



October 13, 2006

The Honourable Monte Solberg, P.C., M.P.
Minister of Citizenship and Immigration
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister:

Re: Appointment to the Immigration and Refugee Board

I write on behalf of the Citizenship and Immigration Law Section of the Canadian Bar Association (CBA Section), to voice our concern over the lack of new appointments and the non-renewal of existing appointments of Immigration and Refugee Board (IRB) members. We believe that the current shortfall in IRB members urgently requires the government's attention.

At present, 106 members of the Immigration Refugee Board are doing the work of the usual complement of 127 members. We understand that if no appointments are made, the number of members may be reduced to 84 by the IRB's fiscal year end next March due to upcoming vacancies.

The lack of IRB members to hear cases has already meant the cancellations of hearings and procedural delays in sponsorship appeals, refugee claims, and removal order appeals.

The timeliness of decisions is a key component of a fair and effective decision-making process. Procedural delays have a ripple effect throughout the system as spouses are separated, refugee claimants are left in limbo, and the Board's ability to manage its workload efficiently is undercut.

Your government's review of the IRB appointment process concluded that it is fair and principally based on merit. Improvements can always be made to the system to ensure that candidates are properly scrutinized based upon objective merit criteria. Our Section Officers will be in Ottawa for meetings November 1-3 and November 15-18, and would be pleased to

meet with you and your officials to discuss our suggestions for improvements. Nevertheless, the fact that the system is not perfect should not be the basis for permitting the current problem with insufficient appointees to reach a crisis.

We urge you to take action as soon as possible, and appoint candidates who have already been pre-screened through this process and reappoint those members who are eligible.

Yours truly,

(Original signed by Kerri Froc on behalf of Jean-Philippe Brunet)

Jean-Philippe Brunet
Chair, National Citizenship & Immigration Law Section