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# Standing Committee on Citizenship and Immigration

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EVIDENCE

**Wednesday, July 20, 2016**

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**Chair**

**Mr. Borys Wrzesnewskyj**



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•(1205)

[English]

**The Chair (Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.)):** Good afternoon.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on June 16, 2016, the committee will resume its study on immigration measures for the protection of vulnerable groups.

Appearing before us for this third panel of the day is Mr. Aneki Nissan, the president of the Centre for Canadian Assyrian Relations; Mr. David Marshall, who's the team leader, Assessment Mission to South Sudan, for the UNHCR. Also, joining us from Samaritan's Purse Canada, we have Mr. John Clayton, director of programs and projects; and Ms. Raija-Liisa Schmidt-Teigen, who's appearing by video conference from Dohuk, in Iraq.

Welcome to everyone.

We'll begin with Mr. Nissan for seven minutes, please.

**Mr. Aneki Nissan (President, Centre for Canadian-Assyrian Relations):** Good afternoon, honourable members and guests.

My name is Aneki Nissan, and I am the president of the Centre for Canadian-Assyrian Relations. I have come here today to discuss the fate of the Assyrian community in Iraq and Syria.

The Assyrians are a transnational ethnic community who belong to a number of Christian churches in the Middle East and are indigenous to the region. Since the fall of Mosul and the Nineveh plains to ISIS in summer 2014, Assyrians have faced a mass exodus from their centuries-old historical homes. They have been living as internally displaced refugees in northern Iraq in abhorrent conditions and have been marginalized in the political and social life of Iraq. As a result of this conundrum, others have fled the country and are now living in neighbouring states as they seek asylum from various governments around the world.

Those from Syria have faced larger threats of mass extermination at the hands of both government and opposition forces, and most prominently Assyrian-dominated towns and villages around the Khabur River were attacked and invaded by ISIS on February 23, 2015. Hundreds of community members were taken hostage and imprisoned by ISIS. The city of Qamishli, which was built by those fleeing the 1915 Ottoman genocide, has also been targeted repeatedly by ISIS, and most memorably during the 2015-16 Christmas season, where an explosion targeting those celebrating the season came to kill Assyrians and destroy several Assyrian-owned business within the city. Even as recently as June 21 of this year, the

Syriac Orthodox patriarch came under attack as he was praying for the victims of the 1915 genocide alongside priests and bishops from other Assyrian denominations.

This is all part of a systemic and targeted assault on members of the Assyrian community in Syria by ISIS and other forces since the outbreak of war in 2011. As members of the Canadian diaspora, we are urging the Canadian government and Canadian Parliament to help our community in both Iraq and Syria. We have a three-pronged approach to help our community, alongside other minorities like the Yazidis, the Shabaks, and others.

One, we are asking the Canadian government to expedite the processing of asylum applications from members of the community alongside members of the aforementioned communities. This will help those living in limbo and begin the process to help members of the community gain a new life in Canada where a substantial community already exists. Some of the first Assyrian settlers to Canada arrived in the late 1800s, and many helped settle North Battleford, Saskatchewan, in 1903. Today, for example, in the Toronto-Windsor corridor, Assyrians have no fewer than 20 churches in the area, where members are all willing to help welcome refugees and help in the process of integrating new arrivals to Canadian life. Additionally, many of those seeking asylum in Canada are arriving with education and professional backgrounds that would allow them to become productive citizens.

Two, we are hoping that in addition to the help provided to refugees, the Canadian government, alongside its allies, can find a sustainable solution for those people on the ground in Iraq and Syria. Assyrians, Yazidis, Shabaks, and others have come under the help of oppressive regimes, and they are living at the mercy of people who are unable or unwilling to help protect members of their community. We hope that the Canadian government can help in providing humanitarian aid to those stuck living away from their homes in Iraq and Syria. The Canadian government and Canadian aid agencies can help by working directly with Assyrian aid organizations on the ground that have a deeper understanding of the issues that are currently facing the refugees as they seek to find a more permanent solution on the ground.

Three, Assyrians have been disarmed by Kurdish and Iraqi troops. This has left their villages vulnerable, which allowed ISIS to invade their territory unopposed. We are hoping that the Canadian government in its current mission against ISIS can help fund, arm, and train the Nineveh plains protection units as they systemically work to liberate their villages from the grips of ISIS.

I sincerely thank you for your time and I look forward to hearing your questions.

•(1210)

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

We'll now hear from Mr. Marshall. Mr. Marshall has indicated that he would take five minutes at this time. Due to the nature of his presentation, at the end of this particular hearing we will move in camera for approximately 10 minutes to allow additional information to be presented at that time.

Mr. Marshall, five minutes.

**Mr. David Marshall (Team Leader, Assessment Mission to South Sudan, Office of the United Nations High Commissioner for Human Rights):** Mr. Chair, thank you very much to you and to your colleagues for reaching out to the United Nations for this briefing on the human rights situation in South Sudan.

The world's newest nation, tragically, is a country some five years old. It has had two years of war, in which more than one and a half million people have been internally displaced and forced into harsh and dangerous living conditions. Thousands more have sought safety and shelter from their own government and opposition forces by finding refuge within UN compounds.

The crisis in South Sudan is profound. A political crisis led to a human rights crisis, and the consequences have also resulted in a humanitarian, economic, and security crisis.

As you know, the conflict broke out in Juba, the capital, in December 2013. Through much of 2014 the UN and the African Union had documented brutal violations and abuses of human rights committed by both sides—the government and the opposition, with allied militia—that the UN and the AU said amounted to crimes against humanity and war crimes.

In 2015 the Human Rights Council of the UN asked my office to undertake an assessment mission, that I led, to identify human rights violations committed in the country since December 2013. The report, which we issued in March of this year, concluded that in 2015 the government's counter-insurgency offensive in Unity state was carried out with the apparent purpose of spreading terror among civilians, including widespread sexual and gender-based violence that led to the abduction of women and girls, and indiscriminate attacks on villages, some of which involved massive looting of property and the theft of thousands upon thousands of cattle.

Throughout this conflict, sexual and gender-based violence has been widespread. We documented in 2015 that the breadth and depth of the crimes against women and girls was alarming. We concluded that rape and sexual violence were being used as a weapon of war. The consequences of this violence upon the civilian population are grave and profound. We concluded in 2015 that again crimes against humanity and war crimes had taken place in South Sudan.

As you may know, in international law there are three atrocity crimes, and the only one we haven't mentioned is genocide. We didn't mention genocide because although we think the *actus reus* of genocide had taken place there was an insufficiency of evidence to conclude that the *mens rea* of genocide had happened. Nevertheless, we've concluded that two of the three atrocity crimes of international

law have taken place. Thousands have been killed and many brutally. We documented children who were killed by being hung from trees. The campaign of sexual violence shocks the conscience. No one is spared; not the children, not the elderly, and not the disabled. One witness, a mother, described to us being tied to a tree as soldiers gang-raped her daughter and then shot her husband dead.

The humanitarian crisis involves six million, which is half the population. They are in need of humanitarian assistance, and almost three million of them are severely food insecure. Many parts of the country face severe food insecurity and possible famine. We discovered that civilians were forced into the wetlands and are eating grass and turmeric. The IDP population is around 1.8 million. Around 200,000 of those people are seeking protection within the UN compounds, of which there are six. The refugee population, as of June 15, according to UNHCR, is 871,536. Approximately 70% of that refugee population are children.

There has been massive destruction of civilian property. UN premises, schools, and churches have all been attacked. Killings have taken place in churches and mosques. Killings have also taken place on UN bases. Humanitarians killed to date number 49, including UN staff working with the World Food Programme, who have disappeared and are presumed dead.

The economic crisis has inflation at 300%, the value of the local pound has dropped 90%, and the security crisis is deeply troubling. Parking the conflict-related violence for a minute, the national security apparatus is everywhere in South Sudan, harassing, detaining, and killing opponents. The democratic space is being suffocated, with civil society under constant surveillance and humanitarian staff under constant threat.

Among the additional challenges I would urge you to consider for vulnerable groups is just the sheer size of the country. It is France meets Belgium. There are 10 states. One state, Jonglei, is the size of Bangladesh. There are almost no paved roads. Much of the frightened population who are on the run are in hard-to-reach areas. The rainy season limits our movement from April through December. Malaria is rampant, including cerebral malaria, which has killed thousands, including UN staff.

•(1215)

The conflict has given rise to a new type of IDP settlement, which is those living within UN compounds. Those compounds were never intended to protect South Sudanese civilians from their own government.

Two days ago we were informed by the government that the rotary-wing aircraft of the UN would not be allowed to fly in the country, and also that we could not provide new UN staff to South Sudan, and our national staff are not allowed to leave the country. The council of elders, who are Dinka who support the government, have informed the UN that the idea of sending additional international troops—which as you may have heard yesterday is the idea of the African Union—would be a declaration of war and an invasion of the country.

Despite these challenges, the UN and its partners in 2015 provided assistance to 4.5 million people. In 2016, one million have been reached, but there is a critical lack of funding. As of July 12, only 40% of the \$1.3-billion humanitarian response plan for 2016 has been provided.

On the topic of refugees, according to the UNHCR only 17% of the \$573 million for refugee protection has been provided. As you know, new fighting broke out in February in Pibor in Jonglei state and also as you know, recently in Juba, 10 days ago.

In terms of what should happen next and what Canada can possibly do, I set out some recommendations in the brief note to you about the need for robust diplomacy. The crisis, as I said at the outset, is deep and profound and growing. Canada has imposed sanctions, asset freezes, and financial sanctions against two persons, I believe in 2014.

There's a question that the UN has raised with member states, including Canada, as to whether there should be an arms embargo. There is no arms embargo against South Sudan.

I would also ask Canada to consider providing military and police personnel to the UN mission, as well as adequate funding for the UN humanitarian response plan and also for the UNHCR's refugee protection and assistance programs, as well as supporting civil society coalitions that are working for reconciliation.

The most obvious solution for protecting vulnerable people is a political transformation to end the orchestration of the violence, predominantly by the political elite of the country.

In closing this part of my statement, I would say that the crisis in South Sudan is deep, profound, and almost existential. The international rhetoric of "no more Rwandas" appears empty. The government has no regard for life. You're either a loyalist or you're not, and if you're not, you're in peril of harassment, detention, and death.

What's particularly distressing, I think—

**The Chair:** Thank you, Mr. Marshall. Perhaps we can expand on your opening statement during the rounds of questioning.

Mr. Clayton and Ms. Schmidt-Teigen, take seven minutes, please.

• (1220)

**Mr. John Clayton (Director of Programs and Projects, Samaritan's Purse Canada):** Thank you, honourable Chair and distinguished members of the committee, for the opportunity to speak and hopefully contribute to resolving the difficult questions before you all.

My colleague Raija-Liisa and I will be sharing our allotted time. There are two questions we will address. First, are some refugee groups more vulnerable than others? We would like to offer testimony and evidence to this question. Second, how should Canada respond? We have distributed a brief, which details four recommendations.

I'd like to turn it over to Raija to continue.

**Ms. Raija-Liisa Schmidt-Teigen (General Director of a Community Center, Samaritan's Purse Northern Iraq):** Greetings from Iraq.

Over the last year, I have been serving as the director of a community centre providing services to a population of over 40,000 displaced Yazidis. While it has been mentioned many times already, the horror that the Yazidis have experienced is ongoing, and we must acknowledge that thousands of Yazidi women, children, and youth remain in the clutches of ISIS today.

I have worked for NGOs internationally for over 15 years, in countries like Afghanistan, Haiti, and Pakistan. I thought I had seen the worst of humanity, but then I moved to northern Iraq and I heard first-hand the accounts of what Yazidis have had to endure at the hands of ISIS. I have seen no other minority group in Iraq that has had to endure the evil that ISIS has perpetuated against the Yazidi population. Please understand; we do not want to minimize in any way the ISIS horrors inflicted on these other minority groups.

On August 3, 2014, 718 days ago, an entire Yazidi people group became the focus of an ongoing ISIS genocidal intent, as clearly documented in the UN Human Rights Council report released on June 15, 2016. This is now formally recognized by the UN and the Government of Canada as genocide. They have been singled out because of their religious narrative and perceived lifestyle. Throughout Iraq, Yazidis have been stigmatized as subhuman, dirty, and devil-worshippers.

I sat down with my Yazidi staff and talked with them about what they have faced and why they want to leave Iraq. This is what they told us: "We have been attacked and targeted by Muslims because they think we do not believe in God. The future looks bad for us as Yazidis and we are worried about our children. We think that our children could be killed and targeted by Muslims in the future. We would prefer to leave rather than go back to Sinjar. No one protected us there. We have lost trust for everyone. Neither the peshmerga or the Iraqi army protected us, they handed us over to ISIS. We lived close to Arab Muslims and when we were attacked, we were abandoned by them as well—abandoned by our neighbours who we have known and welcomed into our homes. These people helped ISIS to attack us and our girls. After what happened on Sinjar, we no longer trust Muslims—especially because of what has happened to our girls—who have been taken, held captive, raped, and sometimes killed."

Yazidis are victims of genocide, the most heinous crime of our modern era. However, trying to leave has held its own challenges. Most Yazidis are internally displaced and therefore not considered refugees. Most Yazidis do not have proper identification. The Kurdish government will not issue identification because Yazidis from Sinjar are from regions of Iraq that are controlled by the central government, which means a very costly and dangerous trip to Baghdad to get a passport and documents.

Many of them, certainly the ones in my community, are not wealthy and do not have the resources to go to another country. Some have scraped together the money needed to be smuggled out of the country, but many are not willing to risk this. One of our staff's extended family lost 11 people in the Aegean Sea when they attempted to cross. This leaves them in a vulnerable position, remaining in camps and temporary shelters at the mercy of the region that wants them to leave.

Yazidis understand that they exist in a surrounding culture and context that views them with contempt. They do not expect to receive fair treatment in systems that we would expect would serve them. All of these challenges leave them feeling trapped.

If Canada is going to seek to offer services to them, it is important to understand this context and ensure that those who engage with them are aware of this history and these biases. The Yazidis need Canada's assistance and intervention.

• (1225)

**Mr. John Clayton:** Like my colleague, I have extensive experience working internationally in many of the worst places in this world. I'm highly honoured to speak on behalf of the Yazidi people and other minority groups. I've visited there three times, and I know what I've seen and observed. I'd like to clarify that we don't represent a sponsorship interest in this. Although we're sympathetic to the situation that they face, and want to speak on behalf of what we've seen on the ground, we're responders, not involved in this end of the equation.

As a Christian organization, Samaritan's Purse Canada recognizes the universally accepted humanitarian principles of humanity, impartiality, neutrality, and independence. These principles are central to Canadian foreign policy and to all international humanitarian action.

I disagree with some of what I've heard in previous testimony regarding these principles. By definition, humanitarian principles of humanity and impartiality recognize that there are priorities of need that must be directed towards those most vulnerable and most affected. There should be no discrimination in applying these principles, no favouritism or partiality shown. However, once a vulnerability is deemed to be genocide, the discrimination argument disappears because genocide is the worst. It's recognized that way.

On the worldwide spectrum of refugee vulnerability, we see plenty of war crimes and crimes against humanity. That's widespread. Even these terms themselves imply a scale or degree of criminality. What we've personally observed and what is unique with the Yazidis is this term "genocide". Arguably, this merits the Government of Canada's highest priority on all levels, including immigration. Yes, some refugee groups are more vulnerable than others. This is irrefutable when there is genocide.

How should Canada respond? The brief that we've provided outlines four recommendations in detail.

In summary, we recommend that the government accelerate and prioritize the Yazidi refugee process, including the internally displaced.

Second, we recommend that Canada prepare a specifically designed support for Yazidi refugees who've experienced a variety of genocide traumas and will need special care when they arrive here in Canada.

Third, we recommend that Yazidi refugees who have left Syria and Iraq, yet remain in the region in places like Turkey, be identified as the most vulnerable and be the first priority.

Finally, we recommend that the recommendations contained in the United Nations Human Rights Council's report on Yazidi genocide

be enacted by the entire Government of Canada. It speaks to many aspects other than immigration.

I'd like to thank you for this opportunity and welcome questions.

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

Mr. Tabbara, you have seven minutes.

**Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.):** Thank you all for being here, and thank you for the work that you're doing in raising awareness of each region in the world.

My first question is to Mr. Marshall.

According to the UN report you worked on, which was recently published, violations perpetrated in South Sudan may amount to war crimes and crimes against humanity. These include killing and other attacks against civilians, rape and other acts of sexual violence, and violations of child rights, including recruitment and use in hostilities.

You mentioned in your testimony some of the crimes against humanity. An article says that between April and September 2015, the UN recorded more than 1,300 reports of rape in just one state of South Sudan. A report names crimes against humanity such as children and the disabled being killed or burned alive, suffocated in containers, shot and hanged from trees, and cut into pieces. This is very disturbing news. I know it should probably be getting more attention in the media.

The report mentions that sexual and gender-based violence in particular has been widespread, and you mentioned a little bit in your testimony. Can you elaborate more on that?

**Mr. David Marshall:** From December 2013 up until today, it has been used as a weapon of war, we allege, the UN alleges, predominantly by the government forces and associated militia. What was so striking for us in our most recent investigation is the impact that has had on the social fabric. Many of the men are dead, and the households are led by women. They tell stories of the kidnapping of their children over a period of two and a half years. We're talking about girls who are kidnapped, taken to bases, government militia bases, and used as sex slaves, and sometimes shot dead, sometimes released. No one is preventing this. No one is stopping this. The government has said publicly that it will do its best to prevent sexual violence, but this hasn't happened.

As I said, what was so striking for us is the damage it is now doing to the communities. These communities are suffering enormously over this campaign of killing, sexual violence, and disappearances, in addition to destroying their houses, stealing their cattle, and stealing their food. As I said in my statement, this is an existential crisis, because, as you may know, we have 10,500 troops in South Sudan who have been there since 2013, and we don't have enough troops to protect women and girls.

• (1230)

**Mr. Marwan Tabbara:** Following clashes in Juba a few days ago, thousands of Sudanese have been displaced, and you have mentioned many numbers in your testimony. We have read that there are cholera outbreaks in local camps and that even civilians and staff in the UN camps get caught up in the fighting.

With only 17% of the UN appeal for South Sudan being raised so far and humanitarian responses sorely lacking because of severe underfunding, what are the prospects for the displaced people in the country?

**Mr. David Marshall:** I think the situation is grim. Today, it's grim. I heard before I came here, from a colleague in DPKO, the Department of Peacekeeping Operations, that the World Food Programme said it had lost millions of dollars of food that had been stolen. The UN pre-positions food for the rainy season, which has just started, all of it for civilians, and all that food was stolen by government soldiers a few days ago. So the prospects are grim.

The UN sites aren't intended to protect civilians on this scale, but we had I think 13,000-plus civilians who came to our site 10 days ago, in Juba alone. We're worried about government rhetoric that you may have heard on the news, which is that they believe opposition figures are in these sites, are in UN sites. We're fearful that these UN sites may be raided by government soldiers.

**Mr. Marwan Tabbara:** We've been talking in this committee a lot about how to get to IDPs, how to reach them in the countries to which they're displaced.

You mentioned that in South Sudan there were 49 humanitarians killed. If there were a program whereby countries were to try to get IDPs from a conflict zone, would that raise a lot of security concerns, as you mention, in South Sudan?

**Mr. David Marshall:** Yes. I'm sure John can speak to that as well.

Humanitarians have been murdered; they've been beaten. When I was there from October through January of this year, humanitarian offices in Juba were raided by the national security apparatus, staff were beaten, cars stolen, money stolen, and food stolen, and movement is restricted.

We, the UN, who have a robust Security Council mandate to protect civilians, are prevented from using our helicopters and planes to fly around the country with our troops. The government prevents that from happening, or I should say we have to seek clearance first, and we never get clearance to move our aircraft, our food, and our armed peacekeepers.

The conditions we're working with in South Sudan are extreme. The solution, frankly, is through the Security Council. That's the only solution—and the African Union, I would suggest—to see some movement in this government, but the government seems to be not interested in cooperating with either us or the African Union.

**Mr. Marwan Tabbara:** Would even local police forces, then, be unable to provide safety for any humanitarian...?

**Mr. David Marshall:** Our reporting suggests that the local police force have been involved in the atrocities—the killing of civilians and the rape of women and girls—so we wouldn't trust the local police authorities.

**Mr. Marwan Tabbara:** Thank you.

**The Chair:** Thank you.

Ms. Rempel.

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Thank you.

Mr. Clayton, my understanding is that you were listening to the panel prior to this, so you would have heard the recommendations I read out, which we're considering as part of the committee's work. Did you?

**Mr. John Clayton:** Yes, that's correct.

**Hon. Michelle Rempel:** Do you support those recommendations?

**Mr. John Clayton:** Yes, I support those recommendations. I would just add, as I mentioned, that the fourth recommendation, which we've contributed, is that there is a need for a whole-of-government approach to this, because this exceeds the mandate or issues regarding immigration or refugees or asylum. There are calls, in those recommendations from the United Nations, to fund the support and the possible return of Yazidis into the areas they have been displaced out of.

I think, then, that there are those issues. I think also, as a Canadian citizen, that realizing—and I may have the numbers incorrect, but I believe that there are 60 individuals here in Canada who have served with ISIS—that we may have genocide perpetrators in our midst here in Canada, we should look at the full implications of what this thing really looks like.

I would just encourage a whole-of-government approach to the recommendations that have been made. Our recommendations really are built upon what that UN document specifies.

• (1235)

**Hon. Michelle Rempel:** Mr. Nissan, I believe you were in the room as well. Did you want to comment on the recommendations? Are they something that the Syrian community would support?

**Mr. Aneki Nissan:** Absolutely. We support all of the recommendations that you put forward.

We also want to add to it. I know that a green zone was mentioned in discussion at the last meeting. To us, the green zone is the Nineveh plains region. We have already started a Nineveh plains protection unit that is dedicated and is starting to train, aimed at protecting that region from any onslaught from ISIS or any other opposition groups.

The hope is that we will have about 4,000 signed recruits; we have only 500 who are trained. The hope is that, through the current mission in which Canada is already involved with training and arming the peshmerga, some of those resources will be allocated towards the NPU to help them establish themselves as a defined force within the Nineveh plains to provide protection and aid to the Syrians and the Yazidis.

**Hon. Michelle Rempel:** To you, Mr. Nissan, Mr. Clayton, as well as Ms. Schmidt-Teigen, we've heard several witnesses, different witness groups, everything from groups working with LGBTI refugees to Yazidi refugees themselves, saying that the UN selection process for vulnerable minorities is flawed. I really don't think that this is a partisan issue by any stance, it's just becoming a fact that's coming out of testimony. Some of the areas of flaws that have been mentioned are very lengthy delays. One Yazidi man had an appointment from one of the refugees in the camps for 2022. He talked about discrimination based on religion executed by the UN officers.

These are difficult things for us to talk about, we don't want to talk about these things, but I'm wondering if these are things that you can validate, in your experience as organizations on the ground. And should we be, as a government, in talking to the United Nations, which does excellent work, but if they're asking us to accelerate the asylum claims of Yazidi applications.... We had somebody from the UN in the room here earlier this week, and they weren't able to tell us that they've taken any measures to rectify some of these issues. If we're relying on their lists, and they're not giving us those names, there's a problem.

I'm wondering if you can validate that testimony, or if you can expand on it, or, if it's not factually correct, let us know. I think this is important to talk about and not turn a blind eye to as a result of this committee.

So, Ms. Schmidt-Teigen, I know you're on the ground there, would you like to begin?

**Ms. Raija-Liisa Schmidt-Teigen:** Sure. I can say that much of what you've heard is true. Just today I got two reports that I found disturbing.

One was the report of some of our workers visiting a refugee who had an appointment for 2021, and was told maybe not even 2021, it might be 2022. I can confirm that is definitely true, and it makes no sense to me why the UNHCR cannot be providing refugees.... That was just for refugee status, that wasn't even for immigration, that was just for status as a refugee to be able to move forward in the immigration process.

The other report that I received today was from Greece. One of our Yazidi beneficiaries commented to one of our workers that it was really hard for them because they were still living in a Muslim context, and the Muslim NGO workers who were serving them were, after hours, overheard calling them all sorts of names.

**Hon. Michelle Rempel:** I'm going to interrupt you there.

This is a difficult topic to discuss, and I think it got glossed over in the last committee meeting. We had Yazidis say that they had experienced discrimination by Muslim UNHCR workers. I know this is something that is very difficult for us to talk about. Are you validating that particular comment with this particular anecdote?

• (1240)

**Ms. Raija-Liisa Schmidt-Teigen:** I am, yes.

**Hon. Michelle Rempel:** Mr. Nissan, did you want to comment, with the time I have remaining?

**Mr. Aneki Nissan:** Yes, I could speak to my own personal family. I had an uncle who was in Syria when Khabur fell. He remained there to help the internally displaced people to evacuate the region and try to find accommodation and shelter in Hassakeh. His daughter is now living in Sweden, his son is in Germany, and he is in Canada now, finally, after two years of paperwork. He, his wife, and his youngest daughter are now in Hamilton. That was also through private sponsorship, so they're living with his brother.

It is a long and lengthy process, absolutely, and they are at the point of desperation where they're willing to tear apart their entire family just for the safety and security of western nations. We're seeing lots of families in a similar state where you have some in Europe, some in Australia, some in Canada, some in the U.S., but they don't care. As long as they're alive, they'll figure out a way to reunify later. Right now, getting out of there is their only mindset.

**Hon. Michelle Rempel:** Mr. Clayton, I'll give you the remaining 30 seconds. Based on your experience, should we be encouraging the United Nations to perhaps examine or provide additional training to people who are making these lists, or encouraging them to be more nimble and make changes if we are actually going to prioritize the most vulnerable, those facing genocide, as has been requested in their report recommendations?

**Mr. John Clayton:** Yes, I think this whole issue of who does this is a big issue because of the prevailing biases and the perceptions of people. Yes, we want to believe that these humanitarian principles and people's integrity can override these things, but there are realities. I think this is a matter, if this is a priority, whereby people need to be sent in who are aware of these sensitivities and have been vetted properly to be able to address these things.

I don't know if the mechanisms exist to do this.

**The Chair:** Thank you.

Ms. Kwan, you have seven minutes.

**Ms. Jenny Kwan (Vancouver East, NDP):** Thank you very much to all the witnesses.

I'd like to go over a couple of suggestions that were presented. There seems to be a common theme from many of the witnesses, and that is on the question of bringing back the source country class for dealing with the crisis. Those who are internally displaced would have an avenue to make an application.

I'd just like to get some quick comments from our witnesses with respect to that suggestion.

Perhaps we can start with Mr. Nissan, and then we'll go around the table.

**Mr. Aneki Nissan:** We need to find a solution—and this is the bottom line here—and the source country class is an interesting idea. It needs to come back. Hope is diminishing on a daily basis. The longer we wait and the longer we delay these things, more and more lives are being lost, more and more people's families are being torn apart. Bringing back a solution like that, eliminating the cap on the number of refugees that we can bring in, these will all help us in the long term. Right now it's a moment of despair. Figure out a way to get them out of there, and then we can deal with the processes afterwards, if you will.



We were somehow able to bring in 15,000 to 20,000 in a matter of months. We put them in a particular area while we vetted and we did all that we had to do. I don't see a reason that we can't do the exact same thing for the Yazidis or for the Assyrian communities as well. I believe this is something we need to do.

**Ms. Jenny Kwan:** Before we go to others for comment about that, I think you were in the room earlier when I also read off a number of suggestions and recommendations for consideration. Included in that was for immediate action to be taken, and particularly for the victims of genocide, and women who've been raped, for example, who have been widowed, for orphaned children, and so on, and targeting, I think it was, 3,000 to 4,000 victims immediately as a special measure to bring them to Canada. This would be in conjunction with that, and then, of course, the longer term.... With many of the different groups, it's been identified that what is lacking is the source country class application format. Those who are internally displaced have no means of being able to make an application, so it's in that context that I ask that question as well.

Mr. Clayton.

•(1245)

**Mr. John Clayton:** Just briefly, I would agree with the need for something immediately to be done. I also think that this quandary of language around "refugee" and "internally displaced", and those games with words.... Words are important, but exceptions also need to be made when words like "genocide" start being used. That's what I have to say.

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

Ms. Schmidt-Teigen.

**Ms. Raija-Liisa Schmidt-Teigen:** I'm sorry, everything has been in French for the last four minutes or so, so I don't understand anything that's been said.

**Ms. Jenny Kwan:** Okay. I'll just repeat my question, then. I was asking about immediate action, and it's been suggested to the committee that we take immediate action, particularly to target the victims of the genocide—women who've been raped, women who are widowed, orphaned children—and to take a special measure to immediately expedite bringing the survivors of the genocide here to Canada, with the range of 3,000 to 4,000 to begin with. Then, of course, ultimately what's coming forward in a lot of the committee's testimony from different witnesses is that we need a classification. The source country classification needs to be reinstated, perhaps in an adjusted manner, so that we can address the issue of those who are internally displaced, so that there's an avenue in which they can seek refuge elsewhere.

I'd just like to get your comment with respect to the action that needs to be taken and your thoughts around the source country classification.

**Ms. Raija-Liisa Schmidt-Teigen:** I definitely agree that immediate action does need to be taken. The source country thing is hard because we need some sort of system to be able to work with the IDPs who do not have refugee status. How do we get them out to a place where they can get refugee status so that they can start the immigration process? That's a huge bottleneck for these people, especially the vulnerable who do not have men in their household who will do this stuff. Many of the women who have escaped from

ISIS or been released somehow have come back, and they don't necessarily have a husband anymore. Their husband might still be in captivity, their children might still be in captivity, or they might just have their children with them, so they have no one to actually go through that process with them. Many of these families from the Sinjar area are uneducated so they don't necessarily even know how to start moving forward with that process. There's a lot of advocacy that needs to happen in-country to start helping them to be able to gain refuge in another country.

**Ms. Jenny Kwan:** In light of that challenge, are there folks on the ground, organizations and international human rights groups, perhaps, who could be utilized in order to provide assistance to help get those applications, if there was a source country class stream?

**Ms. Raija-Liisa Schmidt-Teigen:** I think there are definitely organizations. I think that Yazda, Free Yezidi, and different organizations could come alongside to help with that process. One of the big things that I know a lot of organizations here face is just being understaffed and underfunded. If there's a way to help staff that kind of program I think you would find organizations that would be willing to come alongside and help the Government of Canada in that process.

**Ms. Jenny Kwan:** Is it possible for us, the committee, to receive that information if there are organizations that you think could be of assistance? I extend this to all the witnesses to provide that information to the committee.

**Ms. Raija-Liisa Schmidt-Teigen:** I can definitely do some research on the ground here.

**The Chair:** Thank you.

Mr. Sarai, you have seven minutes, please.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Thank you to all of you from Iraq, to those who have been in Sudan and Eritrea.

This question is to Mr. Marshall. I first want to point out that I have the highest regard for the United Nations, and specifically their human rights and refugee wing, in acknowledging that the Yazidi atrocity is in fact a genocide. They did it very diligently and appropriately and with the right research and analysis.

But we've heard this, not just now, but also before. What I found troubling is that the process to even be interviewed and be called a UNHCR refugee would take you until 2021 or 2022 for your first interview. Although you're not the expert in that area, perhaps, maybe you can comment. I find appalling that somebody would have to wait in a UNHCR camp, after having received refuge, for six or seven years to be able to be considered. Can you comment on that?

•(1250)

**Mr. David Marshall:** No. I don't work for UNHCR. I work for the human rights office. I also don't cover Iraq so I can't speak to the issue, I'm afraid.

**Mr. Randeep Sarai:** Okay. Well, thank you.

I will ask you maybe, Ms. Schmidt-Teigen, if you can elaborate. Have you asked why the delay in timelines has happened in these UNHCR camps?

**Ms. Raija-Liisa Schmidt-Teigen:** I have not asked yet. The example that I gave happened in, I believe, Turkey, with one of the families who had fled there. Now that I know about it, and I only found out about it today, it is a question that I want to start asking my UNHCR colleagues here on the ground.

**Mr. Randeep Sarai:** We understood today that the Yazidis are in segregated camps. My second question is, do you know whether they are still facing violence and threats while they're in the camps? Or are they safer while they're in their segregated camps?

**Ms. Raija-Liisa Schmidt-Teigen:** In the segregated camps there is a degree of safety. The people who are in charge of the camps that I work with are Yazidis themselves, so there is a degree of safety that is guaranteed to them in the camps. Because of the rumour that they've heard in Greece and Turkey, there is that huge hesitation on their part even though there are deplorable conditions in the camp, to even pursue leaving because of what they've heard back from other people.

**Mr. Randeep Sarai:** Do you have any numbers of how many Yazidis would still be in an ISIL or Daesh-controlled area in Iraq?

**Ms. Raija-Liisa Schmidt-Teigen:** I know that in captivity there are still over 3,000. Most of the Yazidi population fled into northern Iraq, so there are very few left in Daesh-controlled Iraq.

**Mr. Randeep Sarai:** There would be a few who are internally displaced. The rest might still be in Iraq, but in a separate or a safer area relative to being under ISIL.

Am I correct?

**Ms. Raija-Liisa Schmidt-Teigen:** Yes.

**Mr. Randeep Sarai:** My next question would be to Mr. Clayton.

I know you said you're not a sponsorship agreement holder, but you deal with refugees. Sponsorship agreement holders are allowed to identify who they would like to sponsor, and not just the priority of the UNHCR, but they are able to make their own priorities for refugees to be resettled in Canada.

What is your opinion on the balance of private versus government-assisted refugees received by Canada each year? Do you find that balance fair currently, or do you think it should be tilted in one way or the other?

**Mr. John Clayton:** I find that question right outside of my realm of expertise. I'm more aware of issues that are outside our country than ones inside.

In terms of the family whose arrival in Canada we participated in, I can see the benefit of that in terms of the assimilation or the adjustment to life in Canada. If I were a refugee, that's how I would like to be brought into this country.

**Mr. Randeep Sarai:** Mr. Nissan, what are your thoughts on privately sponsored refugees versus government-sponsored refugees and the ability that privately sponsored can pick and choose groups they wish to sponsor?

**Mr. Aneki Nissan:** I'm going to echo Mr. Clayton. I'm not well versed on that. Whether the government is doing enough or not enough, I can't speak to that.

I just know that with regard to privately sponsored refugees, through the despair, people are sacrificing everything they can to make sure they do what they can and put up the money they can to bring people over. Many of them don't have the means and are scratching and penny-pinching to raise the funds to help bring these people over.

• (1255)

**Mr. Randeep Sarai:** Mr. Marshall, if I have a bit of time, in order to be eligible for resettlement to Canada, a person must meet the UN convention on the definition of a refugee, or be outside of their country and "seriously and personally affected by civil war, armed conflict, or massive violations of human rights".

Do you think the definition for qualifying for Canada's protection should be changed and, if so, how?

**Mr. David Marshall:** Again, I'm afraid it's outside my area of expertise.

I was asked to come here specifically to speak about the human rights situation in South Sudan, so I don't feel comfortable speaking to those issues that are within the jurisdiction of another UN agency, which is the UNHCR.

**Mr. Randeep Sarai:** You're dealing with the IDPs in Sudan, and currently Canada doesn't have a proper mechanism to help those people, other than perhaps applications on humanitarian and compassionate grounds.

From your work or your knowledge, do you think it's better to revise those provisions for Canada, or do you think the existing framework is satisfactory to assist them? Or alternatively, do you think that aid is the main answer that is needed for those people in the areas you've seen?

**Mr. David Marshall:** Again, it sounds like a UN bureaucratic response, but I just don't feel comfortable speaking to an issue that I don't have expertise in.

I do have some suggestions, which we will go into in camera, that may answer some of those questions.

**Mr. Randeep Sarai:** Okay, fair enough.

**The Chair:** Thank you.

We will now suspend for a minute to allow the committee hearing to go in camera.

I'd like to inform some of the visitors to the committee that while in camera, it's just the committee members, the witnesses who are testifying, and the support staff who are allowed in the room, so I'll allow a minute for the rest of the viewing public to leave the committee room.

*[Proceedings continue in camera]*

• (1255)

(Pause)

• (1315)

*[Public proceedings resume]*

**The Chair:** Welcome back.

Appearing before us once again are department officials from Immigration, Refugees and Citizenship Canada, Mr. David Manicom and Mr. Bruce Grundison. Welcome back.

From Global Affairs Canada, we have Ms. Heather Jeffrey.

We'll begin with Mr. David Manicom and Mr. Bruce Grundison. I believe you will be splitting your seven minutes.

**Mr. David Manicom (Associate Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration):** Thank you, Mr. Chair, and welcome to all the committee members.

I would like first of all to make a clarification to a response made by Mr. Bob Orr at a previous session. A member asked if the department had ever been directed to track if refugees were members of religious, ethnic, or sexual minority groups. The response provided was negative. As well, the department does track the nationality of refugees, but it has never systematically tracked the religion or ethnicity of refugees.

In a break with standard practice, starting in early 2015, the department was instructed to track if resettled Syrian refugees were members of vulnerable ethnic or religious minorities, or members of the lesbian, gay, bisexual, transsexual, or intersex community as part of identified areas of focus. This work had to be done on a manual basis using case notes made by officers, as our systems do not track and cannot extract this information. This practice ended in fall 2015 upon the beginning of the major Syrian refugee initiative.

In May 2015 IRCC officials were also instructed to begin tracking the religious and ethnic affiliation of all refugees resettled to Canada. Officials had begun exploring the manner in which such a tracking system could be implemented, but this was never put in practice.

I will continue with my opening remarks.

Mr. Chair, I appreciate the opportunity to appear before this committee as it conducts its important study. My name is David Manicom. I'm the associate assistant deputy minister for strategic and program policy at IRCC. I am here today with Bruce Grundison who is a senior director in IRCC's international region.

[*Translation*]

I will take a few minutes to offer some opening remarks, after which Bruce and I will be pleased to respond to any of your questions.

Mr. Chair, as my colleague Robert Orr mentioned in his appearance before this committee earlier this week, Canada has a strong and long-standing humanitarian tradition of resettling vulnerable people from around the world who have been persecuted and displaced and who seek our country's protection.

Maintaining that humanitarian tradition and ensuring that Canada continues to provide protection to those in need around the world is one of Immigration, Refugees and Citizenship Canada's central mandates.

So we take very seriously the challenge of helping vulnerable and displaced people around the world, and we are highly motivated to

address this challenge with policies and programs that are both compassionate and effective.

Mr. Chair, over the past two days, you and your fellow committee members have heard many hours of testimony from a number of individuals invited to address you.

[*English*]

On behalf of IRCC, I'd like to take a few minutes to build on some of the things you have heard from others in this room.

Mr. Chair, a number of witnesses have discussed the possibility of broadening the definition of a refugee to include vulnerable populations, such as IDPs. It's important to remember that there are risks inherent in reopening the 1951 UN refugee convention, as some countries would like to make it more restrictive and to reduce state obligations to refugees. Canada supports the current definition, as it offers a robust roadmap for protection and for solutions.

At the same time we continue to engage with our partners in the international arena by aiming to use our country's position as a leader in refugee resettlement to further international discussions on best practices in protection. An important example of this is our participation and leadership in the upcoming international summits in September regarding refugees and migrants.

We are appreciative of this committee's work and continue to welcome proposals and input from committee members, from witnesses, and from other Canadians on how we can further improve our system. Like any well-run institution, our immigration system works best when it is flexible and can adapt to ever-changing realities and emerging challenges.

As you have heard, the source country class was repealed in 2011 due to challenges that made it ineffective and were affecting the department's other humanitarian programs. The department has maintained the flexibility to respond to specific and unique circumstances, and at present it does so through the ability to grant permanent residence based on humanitarian and compassionate considerations or public policy considerations.

● (1320)

[*Translation*]

I will give you an example of a public policy consideration.

From 2012 to 2014, in response to a request from the United Nations Refugee Agency following the 2010 earthquake in Haiti, Canada admitted 40 Haitian women and their dependents. These were single women who had been displaced, who had been subject to sexual violence, and who lacked other protections.

[English]

Humanitarian public policies are a tool the minister has under the Immigration and Refugee Protection Act to facilitate immigration for humanitarian reasons. They're typically used to respond to exceptional, specific, temporary circumstances. To that end, IRCC conducts monitoring of specific vulnerable groups who may be in particular need. The situation of the Yazidis who face grave violations of their human rights and terrible affronts to their dignity is one such group, and we continue to monitor developments in northern Iraq.

Canada's urgent protection program was also discussed this week as a program to ensure that Canada can respond to urgent requests for resettlement of those under threat of being returned home, under threat of expulsion, or facing direct threats to their lives. Canada accepts about 100 cases a year under the urgent protection program. Each of these cases is referred directly to Canadian visa offices by the United Nations refugee agency and processed with urgent timelines to ensure the refugees' arrivals in Canada in the most expeditious manner.

[Translation]

Mr. Chair, a central debate that has emerged over the last three days of committee meetings is whether our system, in its current form, is allowing us to reach and to assist the most vulnerable.

The committee has heard from witnesses able to speak first-hand, or provide secondary accounts, of the plight of certain particularly vulnerable groups.

At the same time, we must not forget about those vulnerable individuals who are not able to appear before us to advocate for their own protection or who do not have allies here to advocate for them either.

[English]

With that in mind, I will reiterate that the Government of Canada stands by its close collaboration with partners in identifying individuals in need of resettlement. Along with private sponsors who are an integral part of our system, Canada confidently relies on the United Nations refugee agency as the international expert best placed to identify protection and, where appropriate, resettlement need.

As you heard from the witness from the United Nations agency, the agency uses objective criteria established through consultation between all resettlement countries to make assessments of resettlement need. Referrals for resettlement are just one of a large set of protection activities the UN agency performs on the ground. Through this broader protection work conducted alongside local partners, globally the agency has gained the expertise necessary to make determinations of vulnerability. By working with the United Nations in this way and contributing to resettlement efforts for priority populations as identified by the international community, Canada is able to maximize our contribution to global efforts to assist vulnerable individuals.

Once again, Mr. Chair, I appreciate the opportunity to speak to this committee, and my colleague and I will gladly answer any of your questions.

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

Ms. Jeffrey, you have seven minutes.

**Ms. Heather Jeffrey (Director General, International Humanitarian Assistance, Department of Foreign Affairs, Trade and Development):** Thank you, Mr. Chair, honourable members.

My name is Heather Jeffrey and I'm the Director General for International Humanitarian Assistance at Global Affairs Canada.

[Translation]

I am pleased to return today to respond to any further questions about Canadian humanitarian assistance to support vulnerable groups in inaccessible regions.

[English]

To briefly recap my previous remarks, all persons who are affected by a humanitarian crisis and have identified needs are eligible to receive humanitarian assistance irrespective of their status, including internally displaced persons and refugees. We channel our humanitarian assistance as a matter of policy, not through governments, but through trusted humanitarian partners, including the UN, the Red Cross and Red Crescent family, and non-governmental organizations.

Humanitarian actors aim to save lives, alleviate suffering, and maintain the dignity of crisis-affected populations. They give priority to the most urgent cases of distress and, therefore, do not make distinctions on the basis of nationality, race, gender, religious belief, class, or political views.

Access has been rightly identified by many before this committee over the past days as the most critical variable that affects the ability of humanitarian actors to provide support to vulnerable populations, particularly in conflict situations. It's also the most challenging to resolve. By operating in accordance with the humanitarian principles, our partner organizations are able to engage in dialogue with all parties to gain greater acceptance for their activities and thereby improve their ability to reach otherwise inaccessible populations. To that end, Canada has been and will continue to be a very strong advocate for the humanitarian principles.

However, we also recognize that access challenges clearly remain. Therefore, we're continuing to engage diplomatically through a variety of channels to try and address all the ongoing situations of concern and to insist publicly that all parties to conflict respect their obligations under international humanitarian law.

We also continue to direct our humanitarian responses through a diverse network of humanitarian partners in order to try and maximize the scope of the assistance that's being provided in a region.

Thank you for your consideration. I would be pleased to respond to any questions you might have.

• (1325)

**The Chair:** Mr. Fragiskatos, seven minutes, please.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you very much, Mr. Chair.

Mr. Manicom, I want to go back to your earlier statement at the outset. You said that under the previous government—if I understand your testimony—tracking actually happened; tracking on the basis of identity happened, and this was the case for all refugees. Who ordered this, who asked for this, and why was that the case?

**Mr. David Manicom:** Per my testimony it was not the practice for all refugees. This tracking was put in place for the resettlement of Syrian refugees only for a period beginning in January, February 2015, and that was the policy of the government at that time.

**Mr. Peter Fragiskatos:** Okay. Are you saying it was just for Syrian refugees?

**Mr. David Manicom:** That's right.

**Mr. Peter Fragiskatos:** Okay, so not for all refugees.... Why was it the case? Were you given a particular reason?

**Mr. David Manicom:** The government of the day had put in place a number of areas of focus to prioritize the processing of refugees from Syria, and asked the department to record at interview the matching, if you will, of the cases in question against these areas of focus.

**Mr. Peter Fragiskatos:** It just seems there's a lot at play here because there have obviously been reports about the Prime Minister's Office and, in fact, the Prime Minister himself wanting to be involved in the vetting of Syrian refugee applications. That fact, combined with the fact that there was an obvious order to track particular identities with no particular reason given, apparently, as to the desire being that these identities were in need of protection because there was a certain threat. There was no particular reason given in that direction. I'm a bit perplexed by all this, and, in fact, it seems un-Canadian. I'll go back to the point that I just cited about the Prime Minister's Office being heavily involved and, in fact, department officials being asked to do things in a way that does not match up with Canadian tradition.

In your experience, in all the years that you've worked in your capacity, has this ever happened before?

**Mr. David Manicom:** Nothing identical to that, no.

**Mr. Peter Fragiskatos:** Okay.

I want to ask another question relating to testimony that we heard this morning from One Free World and its director, Mr. El Shafie. He said that a formal proposal was submitted by his organization to Minister Alexander, the then Minister of Citizenship and Immigration. Is that the case?

**Mr. David Manicom:** Yes, that's right.

**Mr. Peter Fragiskatos:** So a proposal was submitted and reviewed by the department and by the minister at the time?

**Mr. David Manicom:** That's right.

**Mr. Peter Fragiskatos:** Okay.

If I can ask Ms. Jeffrey, we've heard a number of recurring themes here over the past few days. As far as a whole-of-government approach goes, I think committee members around the table will agree that dealing with vulnerable peoples is not a burden that can be placed onto the shoulders of one particular department, IRCC. This has to be a whole-of-government approach, and Canada has much to

offer in that regard. Can you talk about that? Can you tell the committee what you think about that particular insight?

•(1330)

**Ms. Heather Jeffrey:** Yes, indeed. The challenges that are posed by protracted conflict situations in particular have shown that the most effective approach is one that combines not just humanitarian assistance, or development assistance, or resettlement, or other durable solutions, but an integrated and ideally jointly developed approach to deal with all of the facets of a crisis that affects vulnerable populations. That's something that was discussed at the World Humanitarian Summit. All of the countries that attended are actively implementing...as we move forward, to try to deal with what our challenges really are on an unprecedented scale, with such a large number of protracted conflicts that are remaining unresolved for long periods.

The Iraq-Syria crisis response that was announced last winter is really the first time that we've had multi-year humanitarian assistance, which is allowing us to jointly plan, together with our development colleagues, a continuum of response that allows us to respond first to the emergency needs—food, shelter, security—but also to bridge into livelihoods, education, the long-term needs of populations that may remain displaced or outside their homelands for long periods.

**Mr. Peter Fragiskatos:** I want to underline and point to the importance of it. That's why I raise it one more time, Mr. Manicom, just to confirm the tracking of religious and ethnic affiliation that you talked about that applied specifically to Syrian refugees resettled in Canada, and it was not in relation to other refugees.

Is that correct?

**Mr. David Manicom:** Yes, it was the tracking of vulnerable ethnic or religious minorities, or members of the lesbian, gay, bisexual, and transsexual community, as part of a number of identified areas of focus.

**Mr. Peter Fragiskatos:** Could you provide a copy of the One Free World report to the committee? Can you answer whether the proposal submitted was approved by the department, and if not, then why not?

**Mr. David Manicom:** I believe the department can provide a copy of the report received under the previous government. The department analyzed the report in somewhat of a similar fashion as it has been doing recently to update advice and provide comment and expertise to the minister of the day. There was no decision taken to proceed at that time.

**Mr. Peter Fragiskatos:** What was the reasoning there? Did the report fail to meet certain expectations? Was there a problem with it in that regard? Can you comment at all on that?

**Mr. David Manicom:** To my knowledge there was no formal decision taken. An analysis was undertaken of the basic context. It was quite a preliminary one, and there was no decision to proceed.

**The Chair:** Thank you.

Ms. Rempel, seven minutes.

**Hon. Michelle Rempel:** Thank you.

Thank you, Mr. Manicom. Just to be perfectly clear for the record, you were instructed by the previous government to track the efficacy of our programs' priority of prioritizing cases of ethnic, religious, and sexual minorities for referral to Canada.

Is that correct?

**Mr. David Manicom:** The department was asked to track whether resettled Syrian refugees were members of vulnerable ethnic or religious minorities, or members of the LGBTI community as part of identified areas of focus.

**Hon. Michelle Rempel:** Mr. Manicom, are you aware that many witnesses, as well as my colleague from the NDP today, have said that this needs to be a best practice in order to see if Canada is bringing the most vulnerable persecuted religious and ethnic minorities to Canada as part of its refugee initiative?

**Mr. David Manicom:** Yes, I've read the transcripts.

**Hon. Michelle Rempel:** Thank you.

Was it the previous government's intended policy to prioritize cases of ethnic, religious, and sexual minorities for referral to Canada by the UNHCR for refugee resettlement under the government-assisted refugee program?

**Mr. David Manicom:** Those two categories were two of a number of areas of focus.

•(1335)

**Hon. Michelle Rempel:** Under the areas of focus prioritization consideration the previous government asked for, would it be fair to say that Yazidis would be included under that particular characterization?

**Mr. David Manicom:** Would be...?

**Hon. Michelle Rempel:** When the previous government instructed the department to prioritize cases of ethnic, religious, and sexual minorities for referral to Canada by the UNHCR, would Yazidis be included under that categorization?

**Mr. David Manicom:** Yes, I believe so.

**Hon. Michelle Rempel:** Thank you.

There have been several media reports and leaked data that show there was an audit conducted. This audit was the subject of much political discourse during the election. It showed there were a limited number of ethnic minorities brought to Canada in the data that was provided in that audit. There was a majority group that had been brought in. This was through the government-assisted refugee program.

Where would Canada have gotten those referrals from? Would it be from the UNHCR?

**Mr. David Manicom:** It would all have come from the UNHCR, but I need to repeat that those were only several of a number of areas of focus that the previous government asked the United Nations to provide to Canada.

**Hon. Michelle Rempel:** Thank you.

We've heard from many people that, specifically in response to the UN report, which has recently declared that the genocide of Yazidis is occurring, we should be accelerating the asylum claims of Yazidis who have been victims of genocide.

If we are going to put in place a policy that would accelerate these applications, or any sort of specific program to bring more Yazidis to Canada, would it not be prudent for the government to track whether we brought Yazidis into Canada to measure the success of our program's operation?

**Mr. David Manicom:** Well, it would be a very complicated question to answer as to whether or not Canada should implement in a systematic way the tracking of ethnicity, religion, and sexual minority status in our refugee system.

**Hon. Michelle Rempel:** If we don't—

**Mr. David Manicom:** If I could, that would—

**Hon. Michelle Rempel:** I realize that there are sensitivities around this.

Let's call a spade a spade here. We don't want to be creating xenophobia or racism. However, if we're stating a priority that we need to be bringing in a persecuted group who is facing genocide, should we not be seeing whether our system is actually working by tracking who is coming in under that program?

In terms of the public service, we often measure the outcomes of programs. Are you saying that we should not be measuring it in that situation?

**Mr. David Manicom:** Not at all.

If we had a program that was dedicated to one group and we were asking for referral specifically from one group, as we have done under a number of public policies, for example—one of which I cited and I was deeply involved in the operationalization of, in India for Tibetans—then, of course, that's a very isolated program.

It's a different thing to put in place, for example, the systems needed to know how many members of the 28,000 or so Syrians resettled so far—or Iraqis or globally—are Yazidis or Christians or Shiites and so forth. That's quite a different undertaking.

**Hon. Michelle Rempel:** In what way?

**Mr. David Manicom:** Under the principles of privacy collection, governments don't collect systematic information from people unless it is of direct relevance.

**Hon. Michelle Rempel:** How are we supposed—

**Mr. David Manicom:** So, for example—

**Hon. Michelle Rempel:** If that's the case, then, as legislators, how are we supposed to understand whether or not our system is actually bringing the most vulnerable to Canada?

**Mr. David Manicom:** People are vulnerable for a large set of different and complicated reasons. We have the vulnerability criteria laid out in the UNHCR handbook. We sit and work with the United Nations High Commissioner for Refugees, with other resettlement countries, on a regular basis to establish which populations we are working toward. However, an unprotected woman in a refugee camp may be extremely vulnerable primarily because she is a woman and not because of her ethnic origin. Someone who also happens to be gay might primarily require protection because of his or her political opinion.

If one wants to provide statistics that are reliable, you have to do it systematically. To put in place a system where at each interview we ask each person whether they are Jewish, Shiite, Muslim, gay, and record that data, is something that would require a great deal of resources and a decision by the government to collect this information on everyone regardless of whether or not it is pertinent. That would raise a number of principles with the Privacy Commissioner, for example.

• (1340)

**Hon. Michelle Rempel:** Excuse me, because I have only a few seconds of time left.

You said that Canada confidently relies on the UNHCR to provide us with lists of refugees, yet we've heard witnesses say that they... The UN itself couldn't tell us what they're doing to accelerate Yazidi applications. We've heard of wait times until 2022 for Yazidi claimants, and we've heard about discrimination based on religion by UNHCR representatives.

**The Chair:** You have 10 seconds.

**Hon. Michelle Rempel:** Is there anything that the government is doing to work with the UNHCR to overcome some of these obstacles or to consult with people working on the ground who are providing this data?

If we're going to confidently rely on it, shouldn't we be monitoring it?

**Mr. David Manicom:** Absolutely, and Canada is an integral part of the resettlement working group in Geneva.

We have previously, on multiple occasions, chaired the tripartite consultations on resettlement, which involves the entire humanitarian and non-governmental sector, as well as the member states of the United Nations High Commissioner for Refugees and the agency itself.

**The Chair:** Thank you.

Thank you, Mr. Manicom.

Ms. Kwan, seven minutes, please.

**Ms. Jenny Kwan:** Thank you very much, Mr. Chair, and I thank the witnesses and ministry officials for appearing before us.

I think our task here today is to not make it difficult for officials to answer questions and to explain the direction of governments, previous or otherwise, but rather to say that the work before the committee today is to try to find some solutions to address the crisis that's before us. We've had a whole array of witnesses appear before us, with lots of suggestions.

To that end, I want to focus on a couple of things. One is with respect to the issue around tracking.

On the Syrian refugee initiative, at the outset when the government announced the initiative, the identified groups they highlighted were women, children and family, and LGBTQI community members at extreme risk. To that end, my questions were centred especially on the LGBTQI community.

How do we know that we are reaching that goal? We're now learning that we're not able to really identify that very readily. There is, then, a question, and I think a solution has been found with respect to the witnesses before us, about how we can do this better and focus and target this highly vulnerable group. That is by recognizing the countries—I think we were informed that there are about 63 of them across the globe—that have declared people's sexual orientation and gender identity to be illegal. In those instances, we can classify this as a vulnerable group in this sense and therefore target it.

Is this something we can do, as a policy decision going forward, to address this issue of vulnerability?

I'll ask Mr. Manicom, I guess. I'm not sure who would be most appropriate to answer this question.

**Mr. David Manicom:** I'm not sure that I fully understood the question, Ms. Kwan, but certainly Canada has identified sexual orientation as one of its resettlement priorities for a number of years. We have always been front and centre at the United Nations in saying that if you have persons in need of resettlement who are members of the LGBTI community, think of Canada.

There are certainly other countries who resettle the LGBTI refugees as well; it's not only Canada that works in this way.

**Ms. Jenny Kwan:** There is no question that Canada is not the only country. I get that; we do this internationally. But Canada has a role to play, and I'm proud of the work we do historically. I think we can do more, and I'm really looking forward to seeing this government advancing that goal on the international stage, as well as locally, for us to take pride in.

I gather from that answer that it is feasible and plausible for us to do this, as a policy direction.

The second question is with respect to the recurring theme that has occurred at the committee to bring back the source country class applications. I see in the presentations that there are issues with respect to that and to how it was prior to 2011.

Is there not some way we can adjust or tweak the problems that were identified with this classification to today? Virtually every group who appeared before us advanced this as part of the solution to the problems we face. I get that we can use the humanitarian and compassionate status opportunity to bring some of these folks in, but as we know, there are many limitations with respect to that. As it stands, for all those witnesses who appeared before us, that does not seem to be working. We have to do better. If we try to do better, is there an opportunity, and can the committee then work with the officials to try to find a way to bring back this class in a way that's workable and solve the problems that existed prior to now?

• (1345)

**Mr. David Manicom:** Yes, certainly.

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

I'm stunned with such a great answer, short and succinct.

Right now we have the Yazidi genocide crisis. To me the issue is that genocide is happening, and there's urgent action needed by the international community of which Canada is part. That genocide is taking place, and it doesn't really matter whether it is because of religious beliefs, political beliefs, or for any other reason. The fact is that there has been identified genocide and that there are therefore victims of genocide. We need to take action.

It was suggested to us that we could actually move into immediate action with a special measure to bring in the victims. These are, for example, victims of rape, people who have been widowed, orphans, etc. Can we in Canada bring in a special measure to do that, in addition to our immigration levels, which are targeted on humanitarian and compassionate grounds at 2,800 to 3,600 people? Is that something we can act on now?

**Mr. David Manicom:** There are the authorities in the act to develop a public policy on that basis. The operationalization, the processes to identify where resettlement is the best option for individuals, and putting in place mechanisms in the region to ensure the safety and security of everyone involved are the issues which the department and the government are looking at, at this time.

**Ms. Jenny Kwan:** Okay.

**Mr. David Manicom:** The legal mechanism already exists.

**Ms. Jenny Kwan:** Right, and there are folks who suggest that... Actually, they have a database. They have collected names of individuals for whom, if there's a mechanism to go in and to bring them out, it can happen. It can happen right now.

Is it feasible for the government to work in conjunction with them to make that happen?

**Mr. David Manicom:** That's what we're examining. It's not quite that simple. The mechanisms to do so right now are quite complex. We're working within a sovereign state. There are a number of security considerations in the area, and the fine-tuning of what is the best policy and how it's designed, if the government wishes to proceed with that among its many other humanitarian priorities, are the sorts of things that we are in the process of analyzing, as a government, as a department.

**The Chair:** You have 15 seconds.

**Ms. Jenny Kwan:** I get it. It's never that easy. Nothing is ever that easy, but it is doable.

**Mr. David Manicom:** I don't know if it's doable. It depends on the situation on the ground at any given time, so that's what we're analyzing. I just don't want you to say that I said it's doable.

**Ms. Jenny Kwan:** What is the timeline in your analysis?

**Mr. David Manicom:** I don't know. I have no knowledge of what the situation in Erbil will be like a month from now.

**The Chair:** Thank you.

Ms. Zahid, you have seven minutes.

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

Before I ask the formal question, I would just like to say a few words. Over the last three days, we have heard very powerful and moving testimonies from vulnerable and internally displaced groups around the world. These were very difficult and heart-breaking stories that call for action. Our committee will be reflecting on these stories as we prepare our report for the fall, which I hope will include comprehensive recommendations for a framework to help these communities.

We need to recognize the urgent crisis faced by the vulnerable communities and persons today. This urgency is why the committee unanimously decided to hold these meetings in the summer. Canada has been held up as a world leader for our response to the Syrian refugees. I thank you all for the work that you have done on that, and I hope Canada will continue to be a leader in responding to the concerns we have heard this week from a lot of different groups.

As mentioned by my colleague, during the last three days we have heard from several witnesses about restoring the source country program. Many people have said that this would be a good mechanism to allow Canada to assist vulnerable and internally displaced persons. But we also heard that the program as previously constituted was in need of reform to be more effective in achieving these goals.

Further to my colleague's question, would you expand on how you see the source country program in the context of assisting these populations? What modifications would you recommend to make it more effective in this regard?

• (1350)

**Mr. David Manicom:** These are difficult and quite complex questions of policy design. When the source country program was designed, it was designed very much to solve the sorts of problems that have been before the committee over the last few weeks. The source country program had a listed number of countries in the regulations so that each time one wished to either remove or add a country to the list, it was controversial, cumbersome, and led to a whole lot of discussion.

Countries didn't like to be on the list because it implied that they were failed states, so it caused those sorts of diplomatic issues. Adding a country to a list, therefore, involved inter-departmental consultations and consultations with the international community and so forth. Then you had situations where it became operationally extremely difficult to work in a given country that was a source country, yet we still got applications flowing in and so forth which, in practical terms, were very difficult to manage.



For those reasons it was felt that the program was not efficient and not necessarily meeting the greatest needs, so it was in effect replaced with the public policy provision, which has a great deal of flexibility and scope. Whether that's the best mechanism or whether there is something in between the two, which could have the sort of profile of the source country program, yet retain the flexibility of the public policy instruments, is certainly open to the imagination. I would say that the public policy provisions, on their surface and as they have been used, are able to respond to relatively small and medium-sized situations in a wide variety of countries. Each of them is operationally complicated to establish. From a resource point of view, you probably end up, sadly, helping fewer people than you would have under our other programs. There are always those very challenging and sometimes disconcerting trade-offs that you have to make in policy design.

Those would be my general comments, but certainly it would be a fruitful topic for analysis. The challenge continues to be getting the design right. I think the design we have is pretty good, but it could possibly be improved.

**Mrs. Salma Zahid:** Another suggestion to provide a mechanism for Canada to assist the vulnerable and the internally displaced communities was the minister's discretion to provide consideration on humanitarian and the compassionate grounds under section 25 of the Immigration and Refugee Protection Act.

Do you feel this would be an effective way to assist these people? Are there any challenges that you would like to identify?

**Mr. David Manicom:** In my mind the public policy provisions effectively do that. I don't see that there's additional legislative or regulatory authority required to meet some of these objectives.

Perhaps I misunderstood your question, Madam.

**Mrs. Salma Zahid:** Do you see any challenges, or do you think this will be an effective way to assist?

**Mr. David Manicom:** What would be an effective way?

**Mrs. Salma Zahid:** The use of section 25 of the Immigration and Refugee Protection Act to assist vulnerable internally displaced communities if you had the minister's discretion?

**Mr. David Manicom:** In my view that's what the current public policy does.

The challenge isn't in identifying needy populations. The challenge is making the very hard and heartbreaking decision as to which 0.1% of extremely vulnerable people globally Canada will assist. That's the heartbreaking challenge, whether they are refugees or internally displaced persons.

I believe the public policy provision we have in place provides the needed ministerial authority to take such actions. The challenges are often diplomacy, logistics, finances, security, and the challenging question of establishing priorities amongst so much need.

**Mrs. Salma Zahid:** I'll share the rest of my time with Mr. Virani.

**Mr. Arif Virani (Parkdale—High Park, Lib.):** Mr. Manicom, thank you for being here and clarifying some of the policies that were in place during the previous government.

I wanted to ask you to clarify if the tracking at that point was unknown to the department. Was the tracking that was asked to be

done used to decide who the department should be accepting after the UNHCR made its referrals, so that you had an ability to accept ethnic and religious minorities?

• (1355)

**Mr. David Manicom:** That's a difficult question to answer.

The areas of focus were set out to guide our relationship with UNHCR, the United Nations refugee agency, as to which sorts of cases amongst the many Syrians in need of resettlement Canada would most like to receive.

**Mr. Arif Virani:** The majority of the refugees in the region are Muslim and Sunni Muslim. Is that correct?

**Mr. David Manicom:** That's right.

**The Chair:** Thank you.

Ms. Rempel, for five minutes.

**Hon. Michelle Rempel:** Thank you, Mr. Chair.

I'll just pick up on some of the comments around the source country class and section 25 also.

Regardless of political stripe, we're trying to look at the best possible option for public policy in this area given the testimony that we had. I think we've heard comments that the source country class was a good thing, but we also know that there were challenges in putting it into operation and that particular public policy option being nimble enough to act in these situations.

My understanding is it was in 2012 when section 25.2 was put into the immigration act as a different option to do the same thing. Is that correct, in essence?

**Mr. David Manicom:** Yes, the exact date, I look to experts, is that 2012? We could confirm that.

**Hon. Michelle Rempel:** The date is the intent.

**Mr. David Manicom:** Yes.

**Hon. Michelle Rempel:** We also heard testimony that section 25.2 has been difficult for people on the ground, to put into operation or to work with. I think there's some unanimity in the committee that perhaps at a later date we can look at the efficacy of this particular tool since it's three or four years young at this point. I would encourage my Liberal colleagues that perhaps this is something that we can revisit in greater detail in the fall.

In the meantime, given that we've heard very compelling testimony and we have a recommendation from the UN to assist Yazidi victims of genocide, is section 25.2 something that could possibly be used to accelerate these applications?

**Mr. David Manicom:** I'm only hesitant about the term "accelerate" because we don't have any applications in the strict sense of the word. It is a tool that could be used to resettle internally displaced populations, including Yazidis, yes. From a legal point of view it has the authorities required.

**Hon. Michelle Rempel:** Thank you.

I want to go back to the UN prioritization criteria. I'm not trying to be critical of the department, but we heard very compelling testimony today that there are significant flaws within the UNHCR selection process. This isn't necessarily being critical of them, either; it's just a question about how we can make things better so that we can save some very seriously persecuted people who are facing genocide. You listed a lot of committees that Canada is part of.

Does the department actually approach the UNHCR specifically with regard to the concern around wait times for Yazidis or the fact that we haven't been able to identify them through that process? Has there been any communication saying, this is something you're telling us to do, but we're not getting any from you? Has there been any communication with UNHCR to that effect, to date?

**Mr. David Manicom:** Not to my knowledge; we don't have a Yazidi-specific program at this time.

**Hon. Michelle Rempel:** If there were going to be one, and we've heard testimony about this, is it something the department would typically have a conversation with the UN about, to ask how we can rely confidently on the UN lists, if they're not bringing Yazidis up through that process? Would that be a discussion that we would have with the UNHCR to accelerate the identification of those people?

**Mr. David Manicom:** Yes. The UNHCR would not have the legal authority to refer internally displaced persons to Canada; that's not part of their mandate. We would therefore be working with other partners. I believe the Germans, for example, did some work with the International Organization for Migration. The UNHCR's legal mandate is conferred by the General Assembly, and it has its limitations, from a settlement referral point of view. Even though the organization is involved in assisting internally displaced persons in many ways, they don't have a legal mandate to assist them.

**Hon. Michelle Rempel:** I'm going to ask a very difficult question, but the implication has been made by my colleagues. I'm going to put it very bluntly and I'd like a very succinct answer. Was the department ever directed by the previous government to discriminate against or exclude any particular ethnic or religious group as part of the previous government's response to the Syrian refugee crisis?

• (1400)

**Mr. David Manicom:** You said "discriminate against".

**Hon. Michelle Rempel:** Yes. I mean so as to not select or to specifically exclude certain groups from coming to Canada.

**Mr. David Manicom:** The areas of focus were a positive list, if you will; it identified nine areas of focus or interest, so it was not exclusionary literally.

In effect, of course, if you establish some priorities, you deprioritize other things.

**Hon. Michelle Rempel:** What we've heard today from people is, and as you said—

**The Chair:** Thank you.

**Hon. Michelle Rempel:** —there are many heartbreaking situations, but we prioritize at times. Is that correct? I mean, throughout Canada's immigration history on refugees we have said, "we are making this a priority", just as the government has said now—right?

**The Chair:** Thank you, Ms. Rempel.

Mr. Ehsassi, you have five minutes.

**Mr. Ali Ehsassi (Willowdale, Lib.):** Thank you, Mr. Chair.

First of all, given that my colleagues have asked about section 25, currently, as I understand it, for this year the estimates are set at between 2,800 and 3,600 people for section 25 use.

Has there ever been an occasion since 2012 on which that number has been raised?

**Mr. David Manicom:** I'd like to clarify that this space in the levels plan is used almost entirely for persons already in Canada who are seeking to remain in Canada for humanitarian and compassionate reasons, not for resettlement from abroad.

**Mr. Ali Ehsassi:** So it doesn't give us the necessary flexibility to use with respect to groups that we've heard.

**Mr. David Manicom:** No, I wouldn't say that. The annual levels planning process, combined with the authorities under section 25.2, provides the ability to identify groups, small, medium, or large, for public policies under section 25.2.

**Mr. Ali Ehsassi:** Do we know, so far in this given year, how many of those slots, if you will, have been used?

**Mr. David Manicom:** I don't have that information with me, but the department will meet its objectives under that provision. Again, the vast majority of these are individuals in Canada who would like to remain in Canada and whose personal situation is such that they don't qualify under other programs and who therefore have submitted a humanitarian and compassionate application.

**Mr. Ali Ehsassi:** Absolutely, but given the fact that we have to focus on recommendations, I'm sure it's an issue that would be of interest to many.

The second issue is that it has emerged, during the testimony here, that on several occasions, we were informed, individuals at UNHCR refugee camps for interviews had to look into being interviewed four or five years down the road.

Is that something that's typical, or is it something that has ever come to your attention?

**Mr. David Manicom:** I can't speak to the United Nations interview queue with any professional knowledge.

Remember that the UNHCR is dealing with people who have just fled and have an immediate protection need, and they will often interview them within days and refer them to a country within days, which will resettle them immediately because the person is at immediate risk.

We also have populations who have been residing for generations in refugee camps. Canada was a very large participant in resettling Bhutanese from eastern Nepal. I was involved in it myself. This was a 20-year phenomenon so from a processing challenge point of view the UNHCR were there, set up a large operation, and it would take some time to set it up and they would interview people to meet the challenges.

It is of course true that the United Nations High Commissioner for Refugees, like all humanitarian agencies right now, is in desperate need of additional support and resources. Their appeals, given the catastrophic size of the humanitarian crises around the world, are not being fully funded. So yes, of course, they could use more resources.

**Mr. Ali Ehsassi:** As you can imagine, during these hearings quite a few things have emerged. I think one of the things that has emerged is that despite the fact that atrocities against the Yazidis started in the summer of 2014, throughout 2015 maybe a handful of people were admitted to the country.

Another interesting fact that emerged today is that one of the witnesses who appeared here appeared to say that the previous minister of immigration, Mr. Alexander, actually had approved a plan to bring in Yazidis.

Would any of you officials know about this?

• (1405)

**Mr. David Manicom:** That is incorrect.

**Mr. Ali Ehsassi:** Was it shared with you?

**Mr. David Manicom:** That is incorrect, to my knowledge.

I cannot speak to statements a minister may have made privately, but there is no knowledge in the department of such a decision.

**Mr. Ali Ehsassi:** Thank you.

I have one minute remaining.

Mr. Virani.

**Mr. Arif Virani:** Mr. Manicom, just to finish the thought, you had said that the majority of the refugees in the region are Muslim. To dovetail from a question that was asked of you by my Conservative colleague, one knows that when you have policies there is exclusion by intention but there is also exclusion by effect. When you have an areas of focus policy that directs departmental officials to prioritize ethnic and religious minorities, I would presume that the impact on the majority group in the region is that their numbers would go down.

Is that a fair, logical deduction?

**Mr. David Manicom:** Yes, it is.

But if I may add, Mr. Chair, there are nine areas of focus and some of them are extremely broad and some of them are extremely narrow. The way in which they interplay, when provided to the United Nations as a general guide to Canada's priorities, and given the actual caseload the United Nations has before them, it's difficult to quantify in any direct way.

Also, the use of the areas of focus was very new and was not in place for a very long period of time prior to the election so it would be difficult to draw conclusions about its effect. What you say is probably statistically true, Mr. Virani, but given the very broad nature of some of the areas of focus it's hard to draw such a specific conclusion.

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

I'd like to thank the department officials for appearing at this concluding session of our hearings. Thank you for all of your work.

We will now suspend. Thank you.

*[Proceedings continue in camera]*

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