Court File No. 35958

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL FOR BRITISH COLUMBIA)

B E W T E E N :

FRANCIS ANTHONIMUTHU APPULONAPPA, HAMALRAJ HANDASAMY, JEYACHANDRAN KANAGARAJAH and VIGNARAJAH THEVARAJAH

Appellants

- and -

HER MAJESTY THE QUEEN

Respondent

- and -

AMNESTY INTERNATIONAL (CANADIAN SECTION, ENGLISH BRANCH), ATTORNEY GENERAL OF ONTARIO, BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION, CANADIAN CIVIL LIBERTIES ASSOCIATION, CANADIAN COUNCIL FOR REFUGEES and CANADIAN ASSOCIATION OF REFUGEE LAWYERS

Interveners

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(Rule 42 of the *Rules of the Supreme Court of Canada*)

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PART I – OVERVIEW

1. Through the doctrines of arbitrariness, overbreadth and gross disproportionality, s. 7 of the *Charter* demands at least a minimum level of instrumental rationality[1] between a legislator's objectives and the means they select to achieve them. Central to the constitutional analysis under these principles of fundamental justice is a clear articulation of the objectives animating a law. Yet to date this Court has not expressly articulated a methodology of how objectives are to be identified and described. The result is a legal landscape in which parties are free to urge upon the courts legislative objectives designed to obtain their strategic litigation goals, even where they have little to do with the intent of Parliament. The British Columbia Civil Liberties Association ("BCCLA") is deeply concerned that this approach trivializes the public interest in ensuring that statutes are constitutional, and frustrates the analysis required under s. 7 of the *Charter*.

2. In this case, the Attorney General of Canada has framed the legislative objectives of s. 117 of the *IRPA* in vague, sweeping but nonetheless selective terms in order to uphold what is a textbook overly broad law. This Court should intervene and take the opportunity to provide clear guidance on how courts ought to articulate objectives for the purpose of a s. 7 analysis.

3. The BCCLA takes no position on the adjudicative facts of this case.

PART II – QUESTIONS AT ISSUE

4. The BCCLA takes the position that s. 117 of the *IRPA* violates s. 7 in that it is overbroad.

PART III – STATEMENT OF ARGUMENT

A. THE NEED FOR A DISCIPLINED APPROACH TO LEGISLATIVE OBJECTIVES

5. Over the past 30 years, this Court has developed a set of principles of fundamental justice that protect against two "fundamental evils": laws that limit life, liberty or security of the person for reasons that are unconnected to the purpose of the legislation, and laws that restrict those rights in a manner so disproportionate to the legislature's purpose that they cannot rationally be supported.[2] Neither can be countenanced in a democratic society.

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[1] Hamish Stewart, *Fundamental Justice* (Toronto: Irwin Law, 2012) at 151, **BCCLA Book of Authorities ["BoA"] Tab 12**; *Canada (Attorney General) v. Bedford*, [2013] 3 S.C.R. 1101 at para. 107 ["*Bedford*"], **BoA, Tab 3.**

[2] *Bedford, supra* at paras. 108, 120, **BoA, Tab 3.**

6. Arbitrariness, overbreadth and gross disproportionality, the principles of fundamental justice that guard against such legislation, are all analytically centered around the comparison between the legislature's objectives and the means that it employs. But, as Prof. Alana Klein notes "there is no clear methodology for identifying the purpose of laws or policies against which its means are to be tested."[3]

7. In the absence of such a methodology, parties are free to urge statements of purpose framed in terms most likely to produce their preferred result. The state may cast legislative objectives of impugned laws in sweeping terms designed to defeat the restraints of s. 7. *Bedford* was a clear case of this: the Attorneys General framed Canada's prostitution laws in sweeping terms such as to "deter prostitution" or to "promote the values of dignity and equality".[4]

8. This Court correctly rejected these non-specific statements of objective, but in other cases courts have adopted highly generalized objectives whose content is unclear, un-nuanced and unbounded. This is one such case. The Respondent urged, and the Court below accepted, that the objectives of s. 117 included preventing individuals from arranging unlawful entry of others into Canada; enforcing Canadian sovereignty; maintaining the integrity of Canada's immigration and refugee regime; protecting the health, safety and security of Canadians; and promoting international justice and security.[5] In this Court, they maintain such sweeping objectives.

9. These types of general and vague statements of purpose are problematic because they are ill-suited to perform the function that they are meant to within the s. 7 doctrines. Fundamental justice requires courts to determine whether the real world effects of legislation are arbitrary, overbroad, or grossly disproportionate when compared to their objectives. When one is asked to determine whether the effect of a law bears a relationship or not with "protecting the health, safety and security of Canadians" or whether the effect of the law is grossly disproportionate to the importance of "promoting international justice and security", the analysis cannot meaningfully be done. The very terms of the inquiry make it impossible to have a reasoned debate. Parties suggesting such objectives may simply be calculating to channel courts towards deferring to high-minded aims, rather than engaging in a rigorous, historically-based analysis.

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[3] Alana Klein, "The Arbitrariness in 'Arbitrariness' (And Overbreadth and Gross Disproportionality): Principle and Democracy in Section 7 of the *Charter* (2013), 63 S.C.L.R. (2d) 377 at 384, **BoA, Tab 11**.
[4] *Bedford, supra* at paras. 131, 138, **BoA, Tab 3**.
[5] Reasons of the Court of Appeal for British Columbia at paras. 41, 81 [*"BCCA Reasons"*].

10. In order for the principles of fundamental justice to have meaning, Courts must define objectives in terms that are sufficiently precise, defined and nuanced to permit the questions that those doctrines pose to be answered with transparency, objectivity and predictability. Sweeping, generic and vague objectives do not permit this.

11. This Court is still in the early stages of articulating a complete account of instrumental rationality under s. 7, and it may be too ambitious to seek a grand theory akin to the 'Modern Principle' of statutory interpretation. Yet it is now possible to identify some discrete principles from the jurisprudence that assist in bringing discipline and structure to the process of defining legislative objectives in the context of s. 7.

12. The BCCLA identifies three such principles, each of which were violated by the Court below. This Court should begin the important project of demanding greater discipline in defining legislative objectives by adopting the following tenets: First, objectives must be articulated at an appropriate level of specificity relative to the principles of fundamental justice; second, legislative objectives must not be arrived at through circular reasoning based on the scope or effects of legislation; third, descriptions of legislative objectives must include all of the purposes animating the provision in question, including those that are competing or in tension.

B. LEGISLATIVE OBJECTIVES MUST BE DESCRIBED AT THE LEVEL OF GENERALITY AND WITH SUFFICIENT PRECISION TO PERMIT EFFECTIVE CONSTITUTIONAL SCRUTINY

13. The legislative objective for a provision may fairly be stated at differing levels of generality. But not every level of generality is appropriate for answering the questions posed by the principles of fundamental justice. Objectives described too broadly have content that is uncertain or over-expansive, and when accepted by Courts these statements undermine meaningful s. 7 analysis. It is impossible to answer questions such as whether the harms caused by a law are grossly disproportionate to the importance of "international justice and security". Justice and security may be a worthy goals, but not ones whose content is certain enough to be weighed against empirical evidence about actual effects of laws in society.

14. One way in which legislative objectives may be over-generalized is to mistake the purpose of a statute for the objective of a particular provision. While it is important to understand individual provisions in context, it is wrong to assume that every section of a statute is always designed to achieve all of the objectives of the wider statutory scheme.

15. The purpose of criminal legislation may be broadly described as related to "public peace, order, security, health and morality",[6] but when courts hear challenges under s. 7, they articulate objectives that are more narrowly focused on the provision at issue. For example, in *PHS Community Services Society* this Court noted that the legislative objective behind the *CDSA* was "protection of health and public safety".[7] However, when it moved to its analysis of gross disproportionality, this Court did not weigh the harmful effects of shutting down Insite against the importance of 'health and safety' generally. 'Health and safety', without more, is too abstract a notion to be measured and weighed in the gross disproportionality analysis.

16. Recognizing the false comparison for the purpose of gross disproportionality of the harm of shutting down Insite against the importance of drug legislation generally, this Court focused on the narrower purpose behind the Minister's non-renewal decision: the "benefit that Canada might derive from presenting a uniform stance on the possession of narcotics."[8] Thus, this Court was able to objectively measure the objective's importance against the harms it produced.

17. In many cases it may be important to look beyond the specific section under challenge to related provisions. In *Demers*[9] this Court discussed the purpose of *Criminal Code*'s provisions respecting the review of unfit accused, not only the specific impugned sections. Yet this Court has also been cautious to avoid adopting over-inflated objectives by reading together provisions that do not form an integrated regime. In *Bedford* this Court rejected the Attorney General of Canada's attempts to read various prostitution provisions together to arrive at a global objective of 'deterring prostitution'.[10] Rather, the Court adopted a disciplined approach that construed each provision on its own terms to identify precise objectives that were amenable to robust analysis, such as nuisance to communities caused by prostitution "carried on in a notorious and habitual manner" in bawdy houses or carried out "in public view" though street soliciting.[11]

18. Legislative objectives are stated at an appropriate level of generality when a Court is able to carefully compare these objectives against the often detailed and precise statutory means that

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[6] *Labatt Breweries of Canada Ltd. v. Attorney General of Canada*, [1980] 1 S.C.R. 914 at 933, **BoA, Tab 5.**
[7] *Canada (Attorney General) v. PHS Community Services Society*, [2011] 3 S.C.R. 134 at para. 129 ["*PHS*"], **BoA, Tab 4.**
[8] *PHS, supra* at para. 133, **BoA, Tab 4.**
[9] *R. v. Demers*, [2004] 2 S.C.R. 489 ["*Demers*"], **BoA, Tab 6.**
[10] *Bedford, supra* at paras. 131, 147, **BoA, Tab 3.**
[11] *Bedford, supra* at paras. 130, 147, **BoA, Tab 3.**

the legislature has adopted and robust evidence of its effects. Oversimplified and un-nuanced statements of objective should be avoided.

19. Thus, in *Levkovic*, the objective of s. 243 of the *Criminal Code* was not 'protecting children' but rather "facilitating the investigation of homicides" and protecting "children born alive and a subset of children that dies before birth".[12] In *Heywood*, the objective of s. 179(1)(b) was narrowed from the generic 'protecting children' to include a statement of how the objective was to be achieved: "The purpose of the prohibition on loitering is to keep people who are likely to pose a risk to children away from places where they are likely to be found."[13] In *Rodriguez* the objective of s. 241 was not 'the preservation of life' but "the protection of the vulnerable who might be induced in moments of weakness to commit suicide."[14] Framed in these clear terms, these provisions could be tested against the principles of fundamental justice in a rigorous way that would not have been possible had more generalized descriptions be adopted.

20. In this case the Court of Appeal adopted broad objectives with vague content that did not clearly link to s. 117 itself. Rather than point to anything in the history or content of s. 117 that might indicate that its purpose relates to – for example – public health, the Court erred by importing this from the global purposes of *IRPA* generally,[15] an error that the Respondent urges this Court to repeat.[16] It is not that the global objectives of the *IRPA* are irrelevant, but rather that it is inappropriate to presume that such broad goals are stated at an appropriate level of generality for s. 7 purposes, or that they are necessarily applicable to each and every section of the statute.

C. LEGISLATIVE OBJECTIVES MUST NOT BE DEFINED THROUGH CIRCULAR REASONING

21. A distinct error is to permit the scope or effect of a provision itself to dictate the way its objectives are framed. Reasoning backwards from the scope or effect of a statutory provision to its purpose presupposes that the legislator has properly tailored its means to its ends, the very question that s. 7 does *not* take for granted. Overreliance on the scope or effect of a provision to ascertain objectives not only undermines meaningful s. 7 review, it is also inconsistent with the jurisprudence related to the principles of fundamental justice.

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[12] *R. v. Levkovic*, [2013] 2 S.C.R. 204 at paras. 58, 67, **BoA, Tab 9.**
[13] *R. v. Heywood*, [1994] 3 S.C.R. 761 at 786, **BoA, Tab 7.**
[14] *Rodriguez v. British Columbia (Attorney General)*, [1993] 3 S.C.R. 519 at 595, **BoA, Tab 10.**
[15] *Immigration and Refugee Protection Act*, S.C. 2001, c. 27, s. 3(1)(h).
[16] Factum of the Respondent, at para. 63.

22. This type of error can be committed by a court in one of two ways: by focusing on the broad scope of the law, or by focusing on the broader effects the law might produce. In both cases, such reasoning is inconsistent with the jurisprudence related to s. 7. The Court below committed the first type of error, and the Respondent urges this Court to commit the second.

23. It is an error to rely too heavily on the scope of a law to ascertain legislative purpose. If the broad scope of legislation necessarily entails a broad legislative objective, no law would ever be overbroad. This very form of reasoning pervaded the analysis of the Court below, who used the very broad scope of s. 117 to ground its conclusion that the law was *intended* to have a correspondingly broad scope.[17] The fact that the law did not expressly exempt humanitarians was taken as evidence that the law was intended to capture them.[18] Not only is that claim factually wrong (as discussed below) it is also an example of pure question-begging: a law can never be unconstitutionally overbroad if its wide breadth is proof of an equally wide objective.

24. One cause of this question-begging is a misreading of this Court's decision in *Khawaja*, which was taken by the Court below to require that, in overbreadth analysis, the scope of the law *must* be ascertained *prior* to determining legislative objective.[19] This sequencing lends itself to circular analysis and *Khawaja* should not be read to require it. This Court should clearly state that, while the scope and anticipated effect of a statutory provision cannot be completely ignored when construing legislative objectives, courts should be cautious in over relying on these factors.

25. In urging this Court to again adopt a sweeping list of broad objectives, the Respondent commits the second form of circular reasoning error, arguing that because the law might be expected to produce a positive social effect in some cases, the production of those effects must be part of the legislative purpose.[20] But as this Court has made clear in the gross disproportionality context, there is a fundamental distinction between the positive effects of a law, and its legislative objective.

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[17] This type of reasoning can be seen in *BCCA Reasons, supra* at paras. 109-115.
[18] *BCCA Reasons, supra* at paras. 107-109, 113, 142-143.
[19] Compare *R. v. Khawaja*, [2012] 3 S.C.R. 555 at para. 40 ["*Khawaja*"], **BoA, Tab 8** to *BCCA Reasons, supra* at paras. 52, 63.
[20] Factum of the Respondent, at paras. 79-80 (arguing that law properly deters humanitarian workers who might assist refugee claimants who would pose a risk to public health, and that accordingly public health is part of legislative purpose).

26. When the *Bedford* case was before the Court of Appeal for Ontario, a majority of that Court upheld the communication law, while the dissent would have struck it down as being grossly disproportionate. The dissent criticized the majority on several grounds, including that they had erroneously balanced incidental positive effects of the communicating law. Effects such as deterring organized crime, drug trafficking and intoxication were brought into the balancing, even though these effects fell outside the scope of the communicating laws' objectives.[21]

27. On further appeal, this Court struck down the communication law as grossly disproportionate, and confirmed the important distinction between legislative objective and positive effects:

> Gross disproportionality under s. 7 of the *Charter* does *not* consider the beneficial effects of the law for society. It balances the negative effect on the individual against the purpose of the law, *not* against societal benefit that might flow from the law.[22]

28. An approach to defining legislative objectives that permits the anticipated positive effects of a law to define its purpose renders this crucial distinction illusory, and invites creative yet speculative arguments about all of the goods that a law might produce to ground unjustifiably broad legislative objectives that simply do not exist.

D. LEGISLATIVE OBJECTIVES MUST BE STATED IN A MANNER REFLECTING ALL OF THE LEGISLATURE'S CONCERNS

29. Legislatures may have complex or multifaceted objectives when enacting a legislative provision, and it is important for courts to identify all relevant aspects of legislative purpose when undertaking s. 7 analysis. A partial or lop-sided view of objectives may skew subsequent analysis under the principles of fundamental justice, particularly when the relevant objectives include competing goals that the legislature has sought to balance.

30. This Court has on several occasions identified legislative objective that are nuanced and have built-in limits. In *Demers* the Court held that the legislative objective of the provisions dealing with unfit accused was "to allow for the ongoing treatment or assessment of the accused in order for him or her to become fit for eventual trial *while preserving his or her maximum*

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[21] *Bedford v. Canada (Attorney General)* (2012), 282 C.C.C. (3d) 1 (Ont. C.A.) at paras 345-347 (per MacPherson JJ.A., dissenting), **BoA, Tab 2.**
[22] *Bedford, supra* at para. 121, **BoA, Tab 3.**

liberty and dignity."[23] In *Khawaja*, the objective of preventing and punishing terrorism was circumscribed by not extending to persons who did "innocent, socially useful or casual acts which, absent any intent, indirectly contribute to a terrorist activity."[24]

31. Clearly identifying nuanced, limiting or exempting aspects of a purpose is critical, as a law whose effects are consistent with a primary purpose but inconsistent with a secondary, constraining objective, will violate the principles of arbitrariness or overbreadth. This is illustrated by the majority's reasoning in *A.C.*,[25] which considered the constitutionality of Manitoba's scheme for authorizing medical care for children in need of protection.

32. The legislation required the consent of children 16 years of age or over in most cases, but not that of children under the age of 16. The majority described the objectives of the relevant provisions as "protecting vulnerable young people from harm, *while respecting the individuality and autonomy of those who are sufficiently mature to make a particular treatment decision.*"[26] The majority was able to interpret the legislation as requiring the courts to consider the views of mature minors under 16 years of age. However, the majority went on to note that, had they interpreted the legislation as permitting courts to make treatment orders without considering the views of mature children under the age of 16, the provision would have been arbitrary.[27]

33. This arbitrariness would have only arisen because the effect of such a scheme bore no relationship to the limiting objective of respecting the autonomy of mature minors. Had the court failed to recognize the limiting aspect of the legislation's objective, the provision would have been upheld on any interpretation.

34. This case presents a further example of legislation that has a limiting objective that the Court below failed to recognize, skewing their constitutional analysis. The legislative debates surrounding the predecessor provision to s. 117, and particularly the consent requirement in s. 117(4) indicate that Parliament had, amongst its objectives, a desire that humanitarians who assist refugees enter Canada not be subject to punishment. This type of objective – to exclude certain categories of individuals from the scope of the criminal law – is similar to that identified by this Court in *Khawaja* with respect to those who provide incidental contributions to terrorists.

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[23] *Demers, supra* at para. 41 [Emphasis added], **BoA, Tab 6.**
[24] *Khawaja, supra* at para. 44, **BoA, Tab 8.**
[25] *A.C. v. Manitoba (Director of Child and Family Services)*, [2009] 2 S.C.R. 181 [*"A.C."*], **BoA, Tab 1.**
[26] *A.C., supra* at para. 115 [Emphasis added], **BoA, Tab 1.**
[27] *A.C., supra* at para. 116, **BoA, Tab 1.**

35. The predecessor to s. 117 of *IRPA* was inserted into the former *Immigration Act* by Bill C-84, introduced into the House of Commons in 1987. As originally introduced, Bill C-84 did not include a provision requiring the consent of the Attorney General to prosecute.

36. When Bill C-84 was introduced, Members of Parliament expressed concern over the broad scope of the provision. For example, Sergio Marchi, member for York West, stated:

> [L]et us not have legislation that is so wide and encompassing that it throws a blanket around everyone and treats them as potential criminals. That is not the manner in which legislation is drafted. It has an objective, a target, and we must provide the legal tools and wording to enable us to zero in on the real abusers and not make criminals out of those who wish to help their fellow man.[28]

37. The Minister of Employment and Immigration, Benoît Bouchard, who introduced C-84, acknowledged that on a strict reading of the amendments as they then stood, humanitarian groups would be captured by the offence. [29] Nevertheless, he steadfastly maintained that the purpose of the law was refugee protection and *not* the criminalization of humanitarians and others who assisted genuine refugees in need of protection.[30]

38. Subsequently a new clause was added by the Senate, inserting s. 95.21 into the Act,[31] the predecessor to s. 117(4). The Senate committee report explicitly stated that this provision, suggested by the Minister himself, was intended to serve as a "safeguard" against the concerns expressed by several witnesses that the law's scope was too broad, and would capture conduct that Parliament did not intend to criminalize.[32]

39. In introducing this amendment to the Commons, Minister Bouchard affirmed that this provision was intended to further the objective that humanitarian groups not be captured:

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[28] House of Commons Debates, 33rd Parl., 2nd Sess., Vol. VII (1 September 1987) at 8646, **BoA, Tab 14.**
[29] House of Commons Debates, 33rd Parl., 2nd Sess., Vol. VII (2 September 1987) at 8708, **BoA, Tab 15**; Senate Standing Committee on Legal and Constitutional Affairs, 33rd Paliarment, 2nd Sess., No. 46 (8 December 1987) at 46:16-17, **BoA, Tab 16.**
[30] Senate Standing Committee on Legal and Constitutional Affairs, 33rd Parl., 2nd Sess., No. 46 (8 December 1987) at 46:17, **BoA, Tab 16.**
[31] The numbering of the relevant provisions is somewhat confusing due to the fact that the amendments occurred during the period in which the 1985 Revised Statutes of Canada were being compiled. The relevant provisions were inserted into the 1976 *Immigration Act* by S.C. 1988, c. 36 as ss. 95.1, 95.2 and 95.21. In 1989 the amending legislation itself was revised as R.S.C. 1985, c. 29 (4th Supp.), and the inserted provisions were re-numbered as ss. 94.1, 94.2 and 94.3 in the 1985 revision of the *Immigration Act*. Thus, references in the debates to s. 95.21 are, for example, references to what would become s. 94.3, and subsequently s. 117(4) of the *IRPA*.
[32] *Fifteenth Report of the Standing Senate Committee on Legal and Constitutional Affairs*, 33rd Parl., 2nd Sess. (December 15, 1987), at paras. 48-54, **BoA, Tab 17**

> This amendment adds further substance to the Government's undertaking that a person who violates the Act in the cause of rendering needed humanitarian assistance to refugees will not be prosecuted.[33]

40. This "undertaking" by the government is powerful evidence that the legislative objective, however defined, of the predecessor to s. 117 included a limiting principle that certain groups, otherwise captured by the text of the statute, not be subject to criminal sanction. However, as all parties agree, prosecutorial discretion cannot save an overbroad law, and so the inclusion of what is now s. 117(4) represents both evidence of a limited purpose, and a constitutionally flawed tool unable to achieve it.

41. The Respondent, while relying on the 1987 debates to ascertain the objective of s. 117, fails to acknowledge that the legislation was animated by nuanced concerns that contributed to objectives that included avoiding an overbroad application of "blanket-type legislation".[34]

42. In ascertaining legislative objectives for any provision Courts must not lose sight of the possibility that a law may have nuanced or balanced goals, or the significant constitutional implications this may entail.

PART IV – SUBMISSIONS RESPECTING COSTS

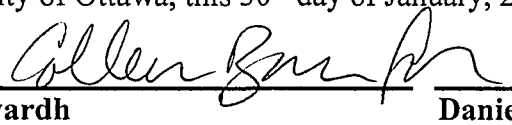
43. The BCCLA does not seek its costs and asks that no costs be awarded against it.

PART V – ORDER REQUESTED

44. The BCCLA seeks permission to make oral submissions at the hearing of this appeal.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

DONE at the City of Ottawa, this 30th day of January, 2015



Marlys A. Edwardh	**Daniel Sheppard**
Counsel for the intervener, the British Columbia Civil Liberties Association	Counsel for the intervener, the British Columbia Civil Liberties Association

[33] House of Commons Debates, 33rd Parl., 2nd Sess., Vol. X (26 January 1988) at 12298, **BoA, Tab 18.**
[34] House of Commons Debates, 33rd Parl., 2nd Sess., Vol. VII (31 August 1987) at 8623, **BoA, Tab 13.**

VI. TABLE OF AUTHORITIES

VII. LEGISLATION CITED

Immigration and Refugee Protection Act, S.C. 2001, c. 27	
3. (1) The objectives of this Act with respect to immigration are	**3.** (1) En matière d'immigration, la présente loi a pour objet:
(*a*) to permit Canada to pursue the maximum social, cultural and economic benefits of immigration;	*a*) de permettre au Canada de retirer de l'immigration le maximum d'avantages sociaux, culturels et économiques;
(*b*) to enrich and strengthen the social and cultural fabric of Canadian society, while respecting the federal, bilingual and multicultural character of Canada;	*b*) d'enrichir et de renforcer le tissu social et culturel du Canada dans le respect de son caractère fédéral, bilingue et multiculturel;
(*b.1*) to support and assist the development of minority official languages communities in Canada;	*b.1*) de favoriser le développement des collectivités de langues officielles minoritaires au Canada;
(*c*) to support the development of a strong and prosperous Canadian economy, in which the benefits of immigration are shared across all regions of Canada;	*c*) de favoriser le développement économique et la prospérité du Canada et de faire en sorte que toutes les régions puissent bénéficier des avantages économiques découlant de l'immigration;
(*d*) to see that families are reunited in Canada;	*d*) de veiller à la réunification des familles au Canada;
(*e*) to promote the successful integration of permanent residents into Canada, while recognizing that integration involves mutual obligations for new immigrants and Canadian society;	*e*) de promouvoir l'intégration des résidents permanents au Canada, compte tenu du fait que cette intégration suppose des obligations pour les nouveaux arrivants et pour la société canadienne;
(*f*) to support, by means of consistent standards and prompt processing, the attainment of immigration goals established by the Government of Canada in consultation with the provinces;	*f*) d'atteindre, par la prise de normes uniformes et l'application d'un traitement efficace, les objectifs fixés pour l'immigration par le gouvernement fédéral après consultation des provinces;
(*g*) to facilitate the entry of visitors, students and temporary workers for purposes such as trade, commerce, tourism, international understanding and cultural, educational and scientific activities;	*g*) de faciliter l'entrée des visiteurs, étudiants et travailleurs temporaires qui viennent au Canada dans le cadre d'activités commerciales, touristiques, culturelles, éducatives, scientifiques ou autres, ou pour favoriser la bonne entente à l'échelle internationale;
(*h*) to protect the health and safety of Canadians and to maintain the security of Canadian society;	*h*) de protéger la santé des Canadiens et de
(*i*) to promote international justice and security	

by fostering respect for human rights and by denying access to Canadian territory to persons who are criminals or security risks; and	garantir leur sécurité;
(*j*) to work in cooperation with the provinces to secure better recognition of the foreign credentials of permanent residents and their more rapid integration into society.	*i*) de promouvoir, à l'échelle internationale, la justice et la sécurité par le respect des droits de la personne et l'interdiction de territoire aux personnes qui sont des criminels ou constituent un danger pour la sécurité; *j*) de veiller, de concert avec les provinces, à aider les résidents permanents à mieux faire reconnaître leurs titres de compétence et à s'intégrer plus rapidement à la société.
Objectives — refugees	Objet relatif aux réfugiés
(2) The objectives of this Act with respect to refugees are	(2) S'agissant des réfugiés, la présente loi a pour objet:
(*a*) to recognize that the refugee program is in the first instance about saving lives and offering protection to the displaced and persecuted;	*a*) de reconnaître que le programme pour les réfugiés vise avant tout à sauver des vies et à protéger les personnes de la persécution;
(*b*) to fulfil Canada's international legal obligations with respect to refugees and affirm Canada's commitment to international efforts to provide assistance to those in need of resettlement;	*b*) de remplir les obligations en droit international du Canada relatives aux réfugiés et aux personnes déplacées et d'affirmer la volonté du Canada de participer aux efforts de la communauté internationale pour venir en aide aux personnes qui doivent se réinstaller;
(*c*) to grant, as a fundamental expression of Canada's humanitarian ideals, fair consideration to those who come to Canada claiming persecution;	*c*) de faire bénéficier ceux qui fuient la persécution d'une procédure équitable reflétant les idéaux humanitaires du Canada;
(*d*) to offer safe haven to persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group, as well as those at risk of torture or cruel and unusual treatment or punishment;	*d*) d'offrir l'asile à ceux qui craignent avec raison d'être persécutés du fait de leur race, leur religion, leur nationalité, leurs opinions politiques, leur appartenance à un groupe social en particulier, ainsi qu'à ceux qui risquent la torture ou des traitements ou peines cruels et inusités;
(*e*) to establish fair and efficient procedures that will maintain the integrity of the Canadian refugee protection system, while upholding Canada's respect for the human rights and fundamental freedoms of all human beings;	*e*) de mettre en place une procédure équitable et efficace qui soit respectueuse, d'une part, de l'intégrité du processus canadien d'asile et, d'autre part, des droits et des libertés fondamentales reconnus à tout être humain;
(*f*) to support the self-sufficiency and the social and economic well-being of refugees by facilitating reunification with their family members in Canada;	*f*) d'encourager l'autonomie et le bien-être

(*g*) to protect the health and safety of Canadians and to maintain the security of Canadian society; and (*h*) to promote international justice and security by denying access to Canadian territory to persons, including refugee claimants, who are security risks or serious criminals.	socioéconomique des réfugiés en facilitant la réunification de leurs familles au Canada; *g*) de protéger la santé des Canadiens et de garantir leur sécurité; *h*) de promouvoir, à l'échelle internationale, la sécurité et la justice par l'interdiction du territoire aux personnes et demandeurs d'asile qui sont de grands criminels ou constituent un danger pour la sécurité.