on the top countries of origin in terms of asylum seekers whose claims have been denied and rejected?

Ms. Michèle Kingsley: Yes. We can definitely provide that.

Ms. Jenny Kwan: Could you also further break down the information on rejections on the basis...that are gender-based claims?

• (1355)

Ms. Michèle Kingsley: Yes.

Ms. Jenny Kwan: Okay.

Along with that, how many of the people are being returned or rejected with their application to countries where the countries are in turmoil or unsafe? Could you list what those countries might be?

Ms. Michèle Kingsley: Yes, we can do that. I would also say that just before there's any type of decision made, there is a pre-removal risk assessment that the department conducts—

Ms. Jenny Kwan: Yes. I'm aware of that.

The government engages in these bilateral discussions. Has the government at any point in time raised the issue of suspending the safe third country agreement?

Ms. Christiane Fox: I think it would not be appropriate for me to comment on the conversations that are happening around the STCA in a bilateral negotiations context.

Ms. Jenny Kwan: Well, maybe I'll ask the minister, because the government uses the term “modernizing”. I think “modernizing” is actually euphemistic. We've seen that the Liberal government has actually extended the application of the safe third country agreement to Five Eye countries.

To that end, on the Five Eye countries, how many people have tried to make a claim to Canada through that process?

Ms. Christiane Fox: Within Five Eyes countries, how many of them have claimed asylum in this country?

Ms. Jenny Kwan: Yes. How many have tried to and then been rejected because of the safe third country agreement?

Ms. Christiane Fox: I will check. I'm not sure.

The Chair: Thank you, Ms. Kwan. Your time is up.

We will now proceed to the CPC for two and a half minutes. Then we will go to the Liberals for two and a half minutes.

Who will be taking the round from the Conservative side?

Hon. Michelle Rempel Garner (Calgary Nose Hill, CPC): I will, Chair.

The Chair: Ms. Rempel Garner, you have two and a half minutes. Please begin.

Hon. Michelle Rempel Garner: Thank you.

As part of the government's posture in arguing the Supreme Court case that's currently pending regarding the safe third country agreement, it's my understanding that the government has asked the court, if there is an overturning of the agreement, for a year's grace period to provide an alternative.

Has the department provided advice to the government to date on what that alternative could entail?

Ms. Christiane Fox: We definitely have been preparing for all scenarios of a decision. Therefore, we are kind of looking at what the impacts of the decision would be and the time frame in terms of

phasing out a new system. Then, of course, we're always looking at the various options around what would be—

Hon. Michelle Rempel Garner: Thank you. Can you please provide what you can to the committee with regard to that advice?

Ms. Christiane Fox: Yes. I think we have to be mindful of what the public service advice is to ministers and to—

Hon. Michelle Rempel Garner: Thank you for that undertaking.

I'm also wondering if you could provide to the committee, or speak to it now, the total number of persons who have made inland asylum claims after irregularly entering Canada since November 2015 who have been removed from Canada after having had their claims denied. Could you break that down by category of inadmissibility and country of origin?

Ms. Christiane Fox: I don't think I'm able to do that on the spot, but I can definitely take that back.

Hon. Michelle Rempel Garner: Yes, I can imagine. If we could get that data prior to the committee ending, that would be great.

I do appreciate some of the confidentiality of advice, but on the first instance that we talked about, the general principles, particularly if the government anticipates having to change posture on the United States being a safe third country for the return of refugees per the definition of international law, that would be something we'd be interested in. If you could comment on that right now, that would be great as well.

Ms. Christiane Fox: I think I would say that our position in court has been clear. We do consider the U.S. a safe third country.

Hon. Michelle Rempel Garner: If the Supreme Court rules against this posture, could you perhaps speak to some of the potential implications for processing and whether you have done any extrapolation on the potential increase in demand on Canada's asylum system?

The Chair: I'm sorry for interrupting, Ms. Rempel Garner. Your time is up. You'll get an opportunity in the second round.

We will now proceed to Mr. El-Khoury.

You have two and a half minutes, and then we will end this panel.

[Translation]

Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.): Thank you, Madam Chair,

Thanks to the witnesses for being with us today.

My question is for Ms. Fox.

A witness at our committee's last meeting confidently stated that the number of persons accepted on arrival was, as she put it, quite high.

Can you corroborate that assessment and clarify for us certain subtleties that some people may not perceive?

• (1400)

Ms. Christiane Fox: I'm not sure I understand your question.

What did the person say?

Mr. Fayçal El-Khoury: The witness confidently stated that the number of persons accepted on arrival was, as she put it, quite high.

Can you corroborate that assessment and clarify for us certain subtleties that some people may not perceive?

Ms. Christiane Fox: I would say that we in Canada have a system that prioritizes the protection of refugees in an equitable and humane manner. We at IRCC cooperate with our colleagues at the Canada Border Services Agency and the Royal Canadian Mounted Police, and with the provinces and territories, in welcoming asylum claimants and offering them options in a system that promotes access to education, employment, social services and health care.

We do need to work on claims processing times and to make improvements in that area. However, looking at the system as a whole, and taking the cooperation of the provinces, territories and municipalities into consideration, you can see that our system supports the most vulnerable persons. We will continue to prioritize that work within the department.

Mr. Fayçal El-Khoury: Some witnesses recently told us that intake conditions were entirely adequate and reasonable, even in cases where people cross the border irregularly.

Could you give us some clarification on the way things work and explain how Canada ensures that claimants are always treated well.

[*English*]

The Chair: I'm sorry for interrupting, Mr. El-Khoury. Your time is up.

With that, we will end our panel. I will suspend the meeting for two or three minutes, so that we can do a sound check for the minister. I see he's logged in.

Minister, welcome. The clerk will do a sound check, and then we will resume the meeting.

The meeting is suspended.

• (1400)

(Pause)

• (1405)

The Chair: I call the meeting back to order.

I would like to welcome the minister.

Thank you, Minister, for appearing before the committee.

We have with us in this panel the honourable Sean Fraser, Minister of Immigration, Refugees and Citizenship.

Minister, you will have five minutes for your opening remarks, and then we will go into a round of questioning.

Please begin.

[*Translation*]

Hon. Sean Fraser (Minister of Immigration, Refugees and Citizenship): Thank you, Madam Chair.

Good afternoon, everyone. It is a pleasure to be with you today.

[*English*]

Today I'm joining you from my home province of Nova Scotia, which rests on the traditional and unceded territories of the Mi'kmaq people. This territory is covered by the Peace and Friendship Treaties.

To turn to the issue of the day, persecution, conflict, violence and human rights violations happening all across the world are forcibly displacing people in record numbers. This is resulting in unprecedented rates of global migration.

Like many other countries, Canada has seen an increase in the number of people coming to our country and claiming asylum in search of a safer future for themselves and for their loved ones. When someone seeking this safety arrives in Canada, we have a duty to uphold our international and domestic legal obligations and to provide protection for those fleeing persecution.

[*Translation*]

First, it is important to understand Canada's asylum system is separate from our Refugee Resettlement Program. The in-Canada asylum system is for people making refugee protection claims from within Canada, whereas the Refugee Settlement Program is for people who have not yet arrived in Canada.

[*English*]

For asylum claims made here in Canada, an acknowledgement of claim letter is provided to the individual, which helps them with securing access to certain services in Canada. At this stage, eligible claims are referred to the Immigration and Refugee Board, where objective and independent decision-makers review the claim. Individuals can expect a fair assessment on the merits of their claim and whether they require protection. If there's a positive decision on their asylum claim, they are able to receive protected person status, which renders them eligible to apply for permanent residency in Canada.

[*Translation*]

If they receive a negative decision on their asylum claim, they will be issued a removal order and released on conditions to report for a future removal proceeding.

[*English*]

The IRB and the Canada Border Services Agency share a role in this system as well. These departments work together to ensure that cases flow through as quickly and as efficiently as possible. In addition to this collaboration, the government is investing new resources in the asylum system to increase capacity and timely processing.

I want to highlight something that's not always obvious at first. The fact is that nobody chooses to be displaced. In this role and even before, I've had the opportunity to meet with many displaced people. No one who has a great life at home just wakes up one day and decides to risk everything to cross the border in search of a safer future. You don't uproot your life and all that you know—your family, your cultural and language connections, your professional skills, and really the sense of who you are—to live in limbo with an uncertain future. The people I've met decide to do this because they have no other choice in order to survive or to ensure their family's well-being.

[Translation]

Just as we work with CBSA, we also work with our American counterparts since Canada and the United States share the longest international border in the world. Our discussions include, for example, modernizing the Safe Third Country Agreement reached between Canada and the United States.

Since its implementation, the Safe Third Country Agreement has been an important tool for working with the U.S. to ensure the orderly processing of asylum claims at our shared border.

[English]

The agreement applies at all ports of entry. It states that refugee claimants are required to request refugee protection in the first safe country they arrive in. This is the case unless they qualify for an exception to the agreement. Exceptions to the agreement consider the importance of family unity, the best interests of children and the public interest.

My provincial counterparts have expressed an empathy for the issues facing asylum seekers and want to be able to do their part to help accommodate them as well.

That said, supporting asylum seekers is a shared responsibility and the federal government assists provinces in the delivery of services to asylum seekers. One such way is by providing provincial and municipal partners with support for temporary housing. Since 2017, support has primarily been through the interim housing assistance program. This program provides compensation to provinces and municipalities for the extraordinary costs of interim housing for asylum seekers on a cost-sharing basis.

The Government of Canada is going to continue to support provincial and municipal partners to help develop shared solutions.

Madam Chair, I know you said I had five minutes. I've prepared somewhat longer remarks and I expect I am close to the end of my time, so perhaps I'll leave it there and deal with the remainder during the time we set aside for questions.

I do want to say thank you so much to members of the committee.

[Translation]

Thank you for this invitation today.

• (1410)

[English]

The Chair: You have 45 seconds still.

Hon. Sean Fraser: I have 45 seconds and a few pages of notes.

I'll cut my comments off there and say thank you to my colleagues.

I'm very much looking forward to the opportunity to take what questions you may have, and of course to follow up with each of you on the floor of the House of Commons or in the hallways of Parliament.

Thank you so much.

The Chair: Thank you, Minister.

With that, we will now go to our round of questioning.

We will start our round of questioning with Ms. Rempel Garner.

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

Hon. Michelle Rempel Garner: Thank you, Chair.

Thank you, Minister.

Particularly given that the United States-Canada safe third country agreement allows for numerous exceptions, does the federal government affirm that this agreement is constitutional within a Canadian legal context?

Hon. Sean Fraser: It's our view that the agreement is constitutional, as was upheld by the recent Federal Court of Appeal decision. Of course, matters are still before the courts and we'll respect whatever decision they have, but it's our view, of course, that the agreement is constitutional.

Hon. Michelle Rempel Garner: Does the federal government affirm that Canada's obligation to provide effective protection and to ensure that effective protection is provided by a country to which Canada transfers refugees is being met via current legislative priorities and other related protocols currently in place within the United States of America?

Hon. Sean Fraser: You're asking, effectively, if they meet the standard to be a safe country under the agreement.

Hon. Michelle Rempel Garner: That's correct.

Hon. Sean Fraser: It's my view that they do. We look at a number of factors, including whether they're party to certain treaties, their policies and practices, and whether they have a functioning asylum system that allows people to have their claim fairly adjudicated. It's my assessment that they meet that standard.

We're obliged under the agreement to monitor that on an ongoing basis. We believe that they have met that standard.

Hon. Michelle Rempel Garner: That's right.

Minister, are you aware of President Joe Biden's executive order? I believe it was about a year and a half ago. It essentially said that the United States was going to make more effort to look at gender-based violence and gang violence in terms of its refugee determination system.

Do you believe that this executive order shows further evidence that the United States is meeting its obligation in terms of being deemed a safe country per international law?

Hon. Sean Fraser: I am aware of it. I believe it's one factor. It's not determinative one way or the other.

We look at whether people are a party to the convention against torture, the refugee convention, policies and practices such as those you've just identified, their human rights record and whether they agree to share responsibility for refugee protection.

That's one of many factors to consider, but it would move the needle towards satisfying the standard that we would require. There are many other factors that we also continuously monitor.

Hon. Michelle Rempel Garner: Just to be clear, based on everything you just said, the federal government affirms that the United States currently meets the basic standards of refugee protection as set out in international law.

Hon. Sean Fraser: That's correct, but more specifically, it meets standards as set out in the safe third country agreement.

• (1415)

Hon. Michelle Rempel Garner: Thank you.

Does the government affirm international law that states that asylum seekers should make their claim for asylum in the first safe country that they reach?

Hon. Sean Fraser: Let me just put a finer point on it. Indulge me for 30 seconds. I promise not to take too much time.

Having a background in international law, the only thing I can tell you I'm certain about is that you'll find people who disagree on different points. If you include the terms of the safe third country agreement, then certainly that's an element of that legal obligation; however, I think, in addition to it having some basis in the agreement, it's advisable. We don't want to encourage people to take on often dangerous or perilous journeys. It's a principle that I've seen the UNHCR support in the past. There is some debate about whether it's firmly embedded in different international legal instruments.

I think it's advisable to adhere to that principle, and it is adopted as a principle in the safe third country agreement as well.

Hon. Michelle Rempel Garner: Thank you.

Given that, does the government affirm that asylum seekers who first reach the United States of America should make a claim in that country as opposed to seeking to irregularly enter Canada to make an inland asylum claim?

Hon. Sean Fraser: There are always unique exceptions, even under the safe third country agreement. We always do a case-by-case assessment. We try not to have blanket decision-making in an omnibus way.

The principles underlying the safe third country agreement promote the outcome you've just described, which is to say that, if you're safe in the country where you first arrived, we would prefer to have you make the asylum claim in that country, including people who first arrive in Canada.

Hon. Michelle Rempel Garner: Does the government affirm that economic migrants should apply for residency within Canada via regular migration streams as opposed to seeking to make an inland asylum claim?

Hon. Sean Fraser: Yes, it's our view that people who seek to come here for economic reasons should use the economic streams. In fact, Canada is engaged as the chair of the support platform for an organization called Merx to promote regular migration pathways in Central and South America. We believe it is advisable to have organized, regular migration pathways, including for economic migrants, for those who are seeking to migrate for economic purposes.

Hon. Michelle Rempel Garner: Do you affirm that reducing the amount of time that passes between an inland asylum claim being made and when the claim is processed could deter persons from seeking to make an inland asylum claim after having reached the United States?

Hon. Sean Fraser: I would have been more inclined to give you a quick "yes" a year and a half ago, before I was in this job. Honestly, Ms. Rempel Garner, I've now met a significant number of refugees and asylum seekers. I haven't met a person who told me that their motivation was processing times. It's been fleeing challenging circumstances in every instance.

Conceptually, I can see why the argument suggests it could. Anecdotally, I've yet to meet a person who has indicated that was a motivating factor.

Hon. Michelle Rempel Garner: Non-Canadians who are low-skilled workers have relatively few avenues to access permanent residency in Canada. Do you think this reality, when compared to expedited work permits processing for persons who make inland asylum claims after having reached the United States, strains the asylum system, potentially while sending a message of unfairness to economic migrants seeking to come to Canada via regular means? Ergo, the government should be looking at more pathways for regular migration for economic migrants.

Hon. Sean Fraser: I agree with you for part of your question. I may take a different slant on another element.

I agree that we need to continue to increase pathways for regular economic migration, including at different skill levels. You would have seen in the recent immigration levels plan a significant increase in our ambition and a decision to try to tailor our economic programs to meet different key gaps in the labour force.

I wouldn't necessarily say that we've created an incentive for people to make asylum claims for reasons that are inappropriate, but I do think that we need to continue to do more to make it easier for people who are seeking to migrate for genuine economic reasons through regular migration pathways.

The Chair: Thank you.

The time is up for Ms. Rempel Garner.

We will now proceed to MP Ali.

MP Ali, you will have six minutes for your round of questioning. You can please begin.

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

Minister, thank you for appearing today.

Could you please tell us what additional steps we can take as a country to show compassion to those asylum seekers and move them from their temporary status to permanent residency?

Hon. Sean Fraser: Look, it's a great question. A lot of people who are here in Canada—not just asylum seekers, by the way—who are living on a temporary status would like to become permanent residents. Having certainty in what those pathways look like is really important. In order to do that, we need to continue to increase our immigration ambition, which I believe is a good thing for both economic and demographic reasons, but it can also be for compassionate reasons. Smoothing the pathway after a person receives protected person status to permanent residency is one thing that we would be able to do to make life easier, particularly because people who achieve protected person status do not automatically become entitled to be reunified with their families.

Another example would be making sure that we're investing in the asylum system so that people have timely decision-making and they're not left wondering what their status would be, as well as continuing to work with different levels of government at the provincial or municipal levels to make sure that when a person is here going through the process, they're not without a place to sleep or a roof over their head, and they have their basic needs, such as health care, taken care of.

There are a number of elements we can do to make sure that our system of migration and asylum is more compassionate. Of course, I don't have a monopoly on good ideas. If the committee arrives at additional recommendations, I would be more than happy to consider them in good faith.

• (1420)

Mr. Shafqat Ali: Thank you, Minister.

I understand that many asylum seekers who have entered by Roxham Road become productive workers, but they have to wait some time to obtain a work permit. Given that Canadian businesses need workers, and given the aging Canadian demographic, what can be done to facilitate the entry of these individuals into the workforce?

Hon. Sean Fraser: Thank you for the question.

I don't want to use Canada's asylum system as our economic growth strategy. I want to use our economic migration system as our economic growth strategy and to continue to clear pathways for people to come through regular migration pathways to help fill key gaps in the labour force.

That said, there is a reality that we're living with: People are crossing the border and making asylum claims, and we have to deal with those challenging circumstances in a responsible and compassionate way. I don't view it to be appropriate to deny a person the

ability to work when they have no other means to support themselves, as they're hearing a claim as to whether they are so vulnerable that they're in need of Canada's protection. We have recently had a shift in policy to make sure that people are able to obtain work permits before their eligibility decision to apply for asylum is rendered, which will shorten the period of time that people will go without the ability to work and support themselves.

We need to do that to remain compassionate towards people who are fleeing vulnerable circumstances, but not necessarily as a strategy to pursue economic growth. We know that our regular migration pathways for economic migrants are a more effective way to pursue economic growth. We may do the same thing you've recommended for compassionate reasons, but not necessarily for the same motivation, as we have other pathways to achieve those economic ends.

Mr. Shafqat Ali: Thank you, Minister. Thank you for your compassion toward asylum seekers. You mentioned it in your statement as well, and I truly appreciate it.

My next question, Minister, is that given that we have the world's longest non-militarized border with the U.S., closing Roxham Road—

[*Translation*]

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

[*English*]

The Chair: Yes, Mr. Brunelle-Duceppe.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: The interpreter's telling us that we have poor-quality sound and that it's interfering with the interpretation of my Liberal Party colleague's remarks.

[*English*]

The Chair: Mr. Ali, can you please say a few more words? The clerk will check the sound.

Mr. Shafqat Ali: Madam Clerk, can you hear me clearly? How's the weather down there?

The Clerk of the Committee (Ms. Stephanie Bond): I can hear you. Thank you.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Is that good for the interpreters?

If Mr. Ali could speak more slowly, that would make it easier for the interpreters.

[*English*]

The Chair: Mr. Ali, can you go a bit more slowly?

Mr. Shafqat Ali: Okay.

Minister, given that we have the world's longest non-militarized border with the U.S., closing Roxham Road or suspending the safe third country agreement would not be a solution. It would just cause asylum seekers to make more dangerous crossings and put them at a greater risk of exploitation.

You have suggested modernizing the agreement to make it more sustainable. Could you share with us what modernizing the agreement might look like?

Hon. Sean Fraser: Thank you to my colleague for the question.

I think you've made a key point. A simple suspension of the safe third country agreement, in my view, would lead to a potentially significant number of people making claims in a different and perhaps less organized way, which would exacerbate some of the challenges—which are very real—of dealing with large numbers of people who seek to come across our borders.

Despite the scale of our challenges, I should point out as well that we sometimes forget we're blessed by geography compared to many countries in the world. We're surrounded by three oceans and the United States to our southern border, which limits the number of people who seek to come in irregularly, compared to other countries.

That said, because we want to maintain this unmilitarized border with our largest and most important geopolitical partner, we need to work together to make sure the system works more effectively.

You'll forgive me if I don't go into the specifics of what a modernized agreement looks like because, of course, we're having discussions in real time with the United States. It would betray the confidence they have shared with us. As a result of these conversations being ongoing, I won't share the details of those discussions on an open floor when they were promised in confidence to the United States.

However, we're going to seek to make sure we continue to promote regular migration, discourage people from making perilous journeys and ensure that on both sides of the border people are treated with compassion and have a fair shot to have their asylum claim heard, should they land in one country or the other and choose to make an asylum claim to seek safe haven.

• (1425)

Mr. Shafqat Ali: Thank you, Minister.

Madam Chair—

The Chair: Mr. Ali, your time is up. Thank you.

We will now proceed to Mr. Brunelle-Duceppe.

You will have six minutes. You can please begin.

[*Translation*]

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

I want to thank the minister, who, I would note, often appears before this committee and is generous with his time.

Minister, in the last hour, your deputy minister said that, according to the department's projections, the number of persons entering Canada irregularly would be 50,000 for all of 2022. However, I've

just seen the figures recently released for October, and we're up to 31,000 irregular entries at Roxham Road.

How can the department anticipate 20,000 more irregular entries in two months, November and December? I'm not sure the department has the right figures.

Hon. Sean Fraser: Pardon me, my friend, but there isn't much of a difference between those numbers.

[*English*]

I think you had the number correct on the number of people who are seeking to come across Roxham Road, though I believe the projection is between 84,000 and 94,000 for the total number of asylum claims that would be made regularly and irregularly.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Pardon me, Minister, but I was talking about irregular entries. The deputy minister told us there would be 50,000 of them, but I find that projection odd. Since we know there were 31,000 from January to October, that means there would be 20,000 in two months.

You should simply tell the people in your department to pay attention when they calculate their projections. That's what they're paid for, and they should make accurate projections.

Talking about the people from your department, as we all saw, none of the officials present in the previous panel could tell me how the asylum claims process worked before the safe third country agreement was implemented in 2004.

As minister, do you consider it normal that your team of officials didn't know how the process for a person arriving from the United States and claiming asylum in Canada worked before the third safe country agreement was introduced?

[*English*]

Hon. Sean Fraser: I have a couple of points.

I want to push back on your assertion that we need to have more accurate projections. The vast majority of irregular claimants in Canada have come across Roxham Road. I don't think there's an inconsistency based on our projections and the number of people who've crossed to date.

On the second question, I don't think it's unusual to have a question sprung upon a department official about what system may have existed 18 years ago without an opportunity to prepare. However, “before the safe third country agreement” doesn't provide, I would suggest, a particularly useful reference point as to what solutions may be appropriate going forward. There has been an explosion—not just across the Canada-U.S. border, but globally—in the number of people seeking asylum. We need to be adopting solutions that are going to apply to the challenges we're facing today, not the challenges that may have been in place when I was in high school.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you, Minister. You answered the question. In other words, you consider it normal for your officials not to know how the asylum claims process worked before the safe third country agreement came into effect. I think it's absurd. These people are currently involved in negotiations to modernize the agreement, and they aren't aware of how the process functioned before the agreement was introduced. Between you and me, if any journalists are listening, and I imagine some are, they'll be glad to learn that.

Let's talk about the agreement negotiations, Minister. That's been your party's best issue since 2019. The modernization of the safe third country agreement was even part of your 2019 election platform. I just want to remind everyone that this is 2022 and nothing's on the table for the moment.

The minister is telling us that suspending the agreement isn't the right solution because regular border crossings aren't organized as well as the irregular crossing at Roxham Road. That's exactly what he said earlier. I can't believe this is how IRCC views the situation. It's another thing that's being made public today.

How many meetings have been held with the Americans to modernize the safe third country agreement?

• (1430)

[English]

Hon. Sean Fraser: Look, let me just correct the record first. There have been a few instances—and I know you're a thoughtful, intelligent and fair-minded person, my friend—where you've put your words in my mouth, and I just want to be careful not to suggest to those journalists in the room that they adopt those quotes as being attributable to me. We can carry on in that conversation subsequently.

Look, in my effort to correct, I've lost track of what your actual question was, Alexis. If you don't mind coming back to it, I would appreciate it very much.

[Translation]

Mr. Alexis Brunelle-Duceppe: Earlier you said that, if the safe third country agreement were suspended, people would cross at places less organized to receive them than what we currently see at Roxham Road. The places you referred to are Canada's regular border crossings. So, Minister, you said that the regular border crossings were less organized than the irregular crossing at Roxham Road. The RCMP calls it the Roxham border crossing, but we know perfectly well that it's an irregular crossing.

You're shaking your head. Then which crossings are less organized? If the safe third country agreement is suspended, people will be able to enter through the border crossings. Are you telling us the border crossings in the rest of Canada aren't organized?

[English]

Hon. Sean Fraser: No, that's not the argument I'm making, and to be fair to you, if the chair would like to add a minute to your questions, I could accommodate by staying an extra minute. That delay was on my part. I'd be happy to accommodate.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you for that.

[English]

Hon. Sean Fraser: To be very clear, there's not just danger when people are crossing the border in an irregular way. There is danger across the migration journey for somebody who decides they may seek to come into one country or another.

The suspension of the safe third country agreement could cause a large number of people to come across, in both irregular and regular fashions, in different parts of the country in ways that we are not currently prepared to be dealing with, large influxes of people coming in to seek asylum claims.

If there are more people migrating throughout the course of their journey as a result of a pull factor that would be created by us saying that we're no longer going to have a safe third country agreement, there would potentially be thousands upon thousands of people choosing to put themselves in danger, not just between the Canada and U.S. borders, but at other points of their journey along the way. That's not a danger that I want to promote.

[Translation]

Mr. Alexis Brunelle-Duceppe: Just a minute, Minister. What you just told me is that people may be in greater danger—

[English]

The Chair: The time is up, Mr. Brunelle-Duceppe—

[Translation]

Mr. Alexis Brunelle-Duceppe: Just a moment, Madam Chair. He took a minute of my time earlier.

We've learned that there were professional traffickers who—

[English]

The Chair: Yes, I gave that, so the clock is at seven minutes. We gave that extra minute.

We will now proceed to Ms. Kwan.

Ms. Kwan, you will have six minutes. Please begin.

Ms. Jenny Kwan: Thank you, Madam Chair.

Thank you to the minister for appearing before our committee.

He just said in his comments that globally there is a crisis with people who are faced with displacement and are forcibly displaced in their country of origin. Canada's geography is such that we are actually quite sheltered from the impact of that. The one exception, of course, would be the U.S. border, hence the safe third country agreement.

Given the numbers relative to the rest of the globe in the face of this crisis, Canada is not as impacted as some of the other countries are by literally millions of people crossing over to seek safety, yet Canada has chosen to put a safe third country agreement in place, even though the minister admitted that people try to seek safety not because it's fun, but because they really need to do so. They enter into this perilous journey to get to safety.

The safe third country agreement puts them into this dangerous situation. It subjects them to exploitation, to smugglers and to other dangers as they are making this journey, whether they be weather-related or otherwise. Why not do away with the safe third country agreement so that people are not subjected to that, and then allow them to actually make their claims through a regular entry?

• (1435)

Hon. Sean Fraser: I'm sorry, but did you say “regular” or “irregular” at the end of your comment, Ms. Kwan?

Ms. Jenny Kwan: It was for them to make their claim through a regular port of entry. Right now if they do, with the safe third country agreement, they will automatically be rejected.

Hon. Sean Fraser: Thank you. I understand the question.

With enormous respect, I think we probably agree on the outcomes we want to foster, which are safer, regular migration pathways, but disagree a little bit on the impact of suspending the safe third country agreement. It's my view that a suspension of that agreement would create the potential for more and more people to make the decision not to leave their country—people are choosing to leave their country because they are fleeing vulnerable circumstances—but to continue their journey on until they get to Canada, specifically.

My view is that we should promote the principle of people choosing to make an asylum claim in the first place where they are safe, to limit the number of people who are further putting themselves in danger by continuing on a potentially perilous journey.

I see you've put your hand up to interject.

Ms. Jenny Kwan: The safe third country agreement, as the minister knows, predated the Trump administration. One might argue that during that period it was some of the worst times for people trying to get to safety in the United States. It predated the Trump administration. The U.S. has a mandatory detention policy upon arrival for asylum seekers. That was also in place prior to the Trump administration. The practice of detention for asylum seekers is deeply rooted in the core system of the U.S. immigration and refugee system. We cannot lose sight of the fact that the culture that they built up with ICE there is not going to go away overnight, even with the Biden administration.

This is the reality right now. Really, some of these asylum seekers are faced with an impossible situation. There are people who are faced with detention. There are people who are being sent back to the country of origin to face the dangers from which they had been trying to flee.

Given that this is the reality, if the minister says he wants to address the issue and he's sympathetic and compassionate, is it his view that he will never raise the question of even just suspending, if

not doing away with, the safe third country agreement with the United States?

Hon. Sean Fraser: There's a big difference between not suspending and never raising the potential to suspend. One of the things that we're actually required to do under the safe third country agreement is to monitor compliance with policies that protect human rights and treat refugees and asylum seekers with fairness and compassion.

We do this on an ongoing basis. The factors that we consider as to whether a country could be designated as a safe country for the purpose of the safe third country agreement include whether they're a party to the convention against torture and the refugee convention. Their policies and practices where this ongoing monitoring is particularly important are also considered, as well as the human rights record of a country. Because there is one particular policy that may be different from what Canada would like to see happen, it's not necessarily the case that that results in the automatic suspension of the agreement. We look at the sum total of these factors and make an assessment on a regular basis as to whether the country we're dealing with continues to meet that safe country standard.

Our government's view is that the United States, given the totality of these factors, continues to meet that standard, which is why we have not made any decision to suspend the safe third country agreement.

Ms. Jenny Kwan: At their worst times, we have to remember what the U.S. was doing during the Trump administration. They dramatically expanded the authority to arrest, jail and deport migrants in the United States. We can never forget, with their anti-immigration and refugee policies, the image of children being put in cages, being separated, being torn away from their parents.

They outright reject gender-based claims. That's the reality. Even in those circumstances, the government says, “Oh well, but the U.S. is still a safe country.” Really? How?

• (1440)

Hon. Sean Fraser: Look, some of the situations you described I was confronted with as a member of Parliament, long before I held these positions. I took it upon myself, with certain colleagues, to reach out to representatives from the United States to voice my concern about some of the images that I had been seeing. I actually published a statement through social media at the time to voice some of my concern, as someone who cared deeply about the well-being and fair treatment of people.

However, we still need to look at the totality of the factors to determine whether the United States actually still has a functioning asylum system that allows people to make a fair claim. We're not just dealing with the folks who are making asylum claims along the southern border, but people who've travelled to the United States and have the potential to make a claim in the U.S., and who may instead choose to come to Canada.

We constantly reassess the situation to determine whether they meet the standards of the safe third country. I would point out as well that even when some of these policies are initially adopted, the U.S. court system still has the ability to make decisions, where a given administration may run afoul of a particular rule, to actually undo some of those policies that would have caused a particular country—

The Chair: I'm sorry for interrupting, Minister.

Hon. Sean Fraser: —to fall out of favour with the safe third country agreement.

Thank you, Madam Chair.

The Chair: Thank you. I'm sorry for interrupting; time is up for Ms. Kwan.

We will now proceed to Mr. Lloyd.

Mr. Lloyd, you will have five minutes for your round of questioning. You can please begin.

Hon. Michelle Rempel Garner: On a point of order, Chair, it's Mr. Paul-Hus for the Conservatives.

The Chair: Okay, Mr. Paul-Hus will take the next round.

Mr. Paul-Hus, you have five minutes. You can please begin.

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Madam Chair.

Good afternoon, Minister.

I've been involved in the Roxham Road file from the very start, with my colleague Ms. Rempel Garner. The illegal migration situation became intense in 2017, when Mr. Trudeau posted his tweet.

There are two aspects to all that.

I listened closely to your speech, Minister. We hear what you say when you speak in your capacity as minister. Your position on the safe third country agreement is clear, as is your intention to control what goes on. You said the agreement would help ensure orderly immigration processing in Canada. I agree with you.

However, the questions my Liberal colleagues around the table are asking tend in another direction. It's as though Roxham Road were a normalized pathway for immigrating to Canada and one we would encourage.

We're saying, on the one hand, that people shouldn't enter Canada illegally or irregularly, but, on the other hand, that it's a good way to proceed. We're even talking about granting permanent residence and expediting the process.

What's our actual position?

What the NDP and Bloc Québécois are asking makes no sense. I'm in favour of the third safe country agreement, and I agree we have to solve the problems we're facing. On the other hand, I wonder what you, as minister, think is the right way to do it: is it what you described in your speech, or rather what emerges from the questions of your Liberal colleagues, or even from the position adopted by the officials who appeared before us? Listening to them, you'd almost think that people are welcome in Canada and that this is how you immigrate to our country.

What's the actual position?

[*English*]

Hon. Sean Fraser: There is no logical inconsistency with promoting regular migration pathways and still demonstrating compassion towards some of the world's most vulnerable people who are coming to our country.

With respect to your commentary around the Prime Minister issuing a tweet a number of years ago, I would point out that people don't flee their home country because of a welcoming tweet from a country's leader; they flee their country because they are seeking to escape violence, war and persecution.

It's my belief, and I hold this firmly as a minister and as a human, that—

[*Translation*]

Mr. Pierre Paul-Hus: I understand all that, Minister, and I'm going to interrupt you here. Hundreds of millions of people on the planet live in countries where living conditions are very difficult. That's why our immigration targets give us some flexibility in welcoming refugees. In the past few years, we've welcomed millions of refugees to Canada, particularly Syrians, Afghans and Ukrainians. We welcome refugees to Canada in an orderly fashion. These people have their place, we invite them, we welcome them, and we take care of them.

However, I think Roxham Road is a problematic immigration pathway. Consider the example of a person who comes from another country and tries to immigrate to Canada. He enters the United States, then travels to Roxham Road and hopes that Canada will take him in. I believe the acceptance rate is currently 50%. The remaining 50%, people who have left everything behind but are denied entry, are now even worse off than they previously were.

Don't those people, who were hoping to improve their lives, wind up with even more problems?

[*English*]

Hon. Sean Fraser: One thing that's very important for committee members to understand is that when an individual crosses the border in an irregular way and makes an asylum claim, the merits of their case are considered on a case-by-case basis, based on the particular vulnerabilities they have. If they qualify to make an asylum claim, they will be granted asylum in Canada in accordance with our domestic and legal obligations that form part of our migration framework in Canada.

If someone comes who does not qualify because of their—

• (1445)

[*Translation*]

Mr. Pierre Paul-Hus: I know that, Minister. Those people then face rejection—

[*English*]

The Chair: Please speak one person at a time.

I ask all the members to let the other person answer the question because, if you speak over each other, the interpreters will not be able to translate. For translation purposes, one person should speak at a time. Once members ask the question, please allow the minister to answer.

Thank you.

[*Translation*]

Mr. Pierre Paul-Hus: Pardon me, Madam Chair. Thank you.

I understand the process, Minister. So let's talk about it.

In an article published in the *Journal de Montréal* early this year, Jules Richer reported that 25,804 persons who had crossed the border irregularly and whose asylum claims had been denied had completely disappeared. They're in Canada, but we don't know where, and they have no status.

Can you tell us how many of those people are wanted by Border Services to date? I'm talking about the people who have simply disappeared but who are somewhere in the country.

Ms. Fox or someone else on your team could answer the question if you don't know the answer.

[*English*]

Hon. Sean Fraser: Certainly, I don't have a specific number of people who've made a failed asylum claim and are still within Canada. We don't monitor the number of people who exit Canada voluntarily.

Deputy Minister Fox, if you have any specific data, I would be happy to yield the floor.

Ms. Christiane Fox: No, we don't have that specific data. We can see what CBSA could provide to the committee. I'll loop back with them and get back on that. As you said, there's no exit tracking.

[*Translation*]

Mr. Pierre Paul-Hus: You're referring to the information that the Canada Border Services Agency will want to send you. That's information that's available, isn't it?

Ms. Christiane Fox: I'll check with the agency to see if the information is available and what information it can forward to the committee.

Mr. Pierre Paul-Hus: Pardon me, Ms. Fox. There was a sound problem and I didn't hear your answer. Would you please repeat it?

[*English*]

The Chair: Ms. Fox, can you repeat the last answer you gave?

[*Translation*]

Ms. Christiane Fox: Yes, of course.

What I said was that I don't know exactly what kind of information and details the agency can provide, but I'll follow up with it. Then we will send you whatever information it can provide.

Mr. Pierre Paul-Hus: My question was really specific: we know that, as of the end of January, 25,804—

[*English*]

The Chair: Thank you, Mr. Paul-Hus. Your time is up.

We will now proceed to Mr. El-Khoury.

Mr. El-Khoury, you have five minutes. Please begin.

[*Translation*]

Mr. Fayçal El-Khoury: Thank you, Madam Chair.

Minister, thank you for generously accepting, as you always do, our invitation to appear before us to outline your ideas on how to improve the system within your department and to provide satisfactory answers to the questions from members of the committee.

First of all, allow me to assure my colleague Mr. Paul-Hus that the questions asked by the members on this side of the table tend in the right direction, not the opposite direction.

Mr. Pierre Paul-Hus: What exactly does that mean?

Mr. Fayçal El-Khoury: You said we asked questions that tended in the opposite direction, but I assure you they go in the right direction, Mr. Paul-Hus.

Minister, would you please clarify how you view the issues associated with the conditions facing asylum claimants who enter at Roxham Road?

We'll hear your answer and it will be clear for everyone.

[*English*]

Hon. Sean Fraser: Certainly. When a person enters irregularly through Roxham Road, they are given a document acknowledging that they've made their claim for asylum. They are able to start to seek access to certain services. But let's not pretend that this reality is without challenges. There are very real challenges for our provincial partners in Quebec, in this instance, and for municipal partners. That's why we've actually developed programs to cover the cost of health care and to contribute to the cost of housing. We've set up facilities through leasing arrangements with temporary accommodations on site, and we continue to work with communities at a provincial and municipal level to ensure that the capacity of their shelter system, for example, is not overrun.

We need to make sure that we continue to treat people with compassion to uphold our reputation as a welcoming and compassionate country in the world, but also to make sure that we don't have the costs of this very real-world challenge simply downloaded onto provincial and local levels of government. These are not easy challenges to sort through, but it's our responsibility as a government to meet the domestic and international legal obligations that we have, which include to treat people with respect and compassion and to provide a fair and fast final resolution of asylum claims that are made when a person comes to Canada and seeks to remain on the basis of persecution that they may be fleeing.

• (1450)

[Translation]

Mr. Fayçal El-Khoury: Thank you, Minister.

I have a second question for you.

Even though you weren't minister at the time, can you tell us more about the \$500 million in aid that was granted to Quebec between 2017 and 2022 to ease the pressure on that province?

Hon. Sean Fraser: Thank you for your question.

It's very important to understand that the federal government has made contributions to improve the quality of life of people arriving in our country.

[English]

It's really important, and I'm trying to dig out these specific figures in front of me just to make sure that your number is the same as my number.

What we end up doing is essentially working to understand the capacity that different governments will have. We do this in particular with Quebec, as a result of the influx of irregular asylum seekers, to make sure they have the capacity to cover many of the costs associated with housing and that we cover much of the cost associated with health care.

In terms of the kinds of resources we're talking about between, I think you said, 2017 and 2020—I have in front of me between 2017 and 2022—just with respect to Roxham Road there were contributions to the tune of \$269 million towards accommodation, security, health and transportation costs.

We're going to continue to manage the challenges associated with large numbers of people until we can reach a permanent solution that will allow us to respect both Canadian and international legal obligations that we have and also continue to treat people in a fair and compassionate way.

There are difficult problems that come with irregular migration, but we all know that difficult problems are a part of our professional choice when we put our names on the ballot, and to work with others who have done the same at provincial and municipal levels of government to serve the interest of communities is something we will continue to do.

[Translation]

Mr. Fayçal El-Khoury: Minister—

[English]

The Chair: Mr. El-Khoury, your time is up.

We will now proceed to Mr. Brunelle-Duceppe.

Mr. Brunelle-Duceppe, you have two and a half minutes.

You can begin, please.

[Translation]

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

Since I have only two and a half minutes, I'll try to ask brief questions so I can get short answers.

If you want to modernize the agreement, Minister, that means it isn't currently satisfactory. Otherwise, why would we want to renegotiate it?

Hon. Sean Fraser: There's an interpretation problem. I'm hearing two voices.

Mr. Alexis Brunelle-Duceppe: That's fine. We'll fix it.

However, I don't want to lose my speaking time, Madam Chair.

[English]

The Chair: I think there is some translation issue. I have stopped the clock.

Is it good now? Okay.

[Translation]

Mr. Alexis Brunelle-Duceppe: It's good.

We'll start again from the beginning, won't we, Madam Chair?

I'm going to ask you a brief question, and I'd like you to give me a short answer, Minister. If you want to modernize the agreement, that means it isn't currently satisfactory. Otherwise, why would we want to renegotiate it?

[English]

Hon. Sean Fraser: I think it needs to be improved and modernized.

[Translation]

Mr. Alexis Brunelle-Duceppe: So you're telling us you've been negotiating the agreement for four years, since the start in 2018, and this is 2022.

[English]

Hon. Sean Fraser: It's not me personally, but our governments have been working together to identify a path forward for several years.

[Translation]

Mr. Alexis Brunelle-Duceppe: Then you're telling us that, for four years, we've been living with an agreement that's unsatisfactory with respect to asylum claimants entering Canada.

[English]

Hon. Sean Fraser: Look, just to be clear, having an agreement that is imperfect is far better than not having an agreement at all, but we should constantly be searching for ways to better the quality of the agreements that we have with our international partners.

[Translation]

Mr. Alexis Brunelle-Duceppe: So we've been living with an imperfect agreement for four years without finding any solutions. That's fantastic.

Have you heard about traffickers who take advantage of migrants and asylum claimants? As we've seen in reports broadcast on Radio-Canada, including those filed by journalist Romain Schué, criminal traffickers are taking advantage of migrants by charging them anywhere from \$600 to \$10,000 per person.

Do you intend to call for an investigation to shed light on these trafficking rings?

• (1455)

[English]

Hon. Sean Fraser: I think we constantly need to monitor the treatment of people who are seeking to come to Canada, but I want to be clear that I would not attribute illegal behaviour in the United States to the presence of a safe third country agreement. In some ways it's possible that the absence of the agreement could exacerbate that kind of illicit behaviour.

[Translation]

Mr. Alexis Brunelle-Duceppe: Are you discussing trafficking rings with the Americans?

[English]

Hon. Sean Fraser: It's part of what we do within the context of the safe third country agreement: monitor the treatment of people who are coming to seek asylum. This is one of the things we can monitor, but it's certainly not the only thing.

[Translation]

Mr. Alexis Brunelle-Duceppe: So the Canadian government has taken no steps to address these crimes. I would remind you that human trafficking is one of the most serious crimes in the world. The government says it wants to welcome these people—

[English]

The Chair: I'm sorry, Mr. Brunelle-Duceppe.

[Translation]

Mr. Alexis Brunelle-Duceppe: All right. Thank you.

[English]

Hon. Sean Fraser: That is not my characterization.

We're out of time. I'll look forward to question period next week.

The Chair: We will now proceed to Ms. Kwan.

Ms. Kwan, you have two and a half minutes. Please proceed.

Ms. Jenny Kwan: One way to address that issue, of course, is to get rid of the safe third country agreement, but anyway, the minister is not going to do that.

Given everything that we know about the safe third country agreement, will the minister consider broadening public policy exemptions under article 6 to include gender-based claims of vulnerable classes of people?

Hon. Sean Fraser: Are you talking about exemptions to the safe third country agreement?

Ms. Jenny Kwan: Yes.

Hon. Sean Fraser: As we seek to modernize it, there are a number of different items we would consider, but I don't want to get into the specifics of what conversations I have had confidentially with the United States. This is the kind of thing that we need to respect happens privately between sovereign nations.

Ms. Jenny Kwan: Thank you, but I hope that the minister will agree that, at the very minimum, he should advance gender-based claims and other vulnerable classes of people to be exempt. I won't belabour all the reasons, but this is important. I hope the minister will agree.

Currently, there's a prolonged delay for asylum claimants processing. I know that the minister wants to try to move this quickly, including the policy on allowing people to get an open work permit, but the reality on the ground is that people are not moving this through quickly, and we've been advised through a submission by a witness that the process has now added another 12 to 24 months before a claimant can even get their identification document, which is hugely problematic.

My question to the minister is, will he ensure that refugee protection claimant documents and open work permits are issued upon arrival so people can quickly move forward? This will also support municipalities and provinces as well, because otherwise, if people can't get these services and that document, they won't be able to work and they will have to go on, for example, income assistance and rely heavily on provincial governments and municipal governments for supports.

Hon. Sean Fraser: On a point of clarity, I agree with the member that we need to continue to make investments to speed up the process. We put \$1.3 billion towards the asylum system in the last federal budget. We recently made a change to expedite the timelines on which a person can receive a work permit by allowing them to make it prior to receiving an eligibility decision, and we also have the ability for individuals to access services upon the document acknowledging their claim, which happens much earlier in the process.

It is imperfect. We need to speed things up, but we are already taking steps to try to improve the quality of some of these circumstances you've raised.

Ms. Jenny Kwan: Yes, the two things, that's—

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

I've checked, and the minister can stay until 3:07, so we will have four minutes for Mr. Redekopp and then end the panel with Mr. Dhaliwal for four minutes.

Mr. Redekopp, you are up next. You will have four minutes for your round of questioning.

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

Thank you, Minister, for being here.

You talked about how the migrants don't come to Canada because of our administrative procedures or because of the timing of the border and so on, and I understand that.

It's not necessarily that there are illegal activities going on, but we have entrepreneurs who are very cagey, and they understand that they can make a dollar here if they can help these migrants come to Canada. We've heard testimony, too, that there is a whole industry being built around bringing people to the border through the Roxham Road crossing.

My question to you is, what are you and your government doing to discourage some of these activities and to prevent this whole industry from taking hold and essentially taking advantage of the situation in a completely legal way?

• (1500)

Hon. Sean Fraser: Just to clarify, I think that every member of all parties on this committee would condemn human trafficking and people smuggling, and it's not something that we want to see by any means.

What we try to do is share good information about the process of making asylum claims in Canada and work with our international partners, in this case the United States, to let them know when we hear of trends that are happening within their borders that are not within the jurisdiction of the Government of Canada. Of course, we can't send the RCMP into the United States to start busting human trafficking rings that are taking place outside of our own borders, but we need to continue to work with our international partners and to provide good information.

On the issue of the safe third country agreement, this is not necessarily your perspective, but it's come up in other members' questions. Removing the safe third country agreement could result in an increase in the number of people who are seeking to come to Canada through irregular ways and making an asylum claim when they arrive, and that's something we want to protect against.

Mr. Brad Redekopp: I would agree with you on that, but I do want to circle back.

Ministers before you have actually made efforts to go to the United States. You speak about talking to the government, and I get that, but most entrepreneurs aren't looking at government websites to see what government-to-government discussions are. They're looking at what's out there in the social media and in different news.

Specifically, what efforts are you making to talk to more grass-roots people about discouraging them from doing this and preventing them from making a dollar by supposedly helping people come to Roxham Road?

Hon. Sean Fraser: We have very limited time, so I will try to go fast.

We have different elements of our response to combat smuggling, whether it happens by road, air or sea—

Mr. Brad Redekopp: Minister, I'm not talking about smuggling. These are not illegitimate businesses. These are entrepreneurs who see an opportunity. They're not smuggling people. They're helping people, but it's also exacerbating the problem and making it worse.

What are you doing to discourage that?

Hon. Sean Fraser: Are you talking about bringing people to the border for the purpose of making an asylum claim?

Mr. Brad Redekopp: Yes.

Hon. Sean Fraser: I view that to be very dangerous. Sometimes, on the ground in those social circles, it can in fact involve human smuggling. I think we should be very clear that there's very dangerous behaviour that forms part of this.

When we're dealing with behaviour and conduct that's taking place in another country's borders, we need to work with the government of those other countries. I don't think it would be the best use of my time to personally infiltrate the social circles of organizations or entrepreneurs—to use your lingo—to try to interrupt that kind of flow of people who are trying to make, in some instances, asylum claims that are potentially not justified.

We need to make sure that we have clarity in the rules and that we broadcast them through local governments. If we can find stakeholder organizations through partners with those organizations that allow us to get that message out there more forcefully, then we would do so.

I sense that we are running out of time, Madam Chair. I don't want to talk out the clock on my colleague here. Is there additional time?

The Chair: No, the time is up for Mr. Redekopp.

Now we will end our panel with Mr. Dhaliwal.

You will have four minutes. Please begin.

Mr. Sukh Dhaliwal: Thank you, Minister, for coming. You are always accessible.

I am going to carry on with Brad's question on the safe third country agreement.

It is my understanding that over 2.5 million individuals have crossed into the U.S. via the U.S.-Mexico border in the past 12 months. Without the safe third country agreement, how would that potentially affect Canada?

Hon. Sean Fraser: It is not just tied to folks who have come through the American border, but the likelihood is that we would see a significant further increase in the number of people who seek to come to Canada for the purpose of making an asylum claim.

For people who wish to come to Canada, we want to encourage them to use regular migration pathways and discourage them from making an asylum claim unless they must. We really do abide by the principle where we encourage people to make an asylum claim in the first country where they are safe, because travelling through a country without status—though they may not be in a particular danger—is still not always a safe thing to do for individuals and for families.

I expect that simply suspending the safe third country agreement would result in a significant increase of people making, in many instances, very dangerous journeys—not just through the United States, by the way, but through many other countries—on a potential pathway to Canada.

• (1505)

Mr. Sukh Dhaliwal: Minister, do you have any thoughts you want to share before I go to my next question?

Hon. Sean Fraser: I would rather deal with your questions, Mr. Dhaliwal.

Mr. Sukh Dhaliwal: Thank you.

You have already mentioned that you don't want to see people using the asylum seeker avenue to gain immigration into Canada, but there are many cases where the refugee's claim has failed. They have been in Canada for many years and they are working. I already asked Ms. Fox, your deputy minister, the same question.

The only avenue that is left after the refugee claim or the asylum claim has failed is the H and C. How would you see these people, who have been working for so long...if we are not going to let them use any other avenue to get into the main stream?

Hon. Sean Fraser: Thank you, Mr. Dhaliwal, for the question.

There are a significant number of people who have been here for many years, who in many instances have children who are Canadian and who have been working and making a contribution and a difference to our communities. We have tried a few things over the past couple of years to provide status for certain individuals who currently don't have status. I'm thinking about the guardian angels program, which allowed frontline health care workers during the pandemic to become regularized to recognize the contribution they made. I'm thinking about the pilot program for out-of-status construction workers in the GTA and Hamilton. That has allowed more people to come out of the shadows and work in a regular way, where they're now contributing and paying taxes and are not afraid to seek such basic services as health care.

We're looking for ways right now to make good on the mandate letter commitment that the Prime Minister assigned to me, which was to expand on those pathways, to provide more regularization opportunities for individuals who are here making contributions and who have deep connections to Canada, and to allow them to live in dignity with permanent residence status. This is not an easy issue to sort through. It requires serious consultation with different

stakeholders and provincial and territorial governments as well. We're going to continue to do our policy work to identify opportunities to provide pathways to permanent residence for some of the individuals you've referenced.

Mr. Sukh Dhaliwal: Minister, I have met with people from Quebec in the same situation. Most of them are in the trucking industry. I hope you pay attention to that particular field as well.

It seems that my time will soon be up. Please add your final comments, if you have any.

Hon. Sean Fraser: Well, since you mentioned the trucking industry, though it's not on the question of asylum, I'd point out that just a couple of days ago we launched a revision to the national occupation classification codes that we've had in place. Truckers are now actually eligible to come to Canada through our express entry system. We've now created a regular migration pathway for people who might want to come to Canada through federal economic streams, which may potentially further discourage people coming in through an irregular way.

We need to continue to be a compassionate country. We need to continue to abide by our domestic and international legal obligations. We need to continue to welcome people in regular ways while we respect the laws that bind us for those who are seeking to escape vulnerable circumstances.

It's been a pleasure to be with you all. I thank members of the committee and the chair for having me. I very much look forward to our next opportunity to engage.

Mr. Sukh Dhaliwal: Thank you.

The Chair: Thanks a lot, Minister.

On behalf of all the members of this committee, I really want to thank you for all the work you do on behalf of all Canadians. Thank you for appearing before the committee to provide your testimony in this important study.

Thank you, everyone. I hope all of you have a great weekend.

With that, the meeting is adjourned.

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