



ABOUT THE CANADIAN COUNCIL FOR REFUGEES

MANDATE

Established in 1978, the Canadian Council for Refugees (CCR) is a non-profit umbrella organization committed to the rights and protection of refugees in Canada and around the world and to the settlement of refugees and immigrants in Canada. The membership is made up of over 180 organizations involved in refugee sponsorship and protection and in newcomer settlement. The CCR serves the networking, information-exchange and advocacy needs of its membership.

The CCR has been the national voice on refugee protection and newcomer settlement in Canada for over thirty years, educating the public and putting issues onto the agenda of the various players in immigration and refugee law and policy in Canada, including parliamentarians, Citizenship and Immigration Canada, Canada Border Services Agency, and the Immigration and Refugee Board.

KEY CURRENT ISSUES

- ◆ Reform of the refugee determination system
- ◆ Refugee family separation
- ◆ Refugee transportation loans
- ◆ Delays in processing privately sponsored refugees

SCOPE OF CONCERNS

The CCR has a wide range of concerns relating to immigrants and refugees. These include:

- ◆ Protection for trafficked persons
- ◆ Impact of the security agenda
- ◆ Refugee determination system
- ◆ Refugee resettlement
- ◆ Immigration detention
- ◆ Integration of immigrants and refugees
- ◆ Newcomers' access to services
- ◆ People without status
- ◆ Family reunification
- ◆ Rights of children
- ◆ Anti-oppression
- ◆ Survivors of torture

CCR CONSULTATIONS

CCR members and others interested meet twice a year at consultations, held in late spring and late fall, in different locations. The consultations provide an excellent opportunity for networking and information-exchange and allow the CCR to develop its policy positions. Media representatives are welcome at the consultations. Consult the *Meetings* page on the CCR website at <http://ccrweb.ca/meetings> for details on upcoming consultations.

See next page

MEDIA RELEASES

For a list of CCR media releases, visit our virtual Media Room at <http://ccrweb.ca/en/media>

To receive our media releases send an email to media@ccrweb.ca

CCR CONTACTS

The chief spokespersons for the CCR are Wanda Yamamoto, President, and Janet Dench, Executive Director.

CONTACT INFO

For information contact Colleen French, Communications and Networking Coordinator, by telephone at (514) 277-7223, extension 1 or cfrench@ccrweb.ca

Updated February 2011



Canadian Council for Refugees Conseil canadien pour les réfugiés

Annual Report 2009-2010

Mission Statement

The Canadian Council for Refugees (CCR) is a non-profit umbrella organization committed to the rights and protection of refugees in Canada and around the world and to the settlement of refugees and immigrants in Canada. The membership is made up of organizations involved in the settlement, sponsorship and protection of refugees and immigrants. The Council serves the networking, information exchange and advocacy needs of its membership.

Executive Committee

President - Wanda Yamamoto, Winnipeg

Past President - Elizabeth McWeeny, Thunder Bay

Vice-President - Roberto Jovel, Toronto / Rivka Augenfeld, Montreal

Treasurer - Yasmine Dossal, Toronto

Secretary - Lisa Wyndels, Toronto

Counsellors - Georges Bahaya, Edmonton; Oana Grigorescu, Ottawa; Deborah Isaacs, Vancouver; Gloria Nafziger, Toronto; Heather Neufeld; Jacqueline Rumiell, Windsor; Jeremias Tecu, Fredericton; Sylvain Thibault, Montréal

Working Group Chairs

Immigration & Settlement - Sherman Chan, Vancouver & Debbie Douglas, Toronto

Inland Protection - Rick Goldman, Montréal & Debbie Hill-Corrigan, Toronto

Overseas Protection & Sponsorship - Jennifer Mpungu, Vancouver & Mary Purkey, Lennoxville

Staff

Executive Director - Janet Dench

Office Manager - Guadalupe Macias

Settlement Policy Director - Meissoon Azzaria
Communication and Networking Coordinator - Colleen French

Conference Coordinator - Marisa Berry-Méndez

Policy and Program Assistant - Varka Kalaydzhieva

Youth Coordinator - Cynthia Beaudry

Office Assistant - Jasmine Minas Minassian / Mounia Oulias

From Wanda Yamamoto, CCR President

As I reflect on the first year of my term as CCR President, I can say it has been very busy. We have had much to do to respond to new issues and a worrying change in public opinion.

2010 began with the CCR's response to the earthquake in Haiti. The CCR's proposed special measures were broadly covered by the media and many elements were taken up by the government of Quebec.

Asking the question: 'Are we being fair?', the CCR and its members have brought significant public attention to long delays in processing at Canada's overseas visa posts, especially Nairobi. The good news is that the government has allocated some new resources to speed up processing, but more work needs to be done to ensure that all applications are treated fairly and in a timely manner.

Spring 2010 was spent addressing Bill C-11, "Refugee Reform" legislation which raised many issues and concerns for our communities. While there was a need for changes, the Bill had serious flaws that would potentially lead to refugees being deported to persecution.

Thanks to the hard work of many individuals and organizations, with leadership from the CCR, Members of Parliament from all political parties were persuaded to make important changes to the bill. As a result, the bill that was passed ensures all refugee claimants – regardless of country of origin – are able to tell their story and have access to an appeal.

>>> Continued on page 2



Wanda Yamamoto, second from right, at the CCR Consultation in Ottawa, May 2010.

>>> **Continued from page 1**

During this legislation process, we were concerned at how unaware the general public is of the realities faced by refugees. Unfortunately the government hasn't helped in this area. To address this, the CCR started a process to develop a communication strategy to enable CCR and its members to "persuade more Canadians that refugees deserve a high level of protection, both in Canada and abroad, and that Canada's refugee protection systems can be made to work well". We will be pursuing this strategy in the coming year – obviously the need is great!

I must give my thanks to Janet Dench and the staff at the CCR office for their dedication and hard work to keep on top of all of the issues. I also want to thank the Executive Members and the Working Group Chairs who provide the leadership in raising the issues and working with member agencies to address their concerns. In borrowing from the United Way messaging, "Without YOU, there would be NO WAY" we can do the work the CCR does.

We have much to do and the work is made easier with many hands and minds to move forward with our work.

Highlights of Activities 2009 - 2010

- > **Best interests of the child:** The best interests of the child have been a major theme in the last year. The CCR has highlighted its concerns for children in detention and children made stateless by Canada's new citizenship laws.



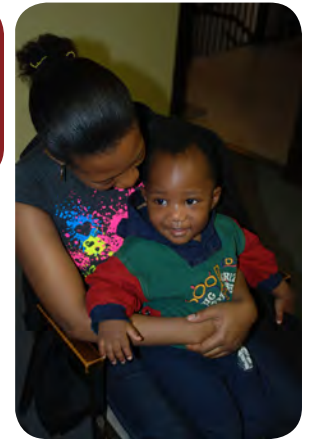
Amina and her children were featured in the report *Nairobi: Protection Delayed, Protection Denied*.

The upcoming review of Canada by the United Nations on our compliance with the Convention on the Rights of the Child in 2011 will provide another opportunity to address these concerns.

- > **Haiti:** The CCR joined many other groups in urging the government to respond to January's earthquake in Haiti with special immigration measures for Haitians, many of whom arrived in Canada as refugees.

- > **Long delays in processing:** In the past year, the CCR issued several reports, including *Nairobi: Protection Delayed, Protection Denied*. This report highlights the extraordinarily long processing times at overseas visa offices, focusing on cases of refugee family reunification and privately sponsored refugees. There was significant media coverage generated by the report. CCR members found it a useful tool in explaining the situation to a variety of audiences, including members of private sponsorship groups, members of the general public and even families waiting for resettlement overseas. The success of the report led to the creation and distribution of related public education materials, including the pamphlet *Refugees from Africa: Are we being fair?*.

Akin and his mom were featured in the CCR's report on children in detention.



The CCR highlighted the plight of Eline's children in pressing governments to respond quickly to reunite families following the January 2010 earthquake in Haiti.

Highlights of Activities 2009 - 2010

- > **Fairness in decision-making:** The CCR highlighted serious problems in decision-making at Canada's overseas visa posts. The report *Concerns with refugee decision-making at Cairo* focuses on decisions at one particular visa office, but the CCR believes the problems there reflect systemic shortcomings. The report provides an analysis of 17 cases, all Eritrean refugee applicants rejected at Canada's visa office in Cairo since September 2009. The CCR has since received information about further rejected cases showing similar problems. They include Iraqi and Zimbabwean applicants. Many of the rejected applicants have been recognized as refugees by the UN Refugee Agency. The CCR continues to press the government to take the necessary actions to address the concerns.
- > **Reforming the refugee protection system:** The CCR was fully occupied in the spring of 2010 responding to the government's legislation reforming Canada's refugee protection system (Bill C-11). The CCR played a key role in informing its members, Parliamentarians and the public about the bill. The final version of the bill, which was approved in June 2010, was significantly better for refugees than the original.
- > **Transportation loans for refugees:** The impacts of transportation loans for refugees are a major concern in many Canadian cities. It's terrific to see that a wide range of groups, including the Federation of Canadian Municipalities, have publicly called on the government to absorb the costs of these loans. Making an easier transition possible for refugees in their new communities makes community life better and more affordable for everyone in the long term.



Building Welcoming Communities and Solidarity and Protection: Our Obligations at Home and Abroad were the themes of the Windsor and Ottawa Consultations.

- > **Youth Network:** The CCR Youth Network has grown and expanded in the last year. The CCR has hired a dedicated Youth Coordinator and together we are producing more youth-related resources. We have created an online space to encourage idea-sharing.

- > **CCR Consultations:** The CCR held two successful and well-attended national consultations, in Windsor (fall 2009) and Ottawa (spring 2010). Participants were able to learn from each other in a common effort to protect and resettle refugees and support the effective integration of newcomers in Canada.

- > **Resources from the CCR:** To help inform and educate the public about the realities of refugees and immigrants, and the contributions they make to Canadian society, the CCR produced and distributed numerous resources, available in print, on the internet and even increasingly in video format!

- > **National Forum on Trafficking:** The CCR organized a national forum on trafficking in December 2009, bringing together persons who have experienced trafficking, NGOs and government officials, to discuss how best to respond to trafficked persons in Canada.



Canadian Council for Refugees
Conseil canadien pour les réfugiés



The CCR is helping to improve services and protection for non-citizens in Canada who have been trafficked.

Over the past year, the CCR continued to play an important role in informing refugee and immigrant serving NGOs across Canada about new developments. The vital listserv, ccrlist, has over 900 subscribers and is always a lively forum!

**From Jacqueline Rumiél,
Fundraising Committee Chair**

Are you a Friend of the CCR?

Did you know the CCR receives no core funding from government? Instead the CCR relies on the support of those who believe in the Council's mandate and mission. About 40 % of all CCR revenue comes from private donations.

We would like to thank all those who support the Council, including the more than 150 Friends of the CCR who currently donate monthly to the organization.

- > To continue our mandate we need everyone's support, including present and future donors, to:
- > Advocate for the rights of refugees and immigrants through government and media relations, research and public education.
- > Offer opportunities for networking and professional development through conferences, working groups and meetings.
- > Strengthen the defence of refugee rights.
- > Advance policy analysis, create publications and fortify information-exchange on refugee and related issues.

So please join your colleagues and become a Friend of the CCR. You can give \$10, \$15, \$20 or any amount you prefer. The important thing is that we all participate in the support of the CCR, to guarantee there continues to be a voice protecting refugees around the world.

To donate or to become a Friend of the CCR please visit our website at:

ccrweb.ca/en/donate

The Canadian Council for Refugees is a non-profit charitable organization. Business number: 11883 0470RR 0001. Donations are tax-deductible.

Audited Financial Report for Year Ended August 31, 2010		2010	2009
		\$	\$
Revenues			
Grants			
	Government	161,687	128,323
	Others	7,100	8,010
Donations		180,856	162,852
Events -fundraising		150	32,357
Conference registrations		53,477	72,815
Membership fees		62,880	57,198
Publications		808	1,943
Interest		2,488	3,618
		<u>469,446</u>	<u>467,116</u>
Expenses			
Salaries		209,421	190,029
Conference expenses		110,092	91,345
Executive committee		12,785	13,918
Working groups expenses		18,257	28,079
Networking and public education		65,416	50,968
Administrative expenses		54,164	44,686
Fundraising		25,822	43,870
		<u>495,957</u>	<u>462,895</u>
		-26,511	4,221
(Deficit) Excess of revenue over expenses			
Balance Sheet as at August 31, 2010			
Assets			
Current Assets			
Cash		6,023	13,701
Investments maturing in the coming year		83,087	88,341
Accounts receivable		54,535	53,393
Prepaid expenses		587	3,222
		<u>144,232</u>	<u>158,657</u>
Investments		50,000	40,000
		<u>194,232</u>	<u>198,657</u>
Liabilities			
Current Liabilities			
Accounts payable		27,257	15,302
Deferred contributions		63,028	52,897
		<u>90,285</u>	<u>68,199</u>
Net Assets			
Restricted to income stabilization fund		20,000	20,000
Unrestricted		83,947	110,458
		<u>103,947</u>	<u>130,458</u>
		<u>194,232</u>	<u>198,657</u>

The above is a summary. Copies of full audited statements, including notes, are available from the CCR office.

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TALKING ABOUT REFUGEES AND IMMIGRANTS:

a Glossary



Many different terms are used to describe refugees and immigrants. Some have particular legal meanings, some are mean and offensive. Using terms properly is an important way to treat people with respect and advance an informed debate on the issues.

REFUGEE TERMS

REFUGEE – a person who is forced to flee from persecution and who is located outside of their home country.

CONVENTION REFUGEE – a person who meets the refugee definition in the 1951 Geneva Convention relating to the Status of Refugees. This definition is used in Canadian law and is widely accepted internationally. To meet the definition, a person must be outside their country of origin and have a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.

REFUGEE CLAIMANT OR ASYLUM SEEKER – a person who has fled their country and is asking for protection in another country. We don't know whether a claimant is a refugee or not until their case has been decided. 'Claimant' is the term used in Canadian law.



Amalia and Roberto Gomez, with daughter Loren and son Robert, are Colombian refugees who were resettled to Canada in 2006. Credit: Mennonite Central Committee/Joanie Peters.

RESETTLED REFUGEE – a person who has fled their country, is temporarily in a second country and then is offered a permanent home in a third country. Refugees resettled to Canada are selected abroad and become permanent residents as soon as they arrive in Canada.

Resettled refugees are determined to be refugees by the Canadian government before they arrive in Canada. Refugee claimants receive a decision on whether they are refugees after they arrive in Canada.

STATELESS PERSON – a person that no state recognizes as a citizen. Some refugees may be stateless but not all are. Similarly, not all stateless people are refugees.

WHAT IS THE DIFFERENCE BETWEEN A REFUGEE AND AN IMMIGRANT?

A refugee is forced to flee for their lives. An immigrant chooses to move to another country.

Once a refugee has become a citizen of another country (such as Canada) they are no longer a refugee.

YOU MAY ALSO HEAR...

POLITICAL REFUGEE, ECONOMIC REFUGEE, ENVIRONMENTAL REFUGEE – these terms have no meaning in law. They can be confusing because they incorrectly suggest that there are different categories of refugees.



Residents and staff members at Matthew House in Toronto, a shelter for refugee claimants. Credit: Matthew House.

PROTECTED PERSON – according to Canada's *Immigration and Refugee Protection Act*, a person who has been determined to be either (a) a Convention Refugee or (b) a person in need of protection (including, for example, a person who is in danger of being tortured if deported from Canada).

INTERNALLY DISPLACED PERSON – a person who is forced to leave their home, but who is still within the borders of their home country.

TERMS FOR IMMIGRANTS

IMMIGRANT – a person who has settled permanently in another country.

PERMANENT RESIDENT – a person granted the right to live permanently in Canada. The person may have come to Canada as an immigrant or as a refugee. Permanent residents who become Canadian citizens are no longer permanent residents.

OTHER TERMS FOR PEOPLE OUTSIDE THEIR HOME COUNTRY

TEMPORARY RESIDENT – a person who has permission to remain in Canada only for a limited period of time. Visitors and students are temporary residents, and so are temporary foreign workers such as agricultural workers and live-in caregivers.

MIGRANT – a person who is outside their country of origin. Sometimes this term is used to talk about everyone outside their country of birth, including people who have been Canadian citizens for decades. More often, it is used for people currently on the move or people with temporary status or no status at all in the country where they live.



*A Guatemalan migrant worker on a farm in Quebec.
Credit: canadabrian/GetStock.com.*

ECONOMIC MIGRANT – a person who moves countries for a job or a better economic future. The term is correctly used for people whose motivations are entirely economic. Migrants' motivations are often complex and may not be immediately clear, so it is dangerous to apply the "economic" label too quickly to an individual or group of migrants.

¹ Permanent residents used to be called 'landed immigrants' – this term is still sometimes used.



Bayan, Rakeb and Oban al-Rekabi and Asia Taher. Rakeb and Asia, of Iraqi origin, have lived in Canada for nearly fifteen years without status.

PERSON WITHOUT STATUS – a person who has not been granted permission to stay in the country, or who has stayed after their visa has expired. The term can cover a person who falls between the cracks of the system, such as a refugee claimant who is refused refugee status but not removed from Canada because of a situation of generalized risk in the country of origin.

YOU MAY ALSO HEAR:

ILLEGAL MIGRANT/ILLEGAL IMMIGRANT/ILLEGAL – these terms are problematic because they criminalize the person, rather than the act of entering or remaining irregularly in a country. International law recognizes refugees may need to enter a country without official documents or authorization. It would be misleading to describe them as "illegal migrants". Similarly, a person without status may have been coerced by traffickers: such a person should be recognized as a victim of crime, not treated as a wrong-doer.



FOR MORE INFORMATION

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Canadian Council for Refugees Conseil canadien pour les réfugiés

Myths and Facts

Myth 1: Refugee claimants are “queue jumpers”.

FALSE. There is no queue for refugees. International law guarantees to people fleeing persecution the right to go to another country and seek asylum – that is why we have a refugee determination system.

If your life is in danger, you run. You don’t stand still and wait for help to come to you. Different rules apply to refugees because their lives are at stake.

These different rules were adopted following the Second World War when many countries, including Canada, had closed the door on Jewish refugees. Canada recently commemorated the tragic turning away of the MS St Louis, many of whose passengers were killed by the Nazis after Canada denied them entry. We do not want to go back to those days.

Myth 2: Refugees are required to make a refugee claim in the nearest or first country they reach.

FALSE. International law says nothing about where refugees must claim. Refugees do whatever they can to reach a country they hope will be safe – and that country has an obligation to protect any refugees on their territory.

In the case of Sri Lankan refugees, almost none of the countries in their own region have signed the Refugee Convention and many of them offer little or no protection to refugees. In Thailand, for example, Sri Lankan refugees face at best a precarious life without status, or else arrest, detention and possible return to Sri Lanka. Staying in Thailand is not a solution.

Since Canada is far from most places that refugees are fleeing, very few refugees can make it here. It would be unfair to suggest that even those few should not come here, but rather go to other countries that already receive many more refugees than Canada.

Myth 3: People who use smugglers are less likely to be refugees in need of protection.

FALSE. People fleeing persecution often have no choice but to turn to smugglers to help them escape. What would you do if your life was threatened and you needed to get out?

How people arrive in Canada tells us nothing about why they left. To decide if they need our protection we need to know why they left and what dangers they would face if they returned. We have a refugee determination system to find this out.

Many – maybe most – refugees have used smugglers to get to Canada. This is true whether they came by plane, land or boat. There has been a lot of focus on the fact that passengers on the MV Sun Sea may have paid smugglers. But this is just as much the case for refugee claimants who did not arrive by boat – so why the fixation on the boat?

Myth 4: Smugglers are increasingly targeting Canada.

Where is the evidence for this? Refugees using smugglers to get to Canada is nothing new.

The number of refugee claimants arriving in Canada has been going DOWN dramatically (10,000 fewer in 2010 than in 2009).

Myth 5: Harsh policies will stop smugglers and asylum seekers arriving by boat.

It is unfair and immoral to punish refugees in an attempt to deter smugglers. It is also not going to work. Refugees are fleeing desperate situations and will do whatever they need to do to save their lives. They rarely know anything about the policies in place in the country they arrive in – sometimes they don’t even know where they are going.

Australia tried the strategy of punitive measures to discourage refugee arrivals: it didn’t work. When the Australian government abolished their “Temporary Protection Visas” in 2008 they explained that they had not achieved their intended purpose: “The evidence

Sri Lankan Tamils Arrested in Thailand
Face Deportation
- Voice of America, 14 October 2010

Thailand arrests
130 Sri Lankan Tamils
- Sydney Morning Herald,
13 October 2010

Sri Lankans Fear
Deportation from Thailand
- ABC Radio Australia, 15 October 2010

clearly shows, however, that TPVs did not have any deterrent effect. Indeed, there was an increase in the number of women and children making dangerous journeys to Australia.”¹

“Temporary Protection Visas” are almost exactly what is proposed in Canada’s Bill C-49. Why would we want to adopt a policy that has already been shown to fail elsewhere?

Myth 6: *We have to be particularly cautious with the Sri Lankans arriving by boat because they might be terrorists or criminals.*

There is no reason to think that wrong-doers are more likely to arrive by boat than by other means. No sophisticated terrorists are going to put themselves on a long and uncomfortable boat trip, knowing that they will be subjected to intense scrutiny by the government.

The government is putting a lot of time and resources into investigating the passengers who arrived on the MV Sun Sea. It is not clear that this is rationally justified. The long-term detention and disproportionate investigations are costing the tax-payer a lot of money.

Myth 7: *The UN has said that Tamils are no longer at risk in Sri Lanka.*

FALSE. In July 2010 the UNHCR issued new guidelines that recognized the evolving situation in Sri Lanka.² They advised that it is no longer necessary to presume that Tamils from the north are at risk, but they also said that all claims by Sri Lankans must be examined on their individual merits. They note that groups potentially at risk of persecution in Sri Lanka include journalists, human rights activists, lesbian, gay, bisexual and transgender (LGBT) individuals and persons suspected of having links with the LTTE (Tamil Tigers).

¹ Fact Sheet 68 - Abolition of Temporary Protection visas (TPVs) and Temporary Humanitarian visa (THVs), and the Resolution of Status (subclass 851) visa, Department of Immigration and Citizenship, Canberra. Revised 9 August 2008.

<http://bit.ly/g1gZHW>

² UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Sri Lanka, 5 July 2010, <http://bit.ly/bBw55z>

Myth 8: *Canadians are asking for harsh measures against people who arrive by boat.*

The harsh measures in Bill C-49 have been rejected by all opposition parties and condemned as illegal and punitive by a wide range of faith, rights, labour, community and legal groups.³ The government did no consultation prior to tabling the bill and many of the groups said to support the bill were later revealed not to be fully behind it or to be extremely marginal.⁴

Most Canadians of course want to be tough on smugglers, but Bill C-49 punishes refugees. The Canadian Council for Refugees firmly believes that most Canadians do not want refugees, including children, to be jailed as punishment for seeking protection.

What is really going on?

The arrival of almost 500 claimants by boat certainly represents a logistical challenge, but it is not a crisis. The boat arrivals represent only 2% of the claims made in Canada last year. We have laws in place to deal with such situations. The long-term detention of the passengers, including mothers with children, is not justified by the facts.

Unfortunately we are seeing in Canada a pattern of anti-refugee rhetoric, familiar to many other countries. In Australia and in Europe politicians have promoted myths and fear-mongering about refugees as a way of tapping into racist and xenophobic popular sentiments, in order to win votes. This is a short-term strategy that is destructive to society. Why would Canada follow such a negative example?

Governments have a responsibility to defend our legal obligations towards refugees and promote the positive value of a welcoming refugee policy.

³ List of organizations calling for the defeat of Bill C-49, <http://ccrweb.ca/en/organizations-calling-defeat-bill-c-49>

⁴ Globe and Mail, “Human smuggling bill endorsements not all they seem”, November 7, 2010, Heather Scoffield, <http://bit.ly/bKdo1Y>.



WANT TO KNOW MORE?

Visit the CCR’s website:

www.ccrweb.ca

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Rights in review

The Canadian Council for Refugees believes in treating refugees and immigrants fairly and honourably. Decisions made need to be fully independent. And our policies and practices need to be affordable – for refugees and immigrants, and for Canadians.

How are we matching up to these standards?

Responding to the earthquake in Haiti

2010 began with the horrific earthquake in Haiti. Among the many urgent needs was flexible and expedited processing to reunite affected families. Would Canada respond honourably to these needs?

Citizenship and Immigration Canada reacted swiftly, introducing Special Immigration Measures. As a result, many individuals whose homes had been destroyed were able to travel to Canada to reunite with family members here. The Government of Quebec introduced a special humanitarian sponsorship program designed to open the door to affected family members who don't meet the narrow definition of Family Class.

Despite these commendable government initiatives, there have been many frustrations:

- > The Special Immigration Measures have ended, even though many family members are still waiting.
- > The broader family reunification measures introduced by Quebec did not apply to Haitians in other parts of Canada.
- > Very few people have actually arrived under the Quebec program.

The challenges of immigration processing are enormous, but the speedy arrival in Canada of 200 adopted children showed what the Canadian government can achieve. Many Haitians were left with a strong sense of unfairness that the same effort was not made to bring their natural children.



Nearly a year after the earthquake, 13-year-old Pierre-Matthieu is still waiting to be reunited with his mother, a refugee in Canada. Following the earthquake, Pierre-Matthieu has been bounced between various distant relatives, who themselves lost their homes. His mother appealed to Immigration Canada to expedite processing, but there have been many delays. Most recently, Pierre-Matthieu has been waiting to do his medical exam. For that, he was told he needs his passport, and the Haitian authorities took months to issue it.



Refugees denied a fair hearing overseas



Refugees overseas applying for resettlement to Canada are interviewed by a Canadian visa officer who decides whether they in fact meet the refugee definition. That decision-making process needs to be fair: refugees' safety and future lives depend on the decision.

Unfortunately, the quality of refugee decision-making at visa offices overseas varies enormously. In 2010, unfairness at the Cairo visa office was a particular concern, but the CCR believes the problems there reflect systemic shortcomings. Visa officers are often inadequately trained and decisions are rarely reviewed by the courts or monitored internally.

In March 2010, the CCR released *Concerns with refugee decision-making at Cairo*.

The report highlights serious problems such as lack of basic knowledge of realities in the refugees' country of origin, basic errors in applying the refugee definition, and multiple flaws in credibility assessments.

Despite the gravity of the problem, there is little public awareness in Canada or media coverage.

Over 30 cases of refugees rejected at Cairo, apparently unfairly, are before the Federal Court. The process there has been painfully slow – although some refugees applied to the Court as long ago as November 2009, there has still been no hearing. In the meantime, the refugees are experiencing serious hardships as they try to survive in Cairo.

“It seems like the visa offices are ‘out of sight, out of mind’ – and this needs to change. Refugees deserve to be treated fairly, whether in Canada or overseas.”

- Wanda Yamamoto, CCR President

Increase in the number of privately sponsored refugees

Canadians are fortunate to have the opportunity to personally contribute towards offering refugees a safe and permanent home, through the Private Sponsorship of Refugees Program.

For many years, the willingness of Canadians to sponsor refugees has far exceeded the numbers that the government has been willing to process. This has led to a huge backlog of refugees waiting in dangerous and precarious situation overseas, even though Canadians are ready and willing to support them here.

Good news: in March 2010 the Minister of Citizenship and Immigration promised to increase by 2,000 the numbers of refugees that private sponsorship groups can assist, and is encouraging more groups to sponsor refugees.



Canada's stateless children

As feared, recent changes to the Citizenship Act have led to children of Canadian citizens being born stateless.

In 2010, a number of such cases attracted the attention

of the Canadian public. One was Chloé – born in Belgium of a Canadian father and Algerian mother, she was without citizenship from any of the three countries, leaving her stateless.

Good news for Chloé – in late 2010, she mysteriously received her Canadian citizenship papers. Welcome to the Canadian family, Chloé!

To prevent other children like Chloé being stateless, the Citizenship Act needs to be amended.



AT LEFT: Amina and her family waited nearly 7 years in a refugee camp, although sponsors were waiting for them in Canada.



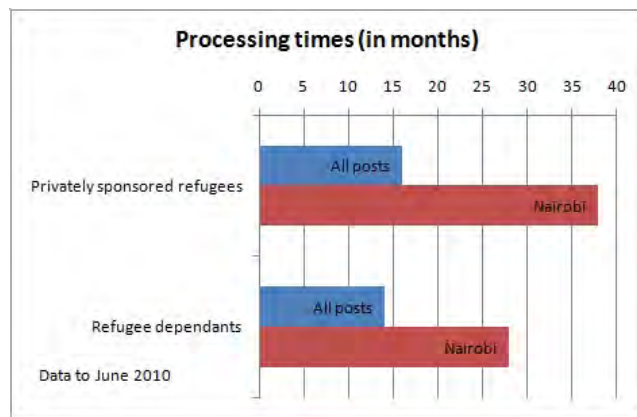
Ernestine was recognized as a refugee in Canada in early 2008. She had been forced to leave behind all but one of her children, cared for by various family friends (her husband had been killed previously). Because they live in the Democratic Republic of Congo, the applications for the children were handled by the Nairobi visa office. Ernestine's children finally arrived in December 2010, nearly three years after she was accepted as a refugee.

Continued Long Delays in Processing at Nairobi

In 2010, Nairobi continued to be one of Canada's slowest visa offices, particularly for refugee families. Privately sponsored refugees wait on average over 3 years; family members of refugees, including children, wait on average 2 years and 4 months.

These long delays leave refugees without protection and children separated from their parents. There are also significant costs – not just to the individuals affected, but also to Canadian society, as the long delays increase the integration challenges.

Good news: the government has increased staff at the Nairobi office in 2010. However, it is not clear that the increase is enough to bring processing times in line with the rest of the world. In the meantime, processing times at Nairobi for family members of refugees, already the slowest in the world in 2009, WENT UP in 2010.



Refugee Reform

In June 2010 Parliament adopted significant changes to the refugee determination process – changes that will only come into effect late in 2011.

The refugee determination system needs to be fully fair and independent, in order to ensure that Canada honours its obligations under the Refugee Convention not to send refugees back to persecution.

Bill C-11 rightly aimed at making the process quicker, but contained many elements that would make the process seriously unfair. By the time the bill was passed in June, Parliamentarians had agreed to amendments that made the final version of the bill much fairer.

The new process will:

- > Preserve the independence of decision-making through the Immigration and Refugee Board, an independent tribunal.
- > Give refused claimants access to an appeal on the merits, for the first time in over 20 years.



Concerns remain about how the new rules will be implemented, including the following:

- > The interview, requiring claimants to be prepared to immediately tell their story to an official, risks hurting the most vulnerable refugees, including women who have been sexually assaulted and persons persecuted on the basis of their sexual orientation.
- > The proposed timeline of 15 days for filing an appeal is absurdly short – unless it is significantly lengthened, the refugee appeal will cost a lot of money, but do nothing to correct errors in decision-making.

Refugees arriving by boat and Bill C-49: anti-smuggling or anti-refugee?



In the summer of 2010, close to 500 Tamil refugee claimants arrived on the West Coast aboard the MV Sun Sea. Although this mass arrival presented practical and logistical challenges, the numbers were still small in terms of claims made in Canada.

Regrettably, instead of affirming the need to respect international obligations towards refugees, the Canadian government's public comments on the boat arrivals focused on suspicions of associations with terrorism and smuggling, thus encouraging negative public opinion.

This was followed up in October by the tabling of Bill C-49, a bill that was presented as being anti-

smuggling. In fact, however, most of the provisions of the bill would punish refugees. Legal experts strongly condemned the bill as contrary to the Charter and international law. Under Bill C-49 some refugee claimants would be detained for a year without review.

"Measures keeping some refugees longer in detention, denying them family reunification and restricting their freedom of movement are likely in violation of the Canadian Charter and of international human rights obligations. People who are forced to flee for their lives need to be offered asylum and a warm welcome, not punished."

- Wanda Yamamoto, CCR President

Temporary migrant workers

More and more Canadians are becoming aware of the problems created by the recent increase in the numbers of workers admitted



to Canada with only temporary status. Temporary Foreign Workers are vulnerable to exploitation and there have been numerous reports of abuse.

The regulations relating to temporary workers were amended in 2010, but disappointingly the changes failed to address the most pressing needs:

- > An effective monitoring mechanism to ensure employers respect the rights of workers,
- > Opportunities for all workers to move to permanent status (instead the new regulations puts a four-year limit on workers' stay in Canada, creating a "disposable" workforce).

Changes to Canada's long form census

In the summer of 2010, the federal government decided to eliminate the mandatory long-form census. This decision will have long-term and expensive consequences for effective policies, programs and services supporting the integration of immigrants and refugees in Canadian society.



Research on Canada's newcomer population relies on data gathered by the mandatory long-form census to understand trends in integration, and to identify gaps in settlement services and policies.



This is a summary of:
2010: A year in review

WANT TO KNOW MORE?

Visit the CCR's website:

ccrweb.ca/en/2010_review

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January 2011



PUBLICATIONS LIST – February 2011

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*Also available in hard copy and can be ordered from the CCR office (see order form for * prices).

Order forms are available at: <http://www.ccrweb.ca/documents/publicationsorderform.pdf>

CCR Public Education Resources

Refugee and Immigrant Rights in Canada

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- ✓ *End the Burden of Transportation Loans, *Postcards + instruction sheets* 07/2009

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- ✓ *Hidden Costs: Paying back refugee transportation loans, *DVD (10 mins)*, 09/2008

Reports, research, toolkits

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- ✓ Report on Systemic Racism and Discrimination in Canadian Refugee and Immigration Policies, 11/2000

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- ✓ Code of ethics for groups involved in the private sponsorship of refugees, 02/2010

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- ✓ *Canadian Council for Refugees: Working together on behalf of refugees and immigrants, *Pamphlet, Powerpoint presentation, Display board*
- ✓ *CCR Resolutions Book, *Adopted CCR resolutions and notes on progress*