



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

NEW TOOLS FOR THE 21ST CENTURY— THE GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION AND THE GLOBAL COMPACT FOR REFUGEES: AN INTERIM REPORT

**Report of the Standing Committee on Citizenship and
Immigration**

Robert Oliphant, Chair

**DECEMBER 2018
42nd PARLIAMENT, 1st SESSION**

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NOTICE TO READER

Reports from committee presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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THE STANDING COMMITTEE ON CITIZENSHIP AND IMMIGRATION

has the honour to present its

TWENTY-THIRD REPORT

Pursuant to its mandate under Standing Order 108(2), and the motions adopted by the Committee on Thursday, March 1, 2018 and Tuesday, October 30, 2018, the Committee has studied migration challenges and opportunities for Canada in the 21st century and has agreed to report the following:

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LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That the Government of Canada vote in favour of the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees..... 9

Recommendation 2

That the Government of Canada leverage the fora provided by the Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees to participate in shaping the future global best practices to address migration by: a) sharing Canada's best practices and participating in the development of responses to the challenges facing internally displaced persons, including victims of genocide like the Yazidi and other victims of Daesh; b) sharing Canada's best practices and participating in the development of programs to support migrating women and girls globally; c) offering to host future international conferences in support of the objectives of the Compacts; d) dedicating resources to combat myths and misinformation on the Compacts and migration, generally, to reassure Canadians that the Compacts do not threaten Canada's sovereignty and indeed that safe, orderly and regular migration is important to our future prosperity. 10



NEW TOOLS FOR THE 21ST CENTURY—THE GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION AND THE GLOBAL COMPACT FOR REFUGEES: AN INTERIM REPORT

INTRODUCTION

Since 2000, international migration worldwide has increased by 49%, which, in 2017, represented 258 million people living, either voluntarily or forcibly, in a country other than their country of birth.¹ In 2017, 68.5 million people were forcibly displaced worldwide due to persecution, conflict, violence or human rights violations. Of these, 40 million were internally displaced persons (IDPs), 25.4 million were refugees and 3.1 million were asylum-seekers. The number of new displacements in 2017 was equivalent to an average of 44,400 people being forced to flee their homes every day or 31 people displaced every minute.²

It is in this context that the House of Commons Standing Committee on Citizenship and Immigration (the Committee) started its study on migration challenges and opportunities for Canada in the 21st century.³ As part of its study, the Committee decided⁴ to examine the Global Compact for Safe, Orderly and Regular Migration (the Global Compact on Migration or GCM) as well as the Global Compact on Refugees (GCR). This interim report, based on the testimony of 14 witnesses heard between 6 to 29 November 2018 and four briefs, provides an overview of these two international instruments and highlights Canada's role.

1 House of Commons Standing Committee on Citizenship and Immigration [CIMM], *Evidence*, 1st session, 42nd Parliament, 26 November 2018, 1605 (Matt DeCoursey, Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, House of Commons); United Nations Department of Economic and Social Affairs Population Division, *Population Facts*, December 2017.

2 United Nations High Commissioner for Refugees [UNHCR], *Global Trends: Forced Displacements in 2017*, 25 June 2018, p. 2; CIMM, *Evidence*, 22 November 2018, 1535 (Stéphane Vinhas, Emergencies Coordinator, Development and Peace-Caritas Canada).

3 For more information, see CIMM, *Migration Challenges and Opportunities for Canada in the 21st Century*.

4 CIMM, *Minutes of Proceedings*, 1st session, 42nd Parliament, 30 October 2018.



THE GLOBAL COMPACTS

Since the Second World War, the international community has established an international protection regime, which includes the 1951 United Nations (UN) *Convention Relating to the Status of Refugees* and its 1967 Protocol, regional refugee treaties and other human rights instruments.⁵ However, more than 65 years later, countries face increasingly complex mixed flows of migration, which include economic migrants, asylum-seekers and refugees in protracted situations, as there is no overarching agreement at the international community to manage and govern worldwide migration.⁶ The Global Compacts create a structure for global migration, by proposing to better respond to migration through international cooperation.⁷ These new frameworks will provide an innovative way to respond to the movement of people in a manner that is safe, effective and predictable,⁸ but also equitable and sustainable.⁹

The Global Compacts aim “to complement each other on issues relevant to both, such as addressing xenophobia and intolerance, trafficking and smuggling, rescue at sea, and data collection and analysis.”¹⁰ According to witnesses who appeared before the Committee, by ensuring effective migration and asylum regimes as well as receptive and integrating communities for people on the move, states, local communities and migrants will all benefit.¹¹

From the very beginning, Canada participated in and contributed to the development of these two international instruments. To inform the government’s negotiation position,

5 UNHCR, [Written Submission](#), p. 3.

6 CIMM, [Evidence](#), 26 November 2018, 1700, (Susan Greene, Senior Director, Resettlement and Protection Policy, Department of Citizenship and Immigration); CIMM, [Evidence](#), 26 November 2018, 1745 (Deirdre Kent, Director General, International Assistance Policy, Department of Foreign Affairs, Trade and Development); CIMM, [Evidence](#), 29 November 2018, 1540 (Craig Damian Smith, Associate Director, Global Migration Lab); Global Forced Displacement Working Group, [Written Submission](#), p. 4.

7 CIMM, [Evidence](#), 29 November 2018, 1540 (Craig Damian Smith); Craig Damian Smith et al., [Written Submission](#), p. 1.

8 CIMM, [Evidence](#), 22 November 2018, 1635 (Jérôme Elie, Senior Policy Officer, Forced Displacement, International Council of Voluntary Agencies); 1530 (Michele Klein Solomon, Director, Global Compact for Migration, International Organization for Migration); 1545 (Ida Kaastra-Mutoigo, World Renew, Board Member, ACT Alliance).

9 CIMM, [Evidence](#), 22 November 2018, 1635 (Jérôme Elie). CIMM, [Evidence](#), 26 November 2018, 1725 (Stephen Salewicz, Director General, International Humanitarian Assistance, Department of Foreign Affairs, Trade and Development); Global Forced Displacement Working Group, [Written Submission](#), p. 5.

10 UNHCR, [Written Submission](#), p. 3.

11 CIMM, [Evidence](#), 29 November 2018, 1615 (Craig Damian Smith); UNHCR, [Written Submission](#), p. 3; Craig Damian Smith et al., [Written Submission](#), p. 1.

Global Affairs Canada and Immigration, Refugees and Citizenship Canada consulted provincial, territorial and municipal governments as well as representatives from civil society organizations and academia from across the country.¹² Among other things, Canada advocated for gender sensitivity throughout the consultations to ensure there are measures to advance gender equality and facilitate active participation of women and youth in migration responses.¹³

The Global Compact for Safe, Orderly and Regular Migration

This endeavour is led by a Canadian, the UN Special Representative for International Migration, Louise Arbour, and the International Organization for Migration (IOM), in close consultation with UN member states (Appendix A). The Global Compact on Migration is expected to be adopted at the Intergovernmental Conference in Morocco on 10 December 2018.¹⁴

Building on the UN's Sustainable Development Goals¹⁵ and on the 2016 New York Declaration,¹⁶ the GCM sets out 23 objectives (Appendix B). These objectives are followed by a range of actions considered to be relevant policy instruments and best practices. The Committee heard that the Government of Canada trusts that this Compact will strengthen the rule of law, foster safe, orderly and regular migration, and deter irregular migration worldwide. This international instrument is a demonstration of trust and goodwill among countries, but also towards the migrants, refugees and those who seek asylum.¹⁷

The Global Compact on Refugees

Led by the United Nations High Commissioner for Refugees (UNHCR), Filippo Grandi, in close consultation with countries and other stakeholders, including non-governmental

12 CIMM, *Evidence*, 26 November 2018, 1605 (Matt DeCoursey).

13 CIMM, *Evidence*, 26 November 2018, 1610 (Matt DeCoursey).

14 CIMM, *Evidence*, 22 November 2018, 1530 (Michele Klein Solomon); For more information, see United Nations, *Intergovernmental Conference on the Global Compact for Migration*.

15 More specifically, *Goal 10* aims to reduce inequality within and among countries and identifies 10 targets. Target 10.7 is to “[f]acilitate orderly, safe, regular, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies.”

16 The New York Declaration for Refugees and Migrants adopted at the United Nations General Assembly on 19 September 2016 launched two separate processes that created the Global Compacts.

17 CIMM, *Evidence*, 22 November 2018, 1530 (Michele Klein Solomon); CIMM, *Evidence*, 26 November 2018, 1620 (Matt DeCoursey).



organizations, the Global Compact on Refugees is a non-binding agreement with four parts: (i) a statement of guiding principles and objectives; (ii) the Comprehensive Refugee Response Framework; (iii) a programme of action to help meet the objectives of the Compact; and (iv) arrangements for a Global Refugee Forum every four years. It will be presented for adoption at the UN General Assembly in December 2018. Building on the 1951 Convention and its 1967 Protocol, the GCR strengthens the existing international protection regime and provides modern-day means to assist the countries and communities who receive the largest numbers of refugees to ensure basic protection needs are met.¹⁸ Through this Compact, states (Appendix C) commit to supporting the sharing of responsibilities and burden of hosting refugees in a more predictable manner.

The objectives of the GCR are to:

- (i) ease pressures on host countries as well as the communities in which refugees live;
- (ii) enhance refugee self-reliance; (iii) expand access to third country solutions; and
- (iv) support conditions for the safe return of refugees in their country of origin.¹⁹

An integral part of the GCR is the Comprehensive Refugee Response Framework, which non-governmental organizations have been leading the on-the-ground implementation for over the last two years in 14 different pilot countries, such as Uganda.²⁰ This framework is a mechanism that connects refugee issues with broader discussions of development policy and practice. It is seen as an innovative tool “that can lead to substantial change.”²¹

The GCR aims to be a new international tool that can be used to respond to the current disproportionate fiscal and hosting responsibilities²² assumed by front line countries. Currently, 88% of refugees are largely located in low and middle-income countries,²³ and

18 CIMM, [Evidence](#), 6 November 2018, 1700 (James Milner, Associate Professor, Department of Political Science, Carleton University); CIMM, [Evidence](#), 29 November 2018, 1605, (Jean-Nicolas Beuze, Representative in Canada, Office of the United Nations High Commissioner for Refugees); UNHCR, [Written Submission](#), p. 3.

19 United Nations General Assembly [UNGA], “[Part II: Global compact on refugees](#),” *Report of the United Nations High Commissioner for Refugees*, A/73/12 (Part II), para. 7.

20 Global Forced Displacement Working Group, [Written Submission](#), p. 5; UNHCR, [Written Submission](#), p. 5.

21 CIMM, [Evidence](#), 6 November 2018, 1655 (James Milner).

22 CIMM, [Evidence](#), 22 November 2018, 1635 (Jérôme Elie).

23 CIMM, [Evidence](#), 22 November 2018, 1655 (Shaughn McArthur, Policy and Influence Lead, CARE Canada); Global Forced Displacement Working Group, [Written Submission](#), p. 4.

approximately 10 countries host 60% the world’s refugee population.²⁴ For 2018, the protection needs were estimated by the UNHCR at USD \$8 billion, for which only half was received; the UNHCR relies on voluntary contributions and 60% of its budget is funded by the United States, Germany and the European Union.²⁵

Witnesses told the Committee that the GCR provides an important opportunity to demonstrate the value of collective action, to rebuild trust and to reinvigorate confidence in the rules-based international order.²⁶

Common Elements to the Global Compacts

The Compacts share a number of common elements. First, they do not require ratification, as they are not treaties.²⁷ In December 2018, UN member states will simply vote as to whether or not they support the resolutions.²⁸

Second, the Global Compacts are non-binding. The GCM sets this out specifically in paragraph 7 and the GCR in paragraph 4. Their implementation will occur, not because of new obligations, but because of the incentives they provide, such as new investments, and how they may appeal to the interests of states.²⁹

Further, the Global Compacts explicitly recognize state sovereignty: the GCM provides for this in paragraph 15 c) and the GCR in paragraph 33.³⁰ In this context, officials told the Committee that Canada’s immigration legislation and programmes already generally meet domestic and international obligations related to migration and refugee protection.³¹

24 UNHCR, [Written Submission](#), p. 1.

25 CIMM, [Evidence](#), 29 November 2018, 1535, 1625 (Jean-Nicolas Beuze).

26 CIMM, [Evidence](#), 6 November 2018, 1655 (James Milner). CIMM, [Evidence](#), 22 November 2018, 1650 (Hon. Lloyd Axworthy, Chair, World Refugee Council); CIMM, [Evidence](#), 26 November 2018, 1620 (Matt DeCoursey).

27 CIMM, [Evidence](#), 22 November 2018, 1600 (Michele Klein Solomon); CIMM, [Evidence](#), 29 November 2018, 1650 (Christina Clark-Kazak, Associate Professor, School of Public and International Affairs, University of Ottawa).

28 Global Forced Displacement Working Group, [Written Submission](#), p. 1.

29 CIMM, [Evidence](#), 6 November 2018, 1700 (James Milner); Craig Damian Smith et al., [Written Submission](#), p. 2.

30 CIMM, [Evidence](#), 22 November 2018, 1555 (Michele Klein Solomon); Craig Damian Smith et al., [Written Submission](#), p. 2.

31 CIMM, [Evidence](#), 26 November 2018, 1615 (Matt DeCoursey).



Both Global Compacts include the creation of a high-level forum, to be held every four years where progress can be measured, best practices shared and pledges for contributions made. The GCM provides for the IOM to coordinate the work of the newly established UN network on migration (paragraph 45),³² including follow-up at the state-led International Migration Review Forum (paragraph 49) to start in 2022. The GCR's Programme of Action begins with the Global Refugee Forum (paragraph 17)³³ that will be held for the first time in 2019. The UNHCR is given a new responsibility to coordinate among states and partners concerned, measuring the impacts of protecting refugees and burden-sharing of responsibilities (paragraph 48), and to present these results at the Global Refugee Forums (paragraph 103).

CANADA'S NEXT STEPS

Support for the Compacts

Canada has supported the Global Compact on Migration to date. However, in the last year, a number media reports have indicated that some UN member states are opposed to the GCM. The [United States](#),³⁴ [Australia](#), [Israel](#), [Hungary](#), [Austria](#), [Croatia](#), [Italy](#), [Bulgaria and Czech Republic](#) have stated that they will not support the GCM. [Poland and Estonia](#) might also not support it. Countries put forward issues of national sovereignty with respect to immigration and asylum processes as reasons for their withdrawal from the GCM.

To this date, Canada has supported the Global Compact on Refugees to date. When the resolution to forward the GCR to the UN General Assembly was voted on in the Third Committee on 13 November 2018, it received wide support, except from the United States (Appendix C). The Committee heard various opinions regarding the consequences for Canada if it chooses to step away from the Global Compacts.

Witnesses highlighted Canada's immigration system, based in the rule of law and respectful of human rights, is seen as a model in the international community.³⁵ In terms of refugee protection and complementary pathways, Canadian expertise in the private

32 CIMM, [Evidence](#), 22 November 2018, 1625 (Michele Klein Solomon).

33 CIMM, [Evidence](#), 6 November 2018, 1655 (James Milner).

34 UNGA, President of the 72nd session, "[Statement attributable to the Spokesperson for the President of the General Assembly on the decision by the United States Government to disengage from the process leading to the global compact for safe, orderly and regular migration](#)," New York, 3 December 2017.

35 CIMM, [Evidence](#), 22 November 2018, 1610 (Michele Klein Solomon); 1550 (Ida Kaastra-Mutoigo).

sponsorship regime has led to other countries adopting similar programmes tailored to their reality.³⁶

Many witnesses testified to the effect that Canada played a lead role in the development of both Global Compacts, ensuring vital interests were included, such as national sovereignty, support for a strong immigration system, support for women and girls, and the Global Refugee Sponsorship Initiative.³⁷ These tools also provide for multilateral co-operation, highlighting the reality that no country can address these migration issues on its own. The Committee heard that a country's policies and actions taken alone can be harmful to its neighbours.³⁸ If Canada is not part of the Global Compacts, it will lose access to these multilateral fora as well as erode the trust built over the last two years.³⁹

Building on years of solid immigration practices and recognizing that Canada cannot solve the global phenomena of migration and forced displacements on its own, the Committee recommends:

Recommendation 1

That the Government of Canada vote in favour of the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees.

The Global Compacts as a Forum for Canada's Continued Leadership

The Committee heard that both Global Compacts align with Canada's immigration and asylum policies and that Canada has set the standard for the world in terms of migration management.⁴⁰ The Global Compacts allow Canada to promote its best practices and vision for migration and refugee management. The Committee heard that Canada is well situated to not only implement what is aspired to in both Global Compacts, but also to learn from them.⁴¹ By participating in these Compacts, the international community will be better able to respond to crises and large movements of people through more comprehensive, planned national systems of migration that include more pathways

36 Jennifer Hyndman, *Written Submission*, p. 3.

37 Craig Damian Smith et al., *Written Submission*, p. 1; Jennifer Hyndman, *Written Submission*, p. 1.

38 CIMM, *Evidence*, 22 November 2018, 1550 (Ida Kaastra-Mutoigo).

39 CIMM, *Evidence*, 22 November 2018, 1610 (Michele Klein Solomon).

40 CIMM, *Evidence*, 26 November 2018, 1635 (Matt DeCoursey).

41 CIMM, *Evidence*, 22 November 2018, 1600 (Michele Klein Solomon).



to safe, orderly and regular migration as well as for protection. Indeed, Canada's leadership is noted in policy direction within the Global Compacts on the topics of IDPs, women and girls and privately sponsored refugees. Several witnesses remarked on the absence of solutions in the GCR to the challenges that IDPs face.⁴² Paragraph 12 of the GCR does allude to the needs of IDPs,⁴³ indicating that the UNHCR and the IOM could be called upon to assist. However, in broad terms, IDPs do not fit under the 1951 Convention definition and do not have the same rights as refugees because they have not crossed an international border. Some witnesses have suggested that Canada play a lead role in developing a more predictable response to the plight of the IDPs who also do not leave their homes by choice.⁴⁴

The Committee also heard of additional innovative funding practices, such as reallocation of frozen assets as per the Swiss model.⁴⁵ Witnesses also spoke about the need to better align the humanitarian and development branches of Global Affairs Canada in order to ensure a complete response when helping migrants.⁴⁶ As such, the Committee recommends:

Recommendation 2

That the Government of Canada leverage the fora provided by the Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees to participate in shaping the future global best practices to address migration by: a) sharing Canada's best practices and participating in the development of responses to the challenges facing internally displaced persons, including victims of genocide like the Yazidi and other victims of Daesh; b) sharing Canada's best practices and participating in the development of programs to support migrating women and girls globally; c) offering to host future international conferences in support of the objectives of the Compacts; d) dedicating resources to combat myths and misinformation on the Compacts and migration, generally, to reassure Canadians that the Compacts do not threaten Canada's sovereignty and indeed that safe, orderly and regular migration is important to our future prosperity.

42 CIMM, *Evidence*, 29 November 2018, 1640 (Christina Clark-Kazak); Global Forced Displacement Working Group, *Written Submission*, p. 3.

43 CIMM, *Evidence*, 6 November 2018, 1705 (James Milner).

44 CIMM, *Evidence*, 29 November 2018, 1640 (Christina Clark-Kazak); Global Forced Displacement Working Group, *Written Submission*, p. 3.

45 CIMM, *Evidence*, 22 November 2018, 1645, 1715 (Hon. Lloyd Axworthy).

46 CIMM, *Evidence*, 29 November 2018, 1545 (Craig Damian Smith).

APPENDIX A: SUPPORT FOR THE GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION

During the 72nd UN General Assembly in December 2017, all 193 UN member states

adopted a plenary text deciding that an intergovernmental conference to adopt the Global Compact for Safe, Orderly and Regular Migration, would be held in Morocco on 10 and 11 December 2018.

[...]

Acting without a vote, the Assembly first adopted a draft resolution submitted by its President, “Modalities for the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration” (document A/72/L.9), deciding that a conference of the same name would be held in Morocco on 10 and 11 December 2018.

By other terms, the Assembly decided that the Global Compact would be adopted on Monday, 10 December 2018, and that two dialogues would be held in parallel with the plenary meetings, except during the latter’s opening and closing. They would be titled, respectively, “Promoting action on the commitments of the Global Compact for Safe, Orderly and Regular Migration”, and “Partnerships and innovative initiatives for the way forward”.¹

1 Emphasis added. UNGA, “[Concluding Main Part of the Seventy-Second Session, General Assembly Adopts \\$5,397 Billion Budget for 2018-2019, as Recommended by the Fifth Committee](#),” Meeting Coverage, GA/11997, 24 December 2017.

APPENDIX B: OBJECTIVES OF THE GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION

The 23 objectives in the Global Compact for Safe, Orderly and Regular Migration are:

1. Collect and utilize accurate and disaggregated data as a basis for evidence-based policies
2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin
3. Provide accurate and timely information at all stages of migration
4. Ensure that all migrants have proof of legal identity and adequate documentation
5. Enhance availability and flexibility of pathways for regular migration
6. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work
7. Address and reduce vulnerabilities in migration
8. Save lives and establish coordinated international efforts on missing migrants
9. Strengthen the transnational response to smuggling of migrants
10. Prevent, combat and eradicate trafficking in persons in the context of international migration
11. Manage borders in an integrated, secure and coordinated manner
12. Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral
13. Use migration detention only as a measure of last resort and work towards alternatives
14. Enhance consular protection, assistance and cooperation throughout the migration cycle
15. Provide access to basic services for migrants
16. Empower migrants and societies to realize full inclusion and social cohesion

17. Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration
18. Invest in skills development and facilitate mutual recognition of skills, qualifications and competences
19. Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries
20. Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants
21. Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration
22. Establish mechanisms for the portability of social security entitlements and earned benefits
23. Strengthen international cooperation and global partnerships for safe, orderly and regular migration.¹

¹ UNGA, "[Annex Global Compact for Safe, Orderly and Regular Migration](#)," *Draft outcome document of the Conference*, A/CONF.231/3, paras. 16–39.

APPENDIX C: SUPPORT FOR THE GLOBAL COMPACT ON REFUGEES

At the UN Third Committee, comprised of all 193 voting UN member states, 176 countries voted in favour, three abstained and one opposed to the 13 November 2018 resolution to support the Global Compact on Refugees.¹ This resolution will go to a final vote at the UN General Assembly in December 2018.

IN FAVOUR

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala V/C, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Mozambique, Myanmar, Namibia V/C, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia V/C, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Tajikistan, Thailand, The Former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates,

1 UNGA, *Social, Humanitarian, and Cultural Issues (Third Committee): Voting records of the Third Committee*, "Recorded vote on A/C.3/73/L.59 - Office of the United Nations High Commissioner for Refugees," 73rd session.

United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

ABSTAINED

Eritrea, Liberia, Libya.

OPPOSED

United States.

APPENDIX D: LIST OF WITNESSES

The following table lists the witnesses who appeared before the Committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the Committee's [webpage for this study](#).

Organizations and Individuals	Date	Meeting
As an individual James Milner, Associate Professor Department of Political Science, Carleton University	2018/11/06	131
ACT Alliance Ida Kaastra-Mutoigo, Board Member World Renew	2018/11/22	133
CARE Canada Shaughn McArthur, Policy and Influence Lead Simran Singh, Senior Humanitarian and Gender Advisor	2018/11/22	133
Development and Peace-Caritas Canada Stéphane Vinhas, Emergencies Coordinator	2018/11/22	133
International Council of Voluntary Agencies Jerome Elie, Senior Policy Officer, Forced Displacement	2018/11/22	133
International Organization for Migration Michele Klein Solomon, Director Global Compact for Migration	2018/11/22	133
World Refugee Council Hon. Lloyd Axworthy, Chair	2018/11/22	133
Department of Citizenship and Immigration Matt DeCoursey, M.P., Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship Susan Greene, Senior Director Resettlement and Protection Policy Glen Linder, Director General International and Intergovernmental Relations	2018/11/26	134

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One Free World International Majed El Shafie, Founder and President Adiba Yezidi, Representative and Volunteer	2018/11/29	136

APPENDIX E: LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who contributed to submitting briefs to the Committee related to this report. For more information, please consult the Committee's [webpage for this study](#).

Benson, Nathan

CARE Canada

Canadian Council for International Co-operation

Global Force Displacement Working Group

Hyndman, Jennifer

Indigenous-Refugees Movement

Jumpstart Refugee Talent

Milner, James

Office of the United Nations High Commissioner for Refugees

Oxfam Canada

Oxfam-Québec

Save the Children Canada

Smith, Craig Damian

The White Helmets Canada

World Vision Canada

UNICEF Canada

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 131, 133, 134, 136 and 137](#)) is tabled.

Respectfully submitted,

Robert Oliphant
Chair

Dissenting Report of Her Majesty's Official Opposition The Conservative Party of Canada

Migration Challenges and Opportunities for Canada in the 21st Century: Study of the Global Compact for Safe, Orderly, and Regular Migration and the Global Compact on Refugees

Hon. Michelle Rempel, Member of Parliament for Calgary Nose Hill

Larry Maguire, Member of Parliament for Brandon - Souris

David Tilson, Member of Parliament for Dufferin – Caledon

Introduction

Given that the Government of Canada had declared its intent to sign Canada onto the United Nations Global Compact for Migration but has not facilitated any study or debate in Parliament, on October 30th, 2018 the Hon. Michelle Rempel put forward a motion to the Standing Committee on Citizenship and Immigration to study the Global Compact for Migration and the Global Compact on Refugees ("the Compacts").

Many Canadians have expressed concern with the Compacts, and to date, the government has dismissed these concerns rather than trying to address them.

As such, the motion included a requirement to examine potential impacts on immigration levels, resettlement cost supports, potential cost impact on social programs (such as social welfare systems, affordable housing stock, regional homeless shelters and food banks), and sovereignty on decision making regarding immigration policy. This motion was adopted and also mandated that the study conclude before the signing of the Global Compact for Migration in December 2018, and that an interim report on this aspect of the study be presented to the House of Commons.

After careful examination of the limited evidence made available to our Committee on these Compacts, we are left with many unanswered questions, as well as concerns about the Compacts' impact on Canada, including:

- The extent and impact of the Compacts on the sovereignty of Canada's immigration policy
- Suitability of the United Nations as a body to influence Canadian immigration policy
- The potential impact on freedom of the press
- The costs that Canada would incur, should the government choose to adopt all the measures within the Global Compact for Migration.

Ultimately, without concrete data and considering the Liberal government's recent destruction of the integrity of our borders and immigration system, we disagree with the conclusion of the committee's report and have therefore provided a dissenting opinion.

Canada's Role in International Migration

We believe Canada should manage a fair and compassionate immigration system, underpinned by the necessity to keep strong borders that keep Canadians safe and allow for the careful selection of those entering our country as immigrants.

We also believe Canada has a continued role to play in preventing the causes of global forced migration.

The Global Compact for Migration states some worthy objectives which could assist Canada in achieving both of these goals including; “minimize the adverse drivers and structural factors that compel people to leave their country of origin,”; “ensure that all migrants have proof of legal identity and adequate documentation,”; “prevent, combat and eradicate trafficking in persons in the context of international migration,”; “cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration.” These are principles that the government should focus on achieving, while managing a fair, orderly and sovereign immigration system.

The rest of the report deals with concerning aspects of the Compacts.

The Extent and Impact of the Compacts on the Sovereignty of Canada

Witnesses from the United Nations and the International Organization for Migration provided conflicting testimony when asked about the impact of the Compacts on Canadian sovereignty. While on one hand they stated that the agreements were non-binding, they also stated that if the agreements were not signed, it would be difficult to coordinate immigration policy on a global scale, thus inferring the true intent of the Compacts.

When asked directly why Canada should sign the agreement if it is non-binding, the answers given to the Committee were inconclusive. This is troubling, given that we are firmly of the belief that Canadians should be the ones in charge of their immigration policy, not foreign entities.

The Parliamentary Secretary to the Minister of Immigration, Refugees, and Citizenship, Matt DeCoursey, responded to this criticism by noting that the compacts are based on the understanding that states will retain the sovereign right to determine who enters and stays on their territories and under what conditions, yet he rightfully notes that the decisions states make must also be done in accordance with international legal obligations.¹

In this, the government admits that non-binding agreements like the Global Compact for Migration can become customary international law and inform the interpretation of domestic law. This means Canadian judges will be able cite the Compacts in their decisions. We see this in decisions like *Baker v Canada* [1999] 2 SCR 817, *R v Hape* [2007] 2 SCR 292, and *Ordon Estate v. Grail* [1998] 3 SCR 437. Therefore, it is

¹ Mr. Matt DeCoursey Parliamentary Secretary, Immigration Refugees, and Citizenship, appearing at the Standing Committee on Citizenship and Immigration on November 26, 2018, 1610.

reasonable to conclude that despite no clear legislative steps being prescribed yet, the compacts can still influence Canadian domestic law.

We find it deeply troubling that the government has not conducted, or at the very least, has not provided Canadians with a detailed impact assessment on how they anticipate the Compacts affecting Canadian sovereignty in this regard, yet still intends to sign this agreement.

This is particularly concerning given the current state of immigration policy under the present Liberal government. Since 2017, the government has allowed nearly 40,000 persons to illegally enter Canada from the United States of America and subsequently claim asylum, at a projected federal cost of \$1.1 billion. This has led to processing wait times at the Immigration and Refugee Board to spiral to a projected six years, has created significant burden on provincial social welfare systems, and has precipitated a potential problem with anchor relatives. All of these points have likely created a pull factor to Canada for asylum system abuse.

While Canada can always improve its own processes, signing the Global Compact for Migration will potentially allow the United Nations to berate Canada, which already has one of the most generous immigration systems in the world, if it does not meet their criteria and philosophy, instead of looking inward at problems arising from the following points.

Also, the Compacts fail to adequately acknowledge or discuss how to address the impact of uncontrolled migration on host countries in terms of costs for social welfare payments, integration, etc. This is concerning given the three year, \$1.1B project federal cost to Canadians of illegal border crossers at Roxham Road.

Suitability of the United Nations as a Body to Influence Canadian Immigration policy

After WWII, multilateral organizations like the United Nations have played an important role in maintaining global peace and security.

That said, of late, the United Nations has been rightly criticized for its inertia and in some cases, near-silence, related to some of the most pernicious migration inducing conflicts and regimes in the world today. At a time when conflicts and unrest in South Sudan, Yemen, Ukraine, Iraq, Syria, Afghanistan, Venezuela, Congo, Myanmar, among many other places, are forcing people from their homelands, it could be argued that the United Nations has become an overly bureaucratic entity that has not had measurable impacts on developing long-term durable solutions in these areas, and thus preventing the causes of migration. The Compacts do not address this issue.

Further, the United Nations has made little effort to change its own refugee resettlement selection processes which may discriminate against ethnic and religious minorities, as evidenced by the lack of Yazidis referred to host countries in recent years. Given the United Nations' unwillingness to undertake significant review or reform of its own

processes, potentially ceding Canadian sovereignty to this organization is a questionable decision. The Compacts do not address this issue.

Pushing for reform at the United Nations, be it in terms of scope, mandate, and function, is likely necessary to see global change over time, as is making significant reforms to Canada's own immigration system in order to restore order and fairness that has been lost under this government.

Finally, the United Nations has not taken a significant leadership role in assisting the European Union with developing reasonable asylum system reforms given the pressures on its system. At a time when host countries like Canada are seeing enormous pressures on social welfare, immigration processing, and integration systems, the United Nations has, in their messaging failed to recognize these challenges and help to address them. Rather, similar to the current Liberal government in Canada, the United Nations has been more focused on numbers and intake, as opposed to finding long term, fully costed solutions to migration pressures.

Costs Associated with the Global Compact for Migration

To reiterate a point made above, the Compact fails to adequately acknowledge or discuss how to address the impact of uncontrolled migration on host countries in terms of costs for social welfare payments, integration, etc. This is concerning given the three year, \$1.1B project federal cost to Canadians of illegal border crossers at Roxham Road.

Conservative members of the committee are concerned that witnesses were unable to provide any details on implementation costs of the Global Compact for Migration. When asked by MP Salma Zahid what the costs were associated with the Compact, Mr. Glen Linder from the Department of Citizenship and Immigration responded that there are no immediate costs to implement the agreement since it depends on how the government chooses to implement it.² This answer is wholly insufficient for analyzing the costs that would be incurred by taxpayers if Canada signs onto the Global Compact for Migration, as it does not address implementation costs. However, Mr. Linder did point to the potential for contribution-based costs when he explained that the government could make contributions to capacity building or to funding the International Organization for Migration in order to facilitate some of the coordination work the compact asks it to do. Yet, he also stated that there is no requirement for the Government of Canada to make those contributions, and at this time no decision has been made as to whether the government will make these contributions.³

While the department states there are no direct costs associated with the Compact or requirements, they make clear that implementation is completely up to the government

² Mr. Glen Linder, Director General, International and Intergovernmental Relations, Department of Citizenship and Immigration, appearing at the Standing Committee on Citizenship and Immigration on November 26, 2018, 1710.

³ Mr. Glen Linder, Director General, International and Intergovernmental Relations, Department of Citizenship and Immigration, appearing at the Standing Committee on Citizenship and Immigration on November 26, 2018, 1710.

of the day. Therefore, the current government could decide to implement all of the objectives within the Compact and make significant financial contributions based upon measures in this agreement. Obviously, there would be a cost associated with doing so; however department officials did not provide any possible data to this effect. This is a major concern for Conservative members of the committee, particularly in the context of the government's significant deficit.

The Global Compact for Migration and the Media

Section 33.C of the Global Compact for Migration states it will implement Objective 17 with the following action:

“Promote independent, objective and quality reporting of media outlets, including internet-based information, including by sensitizing and educating media professionals on migration-related issues and terminology, investing in ethical reporting standards and advertising, and stopping allocation of public funding or material support to media outlets that systematically promote intolerance, xenophobia, racism and other forms of discrimination towards migrants, in full respect for the freedom of the media.”⁴

Hon. Michelle Rempel questioned department officials about how the government plans to implement Objective 17. Department official, Mr. Glen Linder, noted in response to this question that they are working on an initiative that includes making data available to demonstrate the impacts of immigration on Canada, for example, the economic and social benefits of immigration to Canada.⁵ MP Rempel followed up on this response by questioning if there was a framework for how that data would translate into potential advertising or with the media. Mr. Linder noted that he was unable to answer that question.⁶ This exchange highlights that government officials were unable to provide details as to how the Compact's Section 33.C would translate into frameworks and policy to “sensitize and educate media”.

However, when MP Rempel asked witness Michele Klein Solomon, a Director with the International Organization for Migration, about this section of the Compact, the witnesses did note there were items lacking in the Canadian media discourse on migration. Ms. Solomon suggested that sometimes there are assumptions or myths about migration or about refugees.⁷ Conservative members of the committee are concerned that a witness accused reporters of purposefully propagating myths about

⁴ *Global Compact on Safe, Orderly and Regular Migration*, Final Draft, July 11, 2018, page 24.

⁵ Mr. Glen Linder, Director General, International and Intergovernmental Relations, Department of Citizenship and Immigration, appearing at the Standing Committee on Citizenship and Immigration on November 26, 2018, 1630.

⁶ Mr. Glen Linder, Director General, International and Intergovernmental Relations, Department of Citizenship and Immigration, appearing at the Standing Committee on Citizenship and Immigration on November 26, 2018, 1630.

⁷ Ms. Michele Klein Solomon, Director, Global Compact for Migration, International Organization for Migration, appearing at the Standing Committee on Citizenship and Immigration on November 22, 2018, 1605.

migration, and that implementation of the Compact would seek to regulate their journalistic practices.

To be clear, we believe that Canada's press should be free to scrutinize the government with regard to immigration policy, free of influence from an international body.

Conclusion

Canada should not sign the Compacts, and instead follow a path of reform to its own broken immigration system, to restore order and fairness to our system. Canada should also work within its own sovereign policy with other nations to reduce the causes of global forced migration, as discussed above. Canada should also push for reform to multilateral organizations such as the United Nations.

Recommendations

1. The government cease dismissing the concerns of Canadians about this agreement
2. That the government do not sign onto the United Nations' Global Compact for Migration.
3. That the Department of Citizenship and Immigration undertake an analysis of the total costs associated with fully implementing this Compact, particularly with respect to resettlement supports, impacts on social programs such as social welfare systems, affordable housing stock, regional homeless shelters and food banks.
 - a. That the Department of Citizenship and Immigration make the results of this analysis publically available.
4. That the government close the loophole in the Safe Third Country Agreement with the United States of America.
5. That the government make concrete reforms Canada's immigration programs to restore order and integrity in our system.
6. That the government should also work within its own sovereign policy with other nations to reduce the causes of global forced migration.
7. That the government should explore a system of safe third country agreements with other advanced economic nations, to prevent the migration pulls associated with the phenomenon of asylum claim shopping.
8. That the government should push for reform to multilateral organizations such as the United Nations.

Introduction:

There is no question that the severity of the global refugee crisis requires international cooperation.

“In 2017, 68.5 million people were forcibly displaced worldwide due to persecution, conflict, violence, or human rights violations. Of these, 40 million were internally displaced persons (IDPs), 25.4 million were refugees and 3.1 million were asylum-seekers. The number of new displacements in 2017 was equivalent to an average of 44,400 people being forced to flee their homes every day or 24 people displaced every minute.”ⁱ

As part of the current extremely broad and far reaching study, where just about anything related to immigration and refugees can be part of the study, the Standing Committee on Citizenship and Immigration (CIMM) has added additional meetings to this gigantic study to examine the United Nations Global Compact for Safe, Orderly, Regular Migration (GCM), and the United Nations Global Compact on Refugees (GCR).

These compacts are significant UN level attempts to update the international migration and refugee regimes since the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. One of the most important aspects of the compact is the acknowledgement that 10 countries host 60% of the world’s refugee population, and that 88% of refugees are currently in low and middle-income countries. The unequal impact of the global refugee crisis on these countries is significant, and without improved international cooperation there is a risk that these countries could be less welcoming of these vulnerable populations. This is evidenced by the fact that the United Nations High Commissioner for Refugees (UNHCR) estimates global protection needs for these vulnerable persons at roughly \$8 billion in 2018, yet they will receive only half of that funding.ⁱⁱ

Given Canada’s historic leadership on both immigration and specifically refugee resettlement, it is the opinion of New Democrats that Canada should be a member state of both compacts and continue to work cooperatively with our international partners in this humanitarian crisis even though the compacts are completely non-binding and do not change laws. As well, Canada should seize on the opportunity presented by the compacts to export best practices and to share the lessons we’ve learned through our own efforts.

For example, with Canada's effort in the Syrian Refugee Initiative, Canadians should be very proud of the fact that 40,000 Syrian refugees were resettled in Canada from 4 November 2015 to 1 March 2016ⁱⁱⁱ. However, it should also be noted that Canada's contribution to the global refugee crisis through the Syrian refugee is only 0.16% of the overall global crisis. We must put in context the action of Canada based on the reality that we are faced with, that is, the largest number of people displaced globally since WWII; and we need to recognize that Canada is geographically isolated from world conflict zones as our only land border is shared with Canada's longtime ally and one of the world's most powerful economies. As such, we must recognize that the Syrian civil war began in 2011, four years before our initiative, and by November 2015 the conflict had already produced over 4,000,000 refugees^{iv}. The mass exodus of Syrian and other refugees from Middle Eastern countries produced a migration crisis in much of Europe that needed to be addressed immediately. By November 2015, Germany had registered nearly 1,000,000 new asylum seekers in 2015 alone^v.

It is with that in mind that we must also recognize that Canada has much to learn from the international community regarding the impact global migration has on the countries most impacted, many of which are Global South countries faced with extreme poverty, and determine what additional action Canada can take in this global humanitarian crisis. As noted by a Prof. Craig Damian Smith, it would be a mistake for Canada to associate itself with the policies regarding immigration being advocated for currently in the countries that have refused to join the international community in engaging in these compacts.^{vi}

Although the NDP supports the main recommendation of the interim report, a dissenting opinion is being attached. First, this is because the majority of the committee report glosses over or outright ignores a significant amount of testimony and the recommendations presented by expert witnesses on the subject matter. Second, it has become clear that both the Liberal party and the Conservative party are extremely partisan with their approaches regarding the compacts.

The Liberal government's approach of reciting their message box of back-patting and self-congratulating does little to advance work on this humanitarian crisis. Equally important, it is not helpful that the Conservative party continues to hold a troubling view on migration and are actively contributing to the spread of misinformation to delegitimize and dehumanize asylum seekers thereby opening Canada up to the rise in anti-immigrant and anti-refugee populism that has spread through much of the Global North. They continue to label asylum seekers as illegals, and are suggesting – despite acknowledging that these compacts are entirely non-bonding and that Canada has always played a key role in global humanitarian efforts – that these compacts will somehow undermine our sovereignty. They would even go so far as to suggest that the compacts will police the language politicians can use to discuss migration.

These kinds of dog whistle politics is not only harmful to Canada's multicultural policy, it's harmful to humanity.

To focus on the most important issues at hand, that is, the humanitarian crisis before us, in addition to the recommendations contained within the main interim report, New Democrats propose additional recommendations, and stress that these compacts should be supported across partisan lines. It is in everyone's best interest to understand the current global migration trends, the current forced migration crisis, the need for international cooperation on these fronts, and the recognition that while Canada does many things well, we can and should do more on several fronts.

The Safe Third Country Agreement

Since the Emergency Debate in the House of Commons 31 January 2017^{vii}, the NDP has stood with refugee law experts, refugee advocacy groups, and human rights advocacy groups, pushing the government to suspend the Safe Third Country Agreement (STCA) with the United States. It was noted by many of the witnesses and is also referenced in the appendix of the main report that the United States is not signing on to either the GCM or the GCR. While the STCA is not directly related to either compact, there was significant conversation pursued by members of committee from all parties regarding the continued participation in the STCA, and the government's continued view that the United States remains a safe country for asylum seekers.

Witnesses were clear; the current policies enacted by the US Administration have made the country not safe for asylum seekers. The UNHCR representative noted that the recent firing of tear gas at would-be asylum seekers before they reached the US southern border as a deterrent – what Mr. Craig Smith referred to as a 'hot return'^{viii} – was in contravention of the 1951 UN Convention.^{ix}

Outside of department officials, no witness supported Canada's continued participation in the STCA.

Prof. James Milner, in his critique of the STCA did tie it to Canada's ability to advocate for progressive humanitarian international policy though, stating:

"I think that speaks very much to the question of having coherence between our domestic policy and our international policy and ensuring that Canada has moral authority, which enables Canada to demonstrate that leadership and, frankly, benefit from the global standing that comes from being a leader on such a global issue."^x

He had previously questioned:

“If Canada adopts more restrictive approaches to the arrival of 50,000 individuals crossing our border... There are questions to be asked about the way the response has been coordinated and communicated and what have you, but if Canada responds in a particular way to that movement, what ability does Canada then have to speak to Uganda to Uganda to remain open to the arrival of 800,000 refugees from South Sudan?”^{xi}

In addition to being outraged that the Liberal party continues to suggest the US is a safe country for asylum as they fire tear gas at unarmed migrants looking to claim asylum, New Democrats recognize the ripple effect that the Liberal and Conservative party’s support for the STCA could have with our international partners that Prof. Milner is alluding to. By ignoring the mounting evidence that US is not a safe country for asylum seekers as the Liberal government insists, or by expanding the enforcement of the STCA as the Conservative party has suggested, we risk undermining Canada’s ability to advocate for best practices we’ve developed and lessons we have learned. Prof. Milner rightly questions, how can Canada tell Uganda or another Global South country to continue hosting the vast majority of refugees, while we look for ways to block asylum claimants from even entering our country? It’s hypocritical at best.

It is with that in mind that New Democrats recommend:

- 1. That the government of Canada invoke Article 10 of the Safe Third Country Agreement to immediately suspend the Agreement**

Making use of Frozen Assets:

During the organization’s now third appearance at CIMM for this study, the World Refugee Council (WRC) Chair, the Hon. Lloyd Axworthy P.C., echoed previous testimony by his WRC colleague, the Hon. Allan Rock P.C., that as part of our actions in support of the GCM and GCR, that Canada look to expand its Magnitsky Act to not just freeze the assets of those sanctioned for things such as human rights abuses that causes forced displacement, but to seize and reallocate those assets to help fund displaced populations.

The Hon. Mr. Axworthy explained:

“That’s one reason that we’re very strong in bringing in and having countries endorse the idea of setting up a reallocation of frozen assets so that there is no impunity in terms of being able to protect your ill-gotten treasures, when in fact they can be attached through a proper legal process and be returned to help support the serious gaps in funding that refugee groups now have.”^{xii}

He went on to say:

“I think this is a very specific thing, and it has a double whammy: its more money for the system and it’s also a way of putting a real deterrent to the actions of people right now who are so much the cause of the refugee movements.”^{xiii}

It is with this mind that New Democrats recommend:

- 2. That the government of Canada introduce legislation to expand upon the Magnitsky Act to allow for frozen assets to be legally seized and repurposed to fund refugee groups internationally, modelled after similar legislation currently in place in Switzerland**

Humanitarian and Development Aid:

Witnesses appearing before the committee also spoke to the need for Canada to contribute more through humanitarian and development to the refugee host countries, including through the official development assistance (ODA).^{xiv} The Committee was urged to push the government to leverage funding through providing predictable, flexible, and multi-year support to help meet Sustainable Development Goals, which can reduce forced displacement globally.^{xv}

Unfortunately, it was noted that while the Organisation for Economic Co-operation and Development (OECD) sets a contribution target of 0.7% of gross domestic product (GDP) dedicated to ODA, Canada only contributes 0.26% - which is actually a decrease from 0.31% in 2012.^{xvi}

Meeting our OECD developmental aid targets will help mitigate the drivers of forced displacement we are seeing around the world. Canada meeting the target, in the context of the compacts, will also allow for us to push other wealthy nations to do the same. Therefore, New Democrats recommend:

- 3. That the government of Canada review its contribution to the UNHCR and other non-governmental organizations working in the field to increase Canada’s official development assistance and met the objective proposed by the OECD.**

Internally Displaced Persons (IDPs):

New Democrats note that mechanisms to deal with the issue of internal displacement, and internally displaced persons (IDPs) are absent from both the GCM and the GCR, despite these vulnerable group totaling 40 million people globally. Rev. Majed El Shafie of One Free World International appeared before the committee and spoke about his organizations work in providing aid, support, resettlement, and other services to the Yazidi people during their

internal displacement which occurred as part of a UN recognized genocide undertaken by ISIS. With Rev. El Shafie, Adiba, a Yazidi refugee resettled in Canada spoke to her experiences both at the hands of ISIS and now in Canada.

It is clear that IDPs represent a significant challenge for the international community, especially in cases where it is the State displacing its own people, not a non-state actor like ISIS. However, Canada has and does act to provide aid and resettlement opportunities for IDPs, such as our Yazidi initiative and the Rainbow Refugee Assistance Program (RRAP), for LGBTQ+ refugees and internally displaced persons. The gravity of the testimony provided to the committee informs the NDP to recommend:

- 4. That the government of Canada, through the forums created by the GCM and GCR, engage with the international community to develop durable solutions for IDPs**
- 5. That the government of Canada develop a stream of humanitarian immigration for IDPs, building off and improving from the now cancelled “Source Country Class” immigration stream**

Conclusion:

It is clear that there are many aspects of our immigration and refugee systems that Canadians can be proud of, and that our government can share with our global partners. It is clear that the GCM and the GCR provide a great opportunity to do this. It is also clear that the GCM and GCR will also provide refugee host countries to better engage with Global North countries to explain their needs and the impacts record levels of migration – forced and voluntary – are having on their nations. It is in the best interests of Canada, and our international partners to be active signatories to these compacts. We must recognize the unequal burden being placed on Global South nations and that Canada can and needs to do more to share in that burden. There exists a variety of mechanisms to do this, and the forums created by the GCM and GCR provide Canada with the opportunity to understand which mechanisms will provide the greatest benefit.

New Democrats support Canada joining in these compacts, and additionally call on the government to take action on the additional five recommendations contained in this dissenting opinion. This should not be a partisan issue. The current situations, especially involving forced migration, should transcend Canadian partisan politics. Bragging rights and misrepresentation should be left at the door because what is at issue is our humanitarianism and our collective efforts to support basic human rights.

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- ⁱ Standing Committee on Citizenship and Immigration, *New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report*, p. 1
- ⁱⁱ Standing Committee on Citizenship and Immigration, *New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report*, p. 6
- ⁱⁱⁱ Government of Canada, [*Rapid Impact Evaluation of the Syrian Refugee Initiative*](#)
- ^{iv} United Nations High Commissioner for Refugees, [*Syria Regional Refugee Response*](#)
- ^v Associated Free Press, [*Germany on course to accept one million refugees in 2015*](#), The Guardian, 8 December 2015.
- ^{vi} Standing Committee on Citizenship and Immigration, *New Tools for the 21st Century – The Global Compact for Safe, Orderly and Regular Migration and the Global Compact for Refugees: An Interim Report*, p. 10, p. 12
- ^{vii} House of Commons, [*Hansard*](#), 1 January 2017 19:05
- ^{viii} CIMM, *Evidence*, 29 November 2018 (Craig Damian Smith, Associate Director, Global Migration Lab)
- ^{ix} CIMM, *Evidence*, 29 November 2018 (Jean-Nicolas Beuze, Representative in Canada, Office of the United Nations High Commissioner for Refugees [UNHCR])
- ^x CIMM, [*Evidence*](#), 6 November 2018, 17:25 (James Milner, Associate Professor, Department of Political Science, Carleton University)
- ^{xi} Ibid.,
- ^{xii} CIMM, [*Evidence*](#), 22 November 2018, 16:50 (Lloyd Axworthy, Chair, World Refugee Council)
- ^{xiii} CIMM, [*Evidence*](#), 22 November 2018, 17:20 (Lloyd Axworthy)
- ^{xiv} CIMM, [*Evidence*](#), 22 November 2018, 15:35 (Stephane Vinhas, Emergencies Coordinator, Development and Peace Caritas Canada); CIMM, *Evidence*, 29 November 2018, 15:35 (Craig Damian Smith)
- ^{xv} CIMM, [*Evidence*](#), 22 November 2018, 15:35 (Stephane Vinhas)
- ^{xvi} CIMM, *Evidence*, 29 November 2018, (Craig Damian Smith)

