



PROPOSED AMMENDMENTS TO THE IMMIGRATION LAW OF CANADA

Canada's Conservative government has proposed amendments to the Immigration and Refugee Protection Act (IRPA) that will provide the Immigration Minister with the authority to regulate the backlog of applications and allow the Citizenship and Immigration Canada (CIC) to select among the new applications received those that it determines are best suited for Canada's labour market needs.

Canada's Conservative government believes that the amendment could lead to the following:

1. Facilitate immigrant application process

Under the current system, which is less flexible CIC processes applications from skilled workers in the order in which they are received. It has led to a wait-time of around four (4) years for an application to be processed and a huge backlog of about 900,000 applications, one quarter of which, according to estimates is more than six (6) years old. However, the new provisions will allow the Department to select among the new applications and choose those that best meet Canada's labour market needs.

2. Allow economic factors, rather than political, to determine immigration and refugee policy

The Conservatives have long argued that the Liberals allowed political, rather than economic factors to dominate their immigration and refugee policy. The backlog of immigration applications grew from 50,000 in 1993 when the Liberal party took office to around 500,000 in 2000; when the Conservatives came to power in early 2006, it was around 800,000 which has grown to around 875,000 in the past two years.

3. Attract the “best and the brightest” to Canada

Minister Finley has emphasized that the government is seeking “innovative ways to bring in talent from the world” and that immigration will play an increasingly important role in Canada’s “long-term growth and prosperity.”

4. Develop Canadian competitiveness in attracting immigrants

Canada seeks to compete with other countries such as Australia and the United Kingdom for the most qualified immigrants. The amendment to the Act is likely to mean that the vast majority of immigration applications to be accepted in the future are from the “economic class” of migrants that currently make up around 60% of newcomers.

On the other hand, Members of the Liberal opposition, however, cited that the proposed amendment will:

1. expand the temporary worker program at the expense of nation-building based on committed citizenship’ and
2. marginalize cases where immigrants are admitted on the basis of family reunification and on humanitarian and compassionate grounds;
3. impede immigration with failure of the government to understand the importance of immigration to the country’s labor markets.

Canada’s goal to attract the best and the brightest to its workforce augurs well for the Philippine government’s efforts to facilitate the deployment of skilled workers and in particular to the provinces of Saskatchewan, British Columbia and Manitoba for which Memorandum of Understanding on Deployment of Human Resources deployment have been concluded. The Philippines likewise continues to work towards the recognition by Canada of the educational qualification of Filipino professionals in the medical and health sectors.

(source: DFA Report dated 18 March 2008)