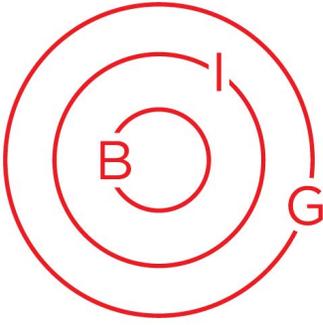




**BORDERS IN  
GLOBALIZATION**





## **Borders in Globalization Research Project 26**

---

# **Immigration and Integration Policy and the Complexity of Multi-level Governance: A Case Study of British Columbia**

**Alex Gunn**  
**University of Victoria**  
**Supervised by Emmanuel Brunet-Jailly**

## **Introduction**

This paper explores how immigration and integration policy in Canada has become an increasingly multi-level phenomenon with provincial governments, and to a certain extent municipalities, becoming increasingly prominent players in these policy fields. British Columbia serves as the focal point of the study as its recent experience in the immigration field is emblematic of wider conflicting intergovernmental trends in Canada. British Columbia was part of a broader decentralization process during the 1990s and 2000s, in which Canada's English-speaking provinces became increasingly active in the recruitment of immigrants and the delivery of federally funded settlement services. The province represents an interesting case during this time, due to its status as a high immigrant-receiving province but also its active role in securing greater authority for itself in immigrant recruitment and settlement matters from Ottawa (mirroring the activities of low immigrant-receiving provinces like Manitoba). On the other hand, B.C. has also been subject to a broader "re-centralization" of power regarding immigration matters in Canada in recent years, with the federal government re-assuming authority in the settlement and integration fields, as well as establishing new conditions and standards regarding the recruitment and settlement/integration outcomes for immigrants.

This paper provides on a qualitative case study of federal-provincial relations surrounding immigration matters in the B.C. context since the 1990s, with the additional goal of providing broader analysis on the evolution of immigration policy in relation to Canadian federalism. The following sections provide an overview of the existing academic literature on immigration in relation to federalism and intergovernmental relations in recent years, as well as analysis of the four intergovernmental agreements on immigration signed by the Canadian and British Columbian governments between 1998 and 2015, which include the:

- 1) 1998 Agreement for Canada-British Columbia Co-operation on Immigration
- 2) 2004 Agreement for Canada-British Columbia Co-operation on Immigration
- 3) 2010 Canada-British Columbia Immigration Agreement
- 4) 2015 Canada-British Columbia Immigration Agreement

These four agreements have provided a framework for the management of immigration in the B.C. context for almost two decades, articulating the jurisdictional roles and policy responsibilities of the two levels of government. They represent the focal point for my study in that these agreements encapsulate the complex intergovernmental reality that shapes immigration policy planning and delivery in the B.C./Canadian context, as well as provide important insights into how the two levels of government conceptualize immigration and the benefits and the challenges associated with immigration.

The four agreements are broad, multi-faceted, and consequently too large to summarize and analyze in complete detail. Instead, in studying these intergovernmental accords, my paper focuses on three themes that are present in either some or all of the four agreements, and which I contend are reflective of the broader decentralizing and re-centralizing trends in the B.C. immigration field since 1998. These three themes are: 1) the conflicting emphases on delineating separate jurisdictional responsibilities and on promoting intergovernmental collaboration in the immigration field; 2) the decreasing emphasis on provincial influence in immigration matters and the growing emphasis on federal standards and policy priorities; and 3) the framing of immigration as a predominantly economic concern for B.C. and for Canada. I am also concerned with exploring the relationship between these themes and wider political changes that have taken place at the federal and provincial levels during the 1998 to 2015 period, such as

the political rise of the B.C. Liberal Party and the Conservative Party of Canada, and assessing the impact of these political changes on the content and framing strategies of these agreements.

### **Immigration and multi-level governance in Canada**

Multi-level complexity surrounding immigration is built into the Canadian polity due to the decision at Confederation to make immigration an area of concurrent federal and provincial jurisdiction under Section 95 of the *Constitution Act, 1867*. By dividing responsibility between Ottawa and the provinces, “the Constitution signalled the importance of immigration to the new federation as a policy domain so central that it would not be entrusted to just one level of government”, as well as “formalized the centrality of Canada’s provinces and regions to the success of the immigration program” (Tolley, Biles, Vineberg, Burstein & Frideres, 2011, p. 3). Indeed, since Confederation, different provincial governments have repeatedly attempted to articulate an active role for themselves in the immigration policy realm, but it was not until the 1970s that these efforts began to yield substantial results in the form of federal-provincial agreements on settlement policy (Seidle, 2013, p. 3; Vineberg, 2011, p. 30).

The result of these efforts is that the multi-level complexity in the immigration field has only intensified in recent decades.<sup>1</sup> Provincial and territorial governments have become increasingly prominent actors, and have been “able to exercise considerable latitude when it comes to addressing issues related to immigration and, in particular, those related to integration and inclusion”, while three provinces (Quebec permanently, and B.C. and Manitoba temporarily) have in recent years assumed responsibility for settlement services from the federal government

---

<sup>1</sup> Tolley et al. (2011) argue that the present immigration “policy landscape is variegated and fluid” (p. 11).

(Tolley et al., 2011, p. 4). A final development, adding to the multi-level complexity of immigration and integration policy in Canada in recent years, is the growing role of municipalities in these policy fields. Christian Poirier (2006) attributes this increased activity to a combination of individual initiative on the part of municipal political leaders, political pressure on municipalities from local immigrant and ethnocultural minority organizations, lobbying by groups like the Federation of Canadian Municipalities, and perhaps most significantly the “downloading” of various social policy responsibilities from the federal and provincial governments to the local level (p. 206).<sup>2</sup>

The growing multi-level complexity of immigration, settlement and integration policy is not distinct to Canada, but mirrors a broader territorial “re-scaling” of immigration/integration policy issues both above and below the level of the nation-state that has been taking place in multiple Western societies in recent years (Hepburn, 2014; Joppke & Seidle, 2012; Keating, 2009). Within this trend of downward “re-scaling”, sub-state governments (both regional and municipal) have assumed increasingly prominent roles in the immigration field, in part, due to the tendency of migration/integration issues to coincide with sub-state policy responsibilities in the areas of economic development, labour market management, social service delivery, as well as language and cultural policy (Hepburn, 2014, pp. 41-42). The growing role of provincial and municipal governments in Canada in the design and delivery of recruitment, settlement and/or integration programs for recent immigrants, therefore is reflective of a broader international

---

<sup>2</sup> The Federation of Canadian Municipalities (2011) notes that Canadian municipalities have increasingly been called on to shoulder the burden of growing immigrant service demands – in such areas as “affordable housing, public transit, child care and library services” – at the same time as they have been required to support a host of other fiscal demands brought about by growing “infrastructure deficits” and the “downloading” of services that had previously been funded by the federal and provincial governments (p. 2).

trend, and the experiences of provinces like British Columbia in the immigration lends itself to comparison with other sub-state regions in the Western world.

### **The role of the provinces in the immigration field**

As noted above, provincial involvement in the Canadian immigration field began in earnest in the mid-twentieth century, in which Quebec was at the vanguard. Over the course of the 1970s, the Quebec government gradually secured substantial authority for itself over both the selection and settlement/integration of immigrants to the province through a series of intergovernmental agreements with Ottawa, specifically, the Lang-Cloutier Agreement in 1971, the Andras-Bienvenue Agreement in 1975, and the Cullen-Couture Agreement in 1979 (Becklumb, 2008, p. 1). In response to these agreements and in the interests of fostering an “image of cooperative federalism across the country”, as well as downplaying the impression of special status for Quebec, the federal government offered to establish similar agreements with the other provinces, with the majority signing agreements at various points between the late-1970s and mid-1980s (Vineberg, 2011, p. 33).<sup>3</sup>

During the constitutional negotiations of the 1980s, the Quebec government attempted to strengthen and constitutionally entrench the authority it exercised in immigrant recruitment, settlement and integration, as a provision of the Meech Lake Accord. Though Quebec’s efforts suffered a setback with the rejection of Meech Lake in 1990, the Quebec and federal governments nonetheless reached a new intergovernmental agreement specific to immigration

---

<sup>3</sup> An exception was the B.C. government, which was unable to reach an immigration agreement with Ottawa at this time (Vineberg, 2011, p. 33).

matters in 1991, entitled the “Canada-Quebec Accord Relating to Immigration and Temporary Admission of Aliens”. The new agreement represented two major objectives for the Quebec government, namely, its desire “to preserve Quebec’s demographic weight within Canada and to integrate immigrants to the province in a manner that respects the distinct society of Quebec” (Becklumb, 2008, p. 2).<sup>4</sup> While the Canada-Quebec Agreement retained federal authority over “national standards and objectives relating to immigration, the admission of all immigrants and the admission and control of visitors”, it made the Quebec government “responsible for the selection, reception and integration of immigrants to Quebec” (ibid.).

Quebec’s efforts in the immigration field in the early 1990s, once again spurred demands from the other provinces for similar agreements with the federal government. The motivations underlying the various provincial and federal actors in establishing these agreements were diverse. In the cases of Manitoba, Saskatchewan and the Atlantic provinces, the demands for greater provincial involvement were motivated by a desire to reverse Canada’s asymmetrical immigrant settlement patterns, in which the majority of new immigrants were settling in provinces like Ontario and British Columbia, and to achieve more equitable settlement distribution (Seidle, 2013, pp. 4-5; Vineberg, 2011, p. 36). Certain provinces, such as Manitoba, also expressed concern that the federal immigrant selection criteria did not adequately meet provincial labour needs, and therefore desired an immigration strategy that was more sensitive to the specific needs of different provinces (ibid.). As in the past, the federal government was receptive to the idea of reaching agreements with the other provinces, but were unwilling to grant

---

<sup>4</sup> As Becklumb (2008) explains, Quebec would realize these goals through its “formal role in advising about the number of immigrants it wishes to receive, the attempt to ensure numbers of immigrants proportional to the population of the province, and Quebec’s assumption of all integration services with a particular emphasis on providing permanent residents with the means to learn the French language” (p. 2)

the nine other provinces the level of control over immigration exercised by Quebec, leading instead to the more limited Provincial Nominee Program model, which was designed simply “to fill specific regional needs not met by federal programs” (Tolley et al., 2011, p. 11)

Provincial demands for greater involvement also coincided with an era of federal fiscal restraint, as Ottawa attempted to address its growing deficit and rein in spending through budget cuts, the sale of crown corporations, and a broad-based review of federal programming between 1995 and 1996. The Liberal government of the time, under Prime Minister Jean Chrétien, attempted to address some of these fiscal constraints by downloading (or “realigning”) certain policy responsibilities to the provincial level. As Vineberg (2011) explains, the realignment of settlement services to the provincial level was one of the solutions proposed by the Department of Citizenship and Immigration both in response to these fiscal restraints and in the interest of fostering streamlined services to newcomers:

Citizenship and Immigration at that time had to absorb some \$62 million in budget cuts and so proposed turning over administration of the Settlement Program to provinces that wished to take it on, the rationale being that settlement program efficiencies could be gained as provinces deliver social services and education (p. 37)

Through the convergence of these varied motivations on the part of the federal and provincial governments, two major policy developments arose in the mid- to late-1990s: 1) the creation of the Provincial/Territorial Nominee Programs, and 2) the “realignment” of federally funded settlement services in B.C. and Manitoba to their respective provincial governments. Together, these two developments represented a broader decentralization of immigration policy in Canada during the 1990s and 2000s, in which the English-speaking provinces became increasingly active in the recruitment of immigrants and, for two provinces, the delivery of federally funded settlement services.

Regarding the first development, in 1995, the federal government created a new “Provincial/Territorial Nominee” category, through which provincial and territorial governments could nominate a set number of “priority” economic immigrants to be admitted each year by Citizenship and Immigration Canada, immigrants whom they believe possessed the necessary skills and training to provide an immediate “contribution” to their economies and societies (Vineberg, 2011, pp. 36-37). The creation of the Provincial/Territorial Nominee category sparked a new round of federal-provincial negotiations and agreements regarding immigration policy during the late-1990s and early 2000s, which included among other provisions, Provincial Nominee Agreements between the two levels of government (ibid.). Manitoba and British Columbia were the first two provinces to complete these new immigration “framework agreements” with Ottawa, with the B.C. and federal governments signing the Canada-British Columbia Co-operation on Immigration agreement in 1998, which in turn served as the foundation for the creation of B.C. Provincial Nominee Program in 2001. The remaining seven provincial governments as well as two of the three territorial governments (Yukon and the Northwest Territories) reached agreements with Ottawa on the creation of Provincial or Territorial Nominee Programs (PNPs or TNPs) in the following years. Over time, the creation of the PNPs and TNPs has had a variety of effects on immigration and settlement patterns in Canada, including fostering a more equitable distribution of immigrants to less-populous provinces, as well as creating new categories for economic immigrant applicants based on provincial/territorial criteria (Seidle, 2013, p. 3).

The second development was particular to British Columbia and Manitoba, in which both provinces successfully negotiated “realignment” agreements with the federal government in 1998 over settlement services for recent immigrants to their provinces (called the B.C. Settlement

Agreement in the case of British Columbia), and began delivering these services in 1999 (Vineberg, 2011, p. 37). These efforts brought B.C. and Manitoba closer to Quebec's level of authority over settlement policy, however, as Tolley et al. (2011) highlight, unlike Quebec's powers under the Canada-Quebec Accord, the B.C. and Manitoba realignment agreements were "subject to renewal and carry[d] accountability provisions not shared with the Canada-Quebec Accord" (p.12ff). In spite of these limitations, Ottawa's subsequent resistance to signing similar agreements with the other English-speaking provinces (in part, due to the federal government's improved fiscal standing in the wake of the large budget surpluses of the late-1990s and early-2000s) placed B.C. and Manitoba in a unique position in terms of their authority in the immigration field, exercising greater autonomy than the seven other English-speaking provinces but less autonomy than Quebec (Banting, 2012, p. 91).

B.C. and Manitoba's unique or "asymmetric" position, however, has been reversed in recent years, as the federal government has gradually re-centralized power in the immigration field (Banting, 2012, p. 105). This "reassertion" of the federal government's role in immigration matters began around 2009 and proceeded on a number of fronts (Seidle, 2013, p. 18). Around this time, Citizenship and Immigration Canada introduced new annual limits on the number of applicants provinces could put forward under their PNPs, attempted to reduce duplication of federal and provincial immigration programs (such as, separate federal and provincial family reunification streams), as well as introduced new settlement and integration standards that apply to all PNPs and TNPs (including, minimum language requirements for immigrants) (Seidle, 2013, p. 18). The federal minister of Citizenship, Immigration and Multiculturalism at the time, Jason Kenney, defended Ottawa's growing involvement in the field in November 2012, stating that the federal government does not want to "completely cede [its] role in selecting

immigrants”, adding “we believe immigration is not just about addressing regional labour market needs, it’s also about nation building” (quoted in Seidle, 2013, p. 18). Finally, the federal government unilaterally decided to end its settlement agreements with B.C. and Manitoba, and cancelled the BC Settlement Agreement in April 2014. This last effort formed part of a broader intergovernmental agreement, the Joint Federal-Provincial-Territorial Vision for Immigration, which was designed “to improve coordination and streamlining of settlement service delivery”, as well as ensure a more uniform and “pan-Canadian framework for settlement outcomes” (Citizenship and Immigration Canada, 2013).<sup>5</sup> The following sections discuss this shifting power dynamic between Ottawa and the provinces in detail, focusing specifically on the bilateral relationship between the federal and B.C. governments established through the four intergovernmental agreements signed between 1998 and 2015.

## **Federal-provincial agreements on immigration in the B.C. context**

### Brief overview of the four agreements

British Columbia’s role in the immigration policy field expanded substantially on May 20, 1998, when the province and Ottawa signed the Agreement for Canada-British Columbia Co-operation on Immigration. The 1998 Agreement was designed to address all aspects of the immigration process in B.C., and included specialized “annex” sections pertaining to specific immigration streams such as “Business Immigrants” and “Family Class Sponsorships”, as well as provided a framework for new initiatives such as the creation of the B.C. “Provincial

---

<sup>5</sup> “Pan-Canadian” in name but in reality limited to the nine English-speaking provinces. Quebec’s authority in immigration, settlement and integration policy under the Canada-Quebec Accord, meanwhile, has remained unchallenged by the broader re-centralization affecting the other provinces.

Nominee” category, the “realignment” of immigrant settlement services in the province, and the introduction of a “joint mechanism for co-operation and consultation” between the federal and provincial governments regarding immigration matters.

The B.C. and federal governments eventually replaced the 1998 accord with a new and expanded “Agreement for Canada-British Columbia Co-operation on Immigration” on April 6, 2004. The 2004 Agreement addressed the same issues as its 1998 predecessor regarding intergovernmental cooperation in the immigration field (including in the area of settlement services), and the management of specific immigration streams (including Provincial Nominees, Business Immigrants, and Family Class Sponsorships), as well as introduced new provisions pertaining to “immigrant health”, “international students”, and the development of “Minority Official Language Communities”. The two levels of governments in turn replaced the 2004 Agreement, with a new intergovernmental accord on April 9, 2010, entitled the “Canada-British Columbia Immigration Agreement”. The stated purpose of the 2010 Agreement was “to further strengthen the long-term partnership between Canada and British Columbia with respect to immigration” (Citizenship and Immigration Canada, 2010). The 2010 Agreement was more streamlined than the two previous accords, but did include new provisions to manage the flow of “Temporary Foreign Workers” into the province, as well as committed both parties to fostering “welcoming and inclusive communities” within British Columbia. Finally, the two levels of government signed the latest version of the Canada-British Columbia Immigration Agreement, on April 7, 2015. The newest agreement maintains older provisions regarding intergovernmental cooperation in the immigration field and in the management of immigration streams like the Provincial Nominee Program, as well as articulates the federal government’s re-established role in the delivery of settlement services in B.C.

### Changing political actors and changing political objectives

Since the signing of the first intergovernmental agreement in 1998, political power has shifted at both the provincial and the federal levels. Both Victoria and Ottawa witnessed a shift in political leadership during the 2000s from governments led by centre-left or centrist parties towards governments led by fiscally conservative, centre-right parties that view immigration in predominantly economic terms. The political actors at the time of the first agreement differed considerably from today, with the B.C. New Democratic Party under Premier Glen Clark in power at the provincial level, and the Liberal Party of Canada under Prime Minister Jean Chrétien in power at the federal level. The 1998 Agreement has the distinction of being the only one of the four agreements on immigration that a B.C. New Democrat government negotiated and influenced.

By the time of the 2004 Agreement, British Columbia had undergone a change of government in the wake of the 2001 provincial election, after which the B.C. Liberals came to power under the leadership of Premier Gordon Campbell, while the Liberal Party of Canada remained in power at the federal level. Conversely, by the time of the 2010 Agreement, there had been a change of government at the federal level after the 2006 general election, in which the Conservative Party of Canada came to power under the leadership of Prime Minister Stephen Harper, while the B.C. Liberals remained in power at the provincial level. The same governing parties, in turn, shaped the 2015 Agreement, with the Conservatives remaining in power at the federal level, and the B.C. Liberals remaining in power at the provincial level, though now under the leadership of Premier Christy Clark.

The lengthy governing tenure of the B.C. Liberals has significantly shaped British Columbia's involvement in the immigration field. Hiebert and Sherrell (2011) contend that provincial "initiatives on settlement and integration have been shaped by an ideology of neo-liberalism that has been pervasive in the province since the 2001 election" (p. 77). Reflecting this neo-liberal ideology, the B.C. Liberal government have focused on tax cuts, reduced government spending, deficit reduction, and implementing several broad-based reviews of provincial government programming with an emphasis on fostering "more effective and efficient ways to deliver services" (Dickson et al., 2013, p. 8). Within this broader goal of making the B.C government both smaller in scope and more cost-effective in its activities, the B.C. Liberals have subjected provincial immigration initiatives to considerable scrutiny, in which as Hiebert and Sherrell (2011) explain, "[p]rograms have been evaluated for their efficiency and outcomes and, where possible, funding streams have been reorganized around an ethos of competition and, when possible, cost-recovery" (p. 77).

The change in political leadership at the federal level also produced changes to the broader immigration policy framework in the B.C. context. A similar neo-liberal ideology, centring on reduced government spending and more streamlined program delivery, has informed the federal Conservatives' approach to governance. Concern with government accountability in the wake of the federal sponsorship scandal, also prompted the Harper Conservatives to strengthen auditing and evaluation criteria for all federal programs (including Citizenship and Immigration programming) through the *Government Accountability Act* (Dickson et al., 2013, p. 8).

The Conservatives have also placed greater emphasis on the economic benefits of immigration, promoting the immigration process as a means for attracting skilled labour and

entrepreneurial investment to Canada. A key aspect of the Conservatives' economic orientation in the immigration field has been their openness to "temporary immigrants", and in particular, "Temporary Foreign Workers". The federal Conservatives have repeatedly promoted the Temporary Foreign Worker immigration stream as means of responding to immediate gaps in the Canadian labour market. Their support for this stream represented an important shift in the federal government's understanding of the Canadian immigration process in recent years, in which Ottawa became less focused on the permanent settlement and the long-term social, economic, political and cultural integration of newcomers within Canada, and more focused on facilitating the short-term presence of foreigners for strictly economic reasons. These broader political changes at both the provincial and federal levels have been reflected in the changing tone and policy priorities of each intergovernmental agreement between B.C. and Ottawa, as discussed further in the subsequent sections.

### **Three major themes within the intergovernmental agreements**

#### Tension between clearly defined roles and intergovernmental collaboration

Each of the four agreements reflect the intergovernmental complexity surrounding immigration in Canada, and have been shaped by both constitutional as well as federal and provincial statutory law. The preamble to each Agreement begins by discussing the constitutional division of powers in Canada, in which immigration represents an area of concurrent authority for the two levels of government. Further, all four versions of these agreements have been shaped by the wording and commitments of specific pieces of federal and provincial legislation that grant the Canadian and B.C. governments the authority to enter into

intergovernmental agreements regarding immigration matters. Regarding federal legislation, the 1998 Agreement is guided by the provisions of the 1985 *Immigration Act* pertaining to federal-provincial collaboration in the immigration field (British Columbia, 1998, p. 2), while similar provisions under the 2001 *Immigration and Refugee Protection Act* (IRPA) guide the 2004, 2010, and 2015 agreements.<sup>6</sup> In terms of provincial legislation, all four agreements adhere to the intergovernmental collaboration provisions of the *Ministry of International Business and Immigration Act*.

As such, each of the federal-provincial agreements recognize the intergovernmental complexity surrounding immigration in both B.C. and in Canada as a whole, and attempt to provide a framework for the two parties to navigate this complexity. Nonetheless, the recommendations the agreements have provided for addressing this complexity has ranged from avoiding it through a clearer division of responsibilities between the two levels of government to embracing it by encouraging greater intergovernmental collaboration. Regarding the first point, a prominent objective of both the 1998 and 2004 agreements was “to delineate the responsibilities” between the federal and provincial governments regarding “the recruitment, selection, admission, control, and settlement and integration of immigrants and non-immigrants to British Columbia” (British Columbia, 1998, p. 4).<sup>7</sup> The 2010 and 2015 agreements, by comparison, do not include this particular commitment, but at several points refer to the

---

<sup>6</sup> Indeed one of the two stated “purposes” of the 2004, 2010 and 2015 agreements is “to define the respective roles and responsibilities of Canada and British Columbia relating to immigrants, temporary residents and sponsors under the IRPA” (Citizenship and Immigration Canada, 2004)

<sup>7</sup> The 2004 Agreement repeated this commitment to clarifying responsibilities, with the only difference being the term “non-immigrant” being replaced with “temporary immigrant”. In the 1998 Agreement, the term “non-immigrant” specifically referred to “visitors (including temporary workers and students), refugee claimants and Minister’s Permit holders” (British Columbia, 1998, p. 4).

jurisdictional autonomy of the two levels of government and the need to recognize and respect their separate responsibilities in the immigration field.

At the same time as the various versions of the agreements have attempted to clarify the division of responsibilities between Ottawa and Victoria, they have also emphasized the need for coordination and cooperation between the two levels of government at all stages of the immigration process and in the development of immigration programs. Since 1998, each accord has included various provisions that have committed the two parties to foster intergovernmental cooperation in the planning and delivery of immigration programming. The 1998 and 2004 agreements contained the commitment “to foster effective co-operation” between the two levels of government regarding “the development and implementation of policies, programs and mechanisms to influence the level and composition of immigrants to Canada and British Columbia” (British Columbia, 1998, p. 4; Citizenship and Immigration Canada, 2004). The two agreements also included the goal “to foster an effective partnership between Canada and British Columbia” regarding the delivery of programs at each stage of the immigration process, including “the recruitment, selection, admission, control and settlement and integration of immigrants to British Columbia” (ibid).

The 2010 Agreement re-iterated its predecessors’ commitments to intergovernmental collaboration regarding immigration levels planning and policy development, but omitted the earlier objective of promoting intergovernmental “partnership” in the delivery of immigration services. In its place was a vaguer commitment for both parties to “facilitate the entry of Temporary Residents and Immigrants to British Columbia through the appropriate programs” (Citizenship and Immigration Canada, 2010). The 2015 Agreement also articulated a commitment to fostering intergovernmental cooperation in the immigration policy field, though

the wording of this commitment once again differed from previous accords. Under the agreement, the two parties pledged to cooperate in the areas of “policy, planning and program development relating to attracting and welcoming Immigrants and Temporary residents to British Columbia”, as well as to work together “in addressing issues of mutual or specific concern to either Party, including in the areas of promotion, recruitment, settlement, integration, and the interests of Minority Official Languages Communities and Local Governments” (Citizenship and Immigration Canada, 2015).

The last two provisions cited in the 2015 Agreement regarding “Minority Official Language Communities” and “Local Governments” reflect some of the additional areas of intergovernmental collaboration in the immigration field that have been included in these accords since 1998. The 2004 Agreement, for example, included commitments for both parties to foster a fairer regional distribution of immigrant settlement within B.C., to encourage the flow of French-speaking immigrants to the province and thereby “support and assist the development of minority official language communities in British Columbia”, as well as to promote the flow of “temporary immigrants” to the province by “facilitating the admission of temporary workers and international students” (Citizenship and Immigration Canada, 2004). The 2010 Agreement introduced new commitments for federal-provincial cooperation in relation to attracting skilled labour to British Columbia (including Temporary Foreign Workers), ensuring greater consultation with local government in the planning and development of immigration programming, as well as encouraging “the development of welcoming and inclusive communities” within the province. Some of these new objectives have endured over time (fostering French-language immigration and encouraging greater consultation with local governments, for example), whereas others have appeared prominently in one version of the

agreement and then been downplayed or ignored in later iterations (fostering greater regional equality in immigrant settlement, for example).

#### Shifting power relationship (provincial influence to federal dominance)

While the theme of intergovernmental cooperation has endured over the course of the four agreements, a notable shift in the power relationship between the two levels of government has also been evident over time, specifically, one of decreasing provincial influence over the immigration process and increasing federal dominance. The concept of provincial influence in the B.C. case, relates to the goal of making the Canadian immigration process more sensitive and reflective of British Columbia's social and economic context, as well as responsive to the concerns and recommendations of the provincial government. The preamble to the 1998 Agreement first articulated this goal of ensuring greater B.C. influence, and expressed the desire of both parties "to conclude an agreement with regard to co-operation on immigration matters to enable British Columbia to better manage the impact of immigration in order to maximize economic and social benefits to British Columbia society" (British Columbia, 1998, p. 3). Every subsequent intergovernmental agreement has repeated this same commitment by the two parties to work together to "maximize" the benefits of immigration for British Columbia.

In spite of this broad commitment to making immigration as beneficial as possible to British Columbia, the actual commitments to making the immigration process sensitive to the B.C. context have diminished over time. Earlier versions of these agreements emphasized that British Columbia had distinct immigration-related priorities and goals, and asserted that the Canadian government must attempt to accommodate British Columbia's concerns within its

national immigration framework. The 1998, 2004, and 2010 agreements all recognized that “British Columbia has particular needs and circumstances” in the immigration field and that “these can be accommodated insofar as they are not incompatible with national immigration policy and legislation”, as well as asserted that “an integrated approach within Canada and abroad will best serve Canada’s national interests related to immigration”. By comparison, the 2015 Agreement omitted this statement recognizing British Columbia’s particular “needs and circumstances” in the immigration field.

A similar trend is evident regarding the subject of federal-provincial consultation on immigration levels planning and program development. Previous agreements were concerned with granting B.C. greater input in the Canadian immigration process and in influencing the number and types of immigrants settling in the province. A major objective of the original 1998 Agreement therefore was:

[T]o provide British Columbia the opportunity to influence immigration planning, policies, and programs in such a way as to support its particular social, demographic, economic development and labour market priorities, including skill shortages (British Columbia, 1998, p. 4)

The 2004 and 2010 agreement repeated this same commitment regarding federal-provincial consultation on immigration matters.<sup>8</sup> The text of the recent 2015 agreement, however, omitted this commitment to bilateral consultation between the B.C. and Canadian governments from its list of major objectives.

---

<sup>8</sup> The wording of the 2010 Agreement’s objective is slightly different from the 1998 and 2004 versions in that it pledges to “provide British Columbia with a mechanism to influence permanent and temporary immigration and related planning, policies and programs to support its particular social, demographic, economic development and labour market priorities, including skills shortages”, whereas the previous versions simply referred to “a mechanism to influence immigration” and made no distinction between “temporary” and “permanent” immigration.

As noted above, the declining prominence of provincial influence over the immigration process in the recent versions of these intergovernmental agreements has coincided with the growing prominence of the federal government and the introduction of new pan-Canadian standards regarding immigrant settlement and integration outcomes. Since the 1998 Agreement, which largely centred on clarifying the role of the B.C. government in the immigration field as well as establishing its new authority over selecting Provincial Nominees and delivering federally funded settlement services, subsequent agreements have increasingly focused on articulating and strengthening federal immigration priorities and objectives. This shift was first evident in the 2004 Agreement, in which its commitment to promoting the flow of French-speaking immigrants to B.C. reflected the federal government's broader goal of promoting bilingualism and the development of "Official Language Minority Communities" across Canada. Similarly, the federal government's recent interest in promoting the flow of Temporary Foreign Workers influenced the content of the 2010 Agreement, which included significant new provisions designed to facilitate the entry of Temporary Foreign Workers into B.C. to address immediate gaps in the provincial labour market.

It is the transition between the 2010 and 2015 agreements, however, that the growing dominance of the federal government in the immigration field is most evident. Two major changes took place between 2010 and 2015 that are responsible for this changing power dynamic: 1) the federal government's re-assertion of authority over the delivery of settlement services in British Columbia in 2014, and 2) the negotiation of the Joint Federal-Provincial-Territorial Vision for Immigration in 2012. Both changes had the effect of diminishing British Columbia's role in immigration matters. The change in authority over settlement services had the effect of removing a key area of influence for the B.C. government over the Canadian

immigration process and an important role for the province in shaping the settlement and integration outcomes of recent immigrants to British Columbia. The Joint Federal-Provincial-Territorial Vision for Immigration, meanwhile, had a larger impact in terms of undercutting the type of bilateral relationship that the past three intergovernmental agreements had cultivated between B.C. and Ottawa in the immigration field. Under the terms of 2015 Agreement, the Joint Federal-Provincial-Territorial Vision for Immigration became the new framework for intergovernmental collaboration, one that “sets the strategic direction for what Federal, Provincial and Territorial governments seek to collectively achieve through immigration” (Citizenship and Immigration Canada, 2015). Consequently, previous commitments to making the Canadian immigration process reflective of British Columbia’s concerns were replaced in the 2015 Agreement with a framework that ultimately centres on federal priorities and pan-Canadian standards in the immigration field that are designed to apply equally to all provinces and territories.

While the Joint Federal-Provincial-Territorial Vision for Immigration is sensitive to provincial/territorial variations and commits to fostering “[a] flexible model of distributing immigration among provinces and territories that responds to labour market and regional needs” (Citizenship and Immigration Canada, 2012), its inclusion as the guiding framework of the 2015 Agreement nonetheless represented a diminished role for B.C. in the immigration field. The focus of the 2015 Agreement became less about making immigration “work” in the B.C. context through bilateral negotiation and consultation, and more about making the Canadian immigration system equally sensitive to all provincial and territorial actors. Under the new multilateral Joint Federal-Provincial-Territorial Vision for Immigration framework, B.C. now simply represents one of a plurality of dissonant “regional” voices competing to influence the federal government

and attempting to ensure that the broader Canadian immigration system reflects their particular concerns and needs.

### Immigration as an economic concern

The framing of immigration as a mechanism for responding to the varied demographic, social and economic challenges facing both Canada and B.C. reappears several times over the course of the four agreements. As noted above, each version of the agreement has expressed the mutual interest of both levels of government “to enable British Columbia to better manage the impact of immigration in order to maximize economic and social benefits to British Columbia society”. Similarly, each version of the agreement has emphasized Ottawa and Victoria’s mutual interest in and commitment to “maximizing the contribution of immigration to the achievement of the social, demographic and economic goals of both Canada and British Columbia”.

Nonetheless, the framing of immigration as a predominantly economic concern in both the language of the agreements and in the statements of federal and provincial political figures is noteworthy.<sup>9</sup> Each of the agreements repeatedly frames immigration as an important tool in responding to immediate labour market gaps, as well as means of attracting skilled workers and entrepreneurial investment that will foster broader prosperity, with the Provincial Nominee Program serving as the main conduit for these economic benefits for British Columbia.

Over time, the agreements have also placed increased emphasis on ensuring the economic integration of newcomers to B.C. The 2004 Agreement, for example, included the new objective

---

<sup>9</sup> This economic orientation is not surprising, considering a major impetus for the original 1998 Agreement was to provide the foundation for the B.C. Provincial Nominee Program, a program that has represented a major component of every subsequent agreement between Ottawa and B.C.

of “ensuring immigrants have the opportunity to fully utilize their skills within the Canadian labour market as quickly as possible”. The 2010 version reiterated this commitment while also emphasizing the need for both the federal and provincial governments to “enhance collaboration to address barriers to qualifications recognition and integration of immigrants into the labour market” (Citizenship and Immigration Canada, 2010). This commitment to economic immigration and integration tied into the 2010 Agreement’s re-conceptualization of British Columbia as “Canada’s Pacific Gateway”, and its assertion that both the federal and provincial levels of government “share a mutual interest in enhancing social and economic ties with the Asia-Pacific region” (Citizenship and Immigration Canada, 2010). Finally, the Joint Federal-Provincial-Territorial Vision on Immigration, which as noted above acts as a guiding framework for the 2015 Agreement, repeatedly conceptualizes the Canadian immigration process in predominantly economic terms. The accord commits the various federal, provincial and territorial parties to a shared “vision” in which “immigration contributes to increased economic growth, innovation, entrepreneurship, and competitiveness” in Canada, and where “immigrants participate to their full potential, economically and socially” (Citizenship and Immigration Canada, 2012).<sup>10</sup>

Federal and provincial officials, when discussing these intergovernmental accords, have also repeatedly highlighted the economic benefits associated with immigration for B.C. and Canada. Provincial commentators like Murray Coell, the former Minister of Community, Aboriginal and Women’s Services, argued that the 2004 Agreement would “benefit immigrants,

---

<sup>10</sup> Further, the three “priority areas” identified by the Joint Federal-Provincial-Territorial Vision for Immigration are either economic in orientation, such as the promotion of “economic immigration” to Canada, or include important economic goals, such as ensuring that immigration levels planning in Canada “reflect economic demand”, and that in the area of immigrant settlement and integration the various parties work together to secure “improved economic and social settlement and integration outcomes” (Citizenship and Immigration Canada, 2012).

their families and communities and help us build a stronger economy for all British Columbians” (British Columbia, 2004). Similarly, Moira Stillwell, the former B.C. Minister of Advanced Education and Labour Market Development, stated in relation to the 2010 Agreement that “[i]mmigrants coming to our province not only enrich the social fabric of B.C., they also bring economic advantages, generate innovation, attract industries and workers, and spur economic growth” (British Columbia, 2010). A provincial press statement, similarly framed the 2010 Agreement and the idea of facilitating the flow of immigrants to B.C. as an important means of addressing the economic and demographic challenges facing B.C. and Canada, as well as a means of socially enriching the province and the country as a whole:

Attracting more immigrants to British Columbia and retaining and integrating them to address British Columbia’s unique economic and social needs will be to Canada’s overall social, cultural and economic benefit (British Columbia, 2010)

Federal commentators have also emphasized the economic benefits that these intergovernmental immigration agreements bring to both B.C. and the rest of Canada. Jason Kenney, the former federal Minister of Citizenship, Immigration and Multiculturalism stated that the 2010 Agreement would “support the integration of newcomers, helping to ensure that they’re able to contribute to our economy and succeed in Canada” (British Columbia, 2010). Building on these comments, the former federal Minister of Human Resources and Skills Development, Diane Finley, argued that the 2010 Agreement would address key economic priorities for both parties in the wake of the 2008 economic downturn, in that it would “help Canada attract the skilled international workers it needs to meet the needs of the Canadian economy as we emerge from the global economic recession” and would also “strengthen British Columbia’s ability to meet its labour market needs both today and in the future” (British Columbia, 2010). A federal

government summary of the 2010 Agreement similarly framed the accord in largely economic terms, stating “[i]mmigration is critical to the province’s economic recovery and growth, and will account for most of British Columbia’s net population growth within the next two decades” (Citizenship and Immigration Canada, 2010). One of the major economic benefits to the 2010 Agreement that the federal government emphasized was its provisions regarding Temporary Foreign Workers. Jason Kenney, in particular, contended that Temporary Foreign Workers would make an important economic contribution to the province, and that the 2010 Agreement would “facilitate the entry of these workers to help British Columbia fill critical labour shortages” (British Columbia, 2010).

## **Analysis and Conclusion**

The complexity surrounding the Canada-B.C. relationship in the immigration field in recent years reflects broader governance and policy challenges that transnational migratory flows can create for states characterized by multi-level governance. The four federal-provincial agreements therefore represent attempts by the Canadian and B.C. governments to adapt to the challenges posed by contemporary migration patterns, as well as cooperative efforts by the two governments to ensure that the influx of migrants addresses the short- and long-term economic and demographic needs of both B.C. and Canada as a whole. In spite of their collaborative intentions, however, the four agreements must also be understood as by-products of the Canadian federal system, and specifically of an intergovernmental relationship between Canada and B.C.

that is frequently characterized by competition and struggle over political authority and resources.

The three themes analyzed in this paper, which are evident in the objectives, guiding principles and policy priorities of the four federal-provincial agreements on immigration (and related official statements), are indicative of broader intergovernmental trends and pressures within both Canadian federalism and the Canadian immigration policy field in recent years. Each of the agreements have attempted to provide guidance and coherence to a policy field that is inherently complex due to its constitutional status as an area of concurrent federal and provincial jurisdiction. They have attempted to strike a balance between respecting the distinct jurisdictional authority and responsibilities of the two levels of government, while also recognizing the need for greater intergovernmental collaboration in the immigration field. This intergovernmental collaboration over time has extended beyond the planning and delivery of immigration programming in the B.C. context to such diverse goals as: promoting the economic integration of newcomers; encouraging the influx of permanent and temporary skilled labour; fostering the flow of French-speaking immigrants to the province; and, encouraging the development of “welcoming and inclusive communities”. The underlying theme of these various commitments is the recognition by both parties that immigration is an intricate and multi-faceted policy area, in which intergovernmental collaboration is necessary to manage immigration effectively and to “maximize” immigration’s positive side effects for British Columbia and for Canada as a whole.

In spite of this continued emphasis on intergovernmental collaboration between B.C. and Ottawa over the course of the four agreements, a noticeable shift in the power relationship between the two levels of government is evident. This shift is apparent in both the diminished

emphasis on making the immigration process sensitive to British Columbia's economic and social context and reflective of the provincial government's concerns, as well as in the rising prominence of federal priorities and pan-Canadian standards over time. While the various versions of these agreements have framed immigration as an issue of mutual concern to both levels of government, the language of these agreements has gradually shifted from one of "partnership" and equal "cooperation" between Ottawa and B.C. to a hierarchical relationship where the federal government sets the broader rules and objectives of the Canadian immigration system and the B.C. government simply fulfills a set of diminished immigration-related responsibilities for itself.

Finally, the economic priorities of both the federal and provincial governments have assumed an increasingly prominent place in the text of these agreements over time. Each agreement has emphasized the economic benefits that immigration provides to B.C. and Canada, as well as the need to facilitate and accelerate the economic integration of newcomers to B.C. This is not to discount the non-economic themes that are present in the text of these agreements, in which immigration has also been framed as a means of addressing broader demographic concerns or a means of fostering social and cultural diversity in both Canada and B.C., but such concerns have frequently been treated as secondary to the economic motivations underlying these accords. Indeed the economic motivations have only heightened with the political ascendancy of the B.C. Liberals at the provincial level and the Conservative Party of Canada at the federal level. This is evident in the language of the 2010 and 2015 agreements, with their increased emphasis on the economic integration of newcomers, on facilitating the influx of Temporary Foreign Workers to fill immediate and essential gaps in the B.C. labour market, and

in their broader re-conceptualization of British Columbia as Canada's "Pacific Gateway" to the economies of Asia.

Ultimately, this recent era of intergovernmental collaboration in the immigration field characterized by the four federal-provincial agreements between Ottawa and B.C. has demonstrated a remarkable degree of variation over time, as policy priorities, political actors, and power relations have shifted. Indeed, the recent efforts by the federal government under the Harper Conservatives to re-assert a degree of federal authority in the immigration field and establish pan-Canadian standards in settlement and integration outcomes represent a potential turning point in the relationship between Canadian federalism and immigration policy. On one level, the re-assertion of the federal role represents a significant reversal to (what had appeared to be) a de-centralizing trend that had lasted since the 1970s, in which the provincial governments were gradually assuming a more prominent role in immigration policy matters at Ottawa's expense (a trend that matched similar decentralization patterns in other Western societies). Within an even longer perspective, however, Ottawa's efforts can be regarded as simply the latest stage in an intergovernmental power relationship that has been complex and malleable since Confederation. Where, in spite of shifts in specific policy responsibilities between the two levels of government, the relationship of concurrent federal-provincial authority over immigration persists and continues to require ongoing negotiation, consultation and collaboration between Ottawa and provinces such as British Columbia.

## References

- Banting, K. (2012). Canada. In C. Joppke and F.L. Seidle (Eds.), *Immigrant integration in federal countries*, (pp. 79-111). Montreal, QC & Kingston, ON: McGill-Queen's University Press.
- Becklumb, P. (2008). *Immigration: The Canada-Quebec Accord*. Parliament of Canada. Retrieved from <http://www.parl.gc.ca/Content/LOP/researchpublications/bp252-e.pdf>
- British Columbia. (1998). Agreement for Canada-British Columbia Co-operation on Immigration. Retrieved from [http://www.bclaws.ca/civix/document/id/arch\\_oic/arc\\_oic/1041\\_1998](http://www.bclaws.ca/civix/document/id/arch_oic/arc_oic/1041_1998)
- British Columbia. (2004). News Release: Canada, British Columbia sign new immigration agreement. Retrieved from <http://www2.news.gov.bc.ca/archive/2001-2005/2004mcaws0033-000247.htm>
- British Columbia. (2010). News Release: Canada and British Columbia sign new immigration agreement. Retrieved from [http://www2.news.gov.bc.ca/news\\_releases\\_2009-2013/2010almd0012-000401.htm](http://www2.news.gov.bc.ca/news_releases_2009-2013/2010almd0012-000401.htm)

- Citizenship and Immigration Canada. (2004). Agreement for Canada-British Columbia Co-Operation on Immigration - 2004. Retrieved from <http://www.cic.gc.ca/english/department/laws-policy/agreements/bc/bc-2004-agree.asp>
- Citizenship and Immigration Canada. (2008). Backgrounder – Agreement for Canada-British Columbia cooperation on immigration. Retrieved from <http://www.cic.gc.ca/english/department/media/backgrounders/2004/2004-04-05.asp>
- Citizenship and Immigration Canada. (2012). Backgrounder – Joint Federal-Provincial-Territorial Vision for Immigration. Retrieved from <http://www.cic.gc.ca/english/department/media/backgrounders/2012/2012-11-16.asp>
- Citizenship and Immigration Canada. (2010). Canada-British Columbia Immigration Agreement, General Provisions, 2010. Retrieved from <http://www.cic.gc.ca/english/department/laws-policy/agreements/bc/bc-2010.asp>
- Citizenship and Immigration Canada. (2015). Canada-British Columbia Immigration Agreement, General Provisions, 2015. Retrieved from <http://www.cic.gc.ca/english/department/laws-policy/agreements/bc/bc-2015.asp>
- Citizenship and Immigration Canada. (2013). Section 4: Integration of Newcomers and Canadian Citizenship. Retrieved from <http://www.cic.gc.ca/english/resources/publications/annual-report-2013/section4.asp>
- Dickson H., Lindquist, E., Pollard, B., & Yan, M. (2013). *Devolving Settlement Funding from the Government of Canada: The British Columbia Experience, 1998-2013*. Western Canadian Consortium on Integration, Citizenship and Cohesion. Retrieved from [http://umanitoba.ca/faculties/arts/media/BC\\_DevolvingSettlementFunding\\_1998\\_2013.pdf](http://umanitoba.ca/faculties/arts/media/BC_DevolvingSettlementFunding_1998_2013.pdf)
- Federation of Canadian Municipalities. (2011). *Starting on Solid Ground: The Municipal Role in Immigrant Settlement*. Retrieved from [http://www.fcm.ca/Documents/reports/Starting\\_on\\_Solid\\_Ground\\_Municipalities\\_and\\_Immigration\\_EN.pdf](http://www.fcm.ca/Documents/reports/Starting_on_Solid_Ground_Municipalities_and_Immigration_EN.pdf).
- Hepburn, E. (2014). Multilevel Party Politics of Immigration. In E. Hepburn & R. Zapata-Barrero (Eds.), *The Politics of Immigration in Multi-Level States* (pp.41–62). Basingstoke: Palgrave Macmillan.
- Hiebert, D., & Sherrell, K. (2011). The Integration and Inclusion of Newcomers in British Columbia. In J. Biles, M. Burstein, J. Frideres, E. Tolley, & R. Vineberg (Eds.), *Integration and Inclusion of Newcomers and Minorities across Canada* (pp. 77-101). Montreal QC & Kingston, ON: McGill-Queen's University Press.
- Joppke, C. & Seidle, F.L. (Eds.) (2012). *Immigrant Integration in Federal Countries*. Montreal, QC & Kingston, ON: McGill-Queen's University Press.
- Keating, M. (2009). Rescaling Europe. *Perspectives on European Politics and Society* 10 (1), pp. 34-50.

- Poirier, C. (2006). Ethnocultural Diversity, Democracy, and Intergovernmental Relations in Canadian Cities. In R. Young & C. Leuprecht (Eds.), *Canada: The State of the Federation 2004: Municipal-Federal-Provincial Relations in Canada* (pp. 201-220). Montreal, QC & Kingston, ON: McGill-Queen's University Press.
- Seidle, L. (2013). Canada's Provincial Nominee Immigration Programs: Securing Greater Policy Alignment. Montreal, QC: Institute for Research on Public Policy. Retrieved from <http://ezproxy.library.uvic.ca/login?url=http://site.ebrary.com/lib/uvic/Doc?id=10830683>
- Tolley, E., Biles, J., Vineberg, R., Burstein, M., & Frideres, J. (2011). Introduction: Integration and Inclusion of Newcomers and Minorities across Canada. In J. Biles, M. Burstein, J. Frideres, E. Tolley, & R. Vineberg (Eds.), *Integration and Inclusion of Newcomers and Minorities across Canada* (pp. 1-16). Montreal, QC & Kingston, ON: McGill-Queen's University Press.
- Vineberg, R. (2011). History of Federal-Provincial Relations in Canadian Immigration and Integration. In J. Biles, M. Burstein, J. Frideres, E. Tolley, & R. Vineberg (Eds.), *Integration and Inclusion of Newcomers and Minorities across Canada* (pp. 17-43). Montreal, QC & Kingston, ON: McGill-Queen's University Press.