



July 21, 2009

Les Linklater
Director General, Immigration Branch
Citizenship and Immigration Canada
365 Laurier Avenue West
Ottawa ON K1A 1L1

Re: 2010 Immigration Levels – Questionnaire

Dear Mr. Linklater,

Thank you for consulting with the National Immigration and Citizenship Law Section of the Canadian Bar Association (CBA Section) on the planning of immigration levels for Canada in 2010. We appreciate the opportunity to respond and hope that our feedback will assist Citizenship and Immigration Canada in developing a plan for immigration levels that is consistent with the objectives of the *Immigration and Refugee Protection Act* (IRPA) and responsive to those business sectors that are driving the economic recovery in Canada.

In its questionnaire, CIC asks whether the current economic slowdown should affect Canada's immigration planning for 2010. We believe that the Government of Canada should seek to maintain historical immigration levels (240,000 to 260,000), while ensuring that the pool of talent selected abroad will fuel Canada's economic recovery. In doing so, it should balance the IRPA objectives of supporting long-term economic growth, assisting family reunification, and meeting Canada's international humanitarian obligations. Our comments focus on how the government might achieve this first objective, though this should not be taken as an indication that the latter two objectives are of lesser importance.¹

To assist Canada's economic recovery, it is critical that planning levels be set in conjunction with the provinces and territories to ensure that immigrant intake levels correspond to skill gaps in regional labour markets. Further, the federal government should prioritize prospective

¹ Past submissions of the CBA Section regarding the importance of family reunification and fair and accessible procedures for those claiming refugee status include a recent letter to the Immigration and Refugee Board, on inventory management in the Refugee Protection Division (online: <http://www.cba.org/CBA/submissions/pdf/09-15-eng.pdf>), and a 2006 letter to the Minister of Citizenship and Immigration regarding the adverse effect of IRPA Regulation s.117(9)(d) on family reunification (online: http://www.cba.org/CBA/sections_cship/pdf/dec06.pdf).

economic immigrants who have strong links to the communities in which they intend to settle. By targeting immigrants with family, educational, linguistic and economic ties within Canada, the next generation of immigrants will integrate more easily thus reducing downstream settlement costs. As part of this prioritization, we recommend that the government focus on temporary resident programs, such as international students and temporary foreign workers. The creation of in-Canada processing initiatives to fast-track the applications of temporary residents, such as the Canadian Experience Class, could have the added benefit of keeping quality government jobs within Canada.

The CBA Section remains positive about current immigration levels, and recommends increasing or maintaining them in a way that is responsive to Canada's short- and long-term labour needs.² One way to accomplish this is through the expansion of Provincial Nominee Programs, as evinced by the creative pilot projects to attract skilled workers in some provinces. There should also be more flexibility in the system to respond to current regional needs, including at lower skill levels (outside NOC O, A and B).

Under-utilization of immigrant skills and the issue of credential recognition remain of deep concern to the CBA Section as well as many other stakeholders. This key issue should remain a high priority for federal, provincial and territorial governments.

We would be pleased to discuss our comments with you at your convenience.

Yours truly,

(Original signed by Kerri A. Froc for Baerbel Langner)

Baerbel Langner, Chair
National Citizenship and Immigration Law Section

² A recent report by the C.D. Howe Institute indicates that it would take extreme increases in immigration (2.5 times recent levels) to off-set Canada's declining workforce growth. It acknowledges that at lower levels, immigration can "remedy specific labour gaps" and over the long-term assist in mitigating the slowing labour force growth, complemented by other policies aimed at reversing demographic trends. See Robin Banerjee and William B.P. Robson, "Faster, Younger, Richer? The Fond Hope and Sobering Reality of Immigration's Impact on Canada's Demographic and Economic Future" (Toronto: C.D. Howe Institute, 2009)