



Canadian Council for Refugees  
Conseil canadien pour les réfugiés

# 2017 Fall Consultation report

Niagara Falls - Nov. 30 - Dec. 2, 2017

*Human Rights have no Borders*



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- Fort Erie Culture Committee
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- |  |  |
|--|--|
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| ○ YMCA of Niagara                        | ○ Niagara Chapter for Native Women               |
| ○ Niagara Folk Arts Multicultural Centre | ○ Town of Fort Erie                              |
| ○ Anglican Diocese of Niagara            | ○ City of Niagara Falls                          |
| ○ Greater Fort Erie Secondary School     | ○ City of Welland                                |
| ○ Welland Heritage Council               | ○ City of St. Catharines                         |

We wish to thank the Local Organizing Committee members, local volunteers, workshop organizers, panelists and moderators, on whom the consultation's success depends.

# Consultation highlights

The Canadian Council for Refugees' Fall 2017 Consultation was held 30 November – 2 December in Niagara Falls, with the participation of 367 attendees from across Canada, on the traditional territory of the Anishinaabeg and Haudenosaunee peoples.

The Fall 2017 Consultation provided a space for learning, experience-sharing, networking and strategizing among people from across Canada involved in serving refugees and immigrants, protecting refugees in Canada and around the world, and resettling refugees. There was also significant dialogue between NGOs and government, with participation and presentations by representatives of the Immigration and Refugee Board, Immigration, Refugees and Citizenship Canada, and the Canada Border Services Agency, in addition to a plenary session with the Minister of Public Safety, Ralph Goodale.

Participants took the opportunity to recognize and thank Loly Rico as she completed her term of five years as President of the CCR. Claire Roque was elected President at the Annual General Meeting that concluded the consultation.



**367** participants  
from **8** provinces

## The workshops achieved the following objectives

Information-sharing 100%	★ ★ ★ ★ ★	Policy discussion	★ ★ ★ ★ ★
Sharing resources and approaches	★ ★ ★ ★ ★	Networking	★ ★ ★ ★ ★
Training and improving practical skills	★ ★ ★ ★ ★	Bridging (between NGOs/gov't, between WG areas, etc.)	★ ★ ★ ★ ★
Developing plans for action	★ ★ ★ ★ ★		



## Participants appreciated...

Dialogue with government **Opportunity to learn** A true anti-oppression environment with authentic opportunities for dialogue  
**Presenters took feedback** Meeting and exchanging views with other delegates  
**Mix between knowledge sharing and workshops**  
 Excellent speakers & presentations **Large gathering area during the breaks, good meeting space, technology good** To connect to others who are doing things that are similar but innovative ...

“ I really appreciated that the workshops were actual workshops with opportunities of dialogue and questions rather than longer speeches. ”

# Workshops & Sessions

**Keynote speaker:** we were pleased to have Minister of Public Safety, Ralph Goodale, present in a special plenary session on Friday 1 December, to address participants and respond to questions.

## Workshops

- Irregular Crossings from US
- Language Learning for Newcomers: Successes & challenges
- A Journey into Exile
- Double Punishment: Criminality and immigration status
- Towards the Global Compact on Refugees
- Combatting Racism and Islamophobia in our Work
- Youth Migrant Crossing Experiences
- Refugee Protection Division Changes
- Alternatives to Detention in Canada: CBSA's plans and the role of NGOs and partner agencies
- Protecting Refugees = Stronger Communities: How to win more support for refugees
- Sex, Labour and Other Forms of Trafficking: Going beyond trafficking divides
- Access to Education is a Human Right: Challenges at the post-secondary level
- Forgotten Refugee Crises: Focus on South Sudan and Burundi
- Challenging Barriers to Canadian Citizenship
- Working with People with Precarious Status
- Dialogue with IRCC
- Imagine: Education as a Complementary Pathway to a Durable Solution
- Training: Race, Gendered Violence and the Rights of Women with Precarious Immigration Status

## Caucus sessions

- Mental Health
- Complementary Pathways for Refugees
- Legacy Claimants
- African Network
- Youth Network
- Coalition of Service Providers for Refugee Claimants
- Refugees in Scotland
- Francophone committee

## Working Group Meetings

- Overseas Protection and Sponsorship
- Immigration and Settlement
- Inland Protection
- Strategy Session: Advancing our advocacy

## Other sessions

- Opening plenary
- Closing Plenary & Annual General Meeting

# Key issues

## Complementary Pathways

Participants explored possible pathways to a durable solution in Canada for refugees, in addition to the existing channels through refugee resettlement and refugee claims. The interest in Canada in complementary pathways reflects an international recommendation to broaden the avenues open to refugees. In the Canadian context, this means considering how non-refugee levels space might be opened up to refugees, by for example finding ways to facilitate the immigration to Canada of refugees as economic immigrants or as students.

## Barriers to citizenship

Most changes to the Citizenship Act made under the 2014 Bill C-24 were reversed by Bill C-6, which became law in 2017. There are important changes now in effect as to who can apply for citizenship, but there remain challenges and barriers to accessing citizenship. A workshop in Niagara Falls helped highlight some of these barriers, including the high processing fee, the language requirement, and the citizenship exam, which is difficult to pass. A virtual meeting is planned to help interested members develop CCR positioning on these barriers, and a backgrounder is being drafted to explain the issues.

## International involvement

In keeping with the CCR strategic plan, we continue to expand our international involvement, and to participate in discussions and consultations about international issues, from a Canadian perspective. At this consultation, a session on the Global Compact on Refugees, and discussion of plans for the upcoming International Conference to be held in Toronto June 7-9 underscored the balance between CCR's national focus and international involvement.

## Alternatives to detention

CBSA's plans to introduce a program of alternatives to detention have been a subject of discussion for over a year. At this consultation, participants heard about and commented on CBSA's proposed model and engaged with Public Safety Minister Ralph Goodale about the need for a larger role for NGOs. The CCR undertook to provide written feedback on the model.

## Criminal Inadmissibility

The issue of inadmissibility to Canada and subsequent deportation for permanent residents convicted of a crime has been on the CCR's radar for many years, and more particularly since 2013, when the "Faster Removal of Foreign Criminals" Act was enacted. In Niagara Falls the CCR membership passed a resolution against double punishment, where non-citizens are punished not only by the criminal justice system, but by the immigration system, through loss of status and deportation. A webinar is planned to help familiarize members with this issue.

## New challenges in the refugee determination system

The last few months have brought new challenges to Canada's refugee determination system. The political realities in the US have led to more people to leave precarious status in the US and seek refugee status in Canada: this results in a need to understand immigration rules in that country. A request emerged for a webinar version of information shared at a workshop. The increased numbers of refugee claims, in the context of a government decision not to increase resources at the Immigration and Refugee Board (IRB), have led to a fast developing backlog, and a decision by the IRB to change their scheduling priorities. Participants heard from and gave input to the IRB on this topic. Finally, reports had been circulating to the effect that the government might be considering transferring responsibility for refugee determination away from the IRB: CCR members agreed that such a move must be energetically opposed.

## Combating Islamophobia

CCR regularly speaks out against racism, oppression and Islamophobia, especially as related to immigration and integration issues. In Niagara Falls, it was decided that CCR should be more vocal about Islamophobia. CCR subsequently released an open letter in support of the National Council of Canadian Muslims' request to the Prime Minister that January 29 be designated a National Day of Remembrance and Action on Islamophobia.

## African caucus

Concerns about African refugees being too often forgotten have led over recent months to CCR members and others identifying the need for a pan-Canadian African network. A well-attended caucus session confirmed a request to CCR to house this network and provided input on mandate and structure.

# Outcomes

## Action requests to members

### Immigration and Settlement (I&S)

1. Members to advocate for access to post-secondary education for people with precarious status and without status at domestic tuition fees with their provincial Ministry of Education and with local post-secondary educational institutions.

2. Members to plan to participate in the Protecting Refugees = Stronger Communities campaign by joining the April 4 2018 CCR lobby day, bringing together private sponsors, settlement agencies and refugee claimant advocates.

### Overseas Protection and Sponsorship (newly Overseas Protection and Resettlement)

1. Members to participate in the Protecting Refugees = Stronger Communities campaign by joining the April 4 2018 CCR lobby day and supporting all three policy recommendations, whatever their area of involvement.

### Inland Protection (IP)

1. That members use CCR speaking points to vigorously defend the Refugee Protection Division (RPD) and go to their MPs.

2. That members inform themselves about the Safe Third Country Agreement using tools available at [ccrweb.ca/en/safe-third-country](http://ccrweb.ca/en/safe-third-country).

## Resolution

### Criminality and Double Punishment

*Whereas:*

1. Some people commit crimes in Canada. Those who are citizens have one punishment. Those who are permanent residents or protected persons face additional punishments, including:

- criminal inadmissibility (with or without a right of appeal);
- loss of permanent resident status and deportation;
- prohibition on applying for citizenship for a certain period of time.

2. People who arrived in Canada as minors, people from racialized communities, and persons living with mental health issues, and who never obtained citizenship, are disproportionately affected by this differential treatment, and may face deportation despite having lived in Canada for most of their lives;

3. Discretionary relief on humanitarian and compassionate grounds, while important, is not an adequate remedy.

*Therefore be it resolved:*

that the CCR takes the position that criminal inadmissibility should not apply to permanent residents and protected persons in Canada who have lived in Canada for at least three of the past five years.

**Approved by the CCR membership, December 2017**

# Suggestions from workshops

*The following suggestions of resources, action items, and suggested reading emerged from workshop discussions. They have not necessarily been taken up by the CCR, but are provided here for reader interest.*

## Irregular Arrivals from US

- Create a one-pager with analysis of the US as a third country that is not safe, to better inform decision-makers on the context of the Safe Third Country agreement;
- Continue to advocate for the suspension of the Safe Third Country Agreement.

## Language Learning for Newcomers: Successes and Challenges

- Advocate for more resources towards childcare, transportation and e-learning to support access to language learning, especially for women and seniors, who face barriers in accessing language programs;
- Recognize and support volunteer and non-traditional language programs.



## Refugee Protection Division Changes

Advocate for rights of Burundian refugees deported from Canada, now in refugee camps.

## Access to Education is a Human Right: Challenges at the post-secondary level

- Advocate for programs like the York University Bridging Program, wherein resident students with precarious or no status can access post-secondary education at domestic tuition fees;
- Advocate for more recognition of diplomas and work experience from abroad.

## Towards a Global Compact on Refugees

- For background on Canada's involvement, see: Canada's Statement to Thematic Discussion #1 [www.unhcr.org/events/conferences/59e5bc4b7/statement-canada-first-thematic-consultation-additional-remarks-10-july.html](http://www.unhcr.org/events/conferences/59e5bc4b7/statement-canada-first-thematic-consultation-additional-remarks-10-july.html)
- Continued advocacy for Canada to sign on to the 1954 Convention relating to the Status of Stateless Persons

## Combatting Racism and Islamophobia

- Take up elements of OCASI's awareness-raising campaign against anti-black racism [www.torontoforall.ca/anti-black-racism/](http://www.torontoforall.ca/anti-black-racism/)
- Share resources from previous webinar on incorporating education about indigenous peoples into language learning: [ccrweb.ca/en/resources-first-peoples-learning-materials-newcomers](http://ccrweb.ca/en/resources-first-peoples-learning-materials-newcomers)

## Youth Migrant Crossing Experiences

Develop an awareness-raising campaign using the testimony of youth with lived experience.

## Sex, Labour and other forms of Trafficking: Going beyond the trafficking divide

- Advocate to strengthen labour law remedies for those without status;
- Advocate for government to fund support services by civil society organizations for trafficked workers
- Create a document outlining the spectrum of exploitation and appropriate responses;
- Consider how to change the narrative of what is, who are being trafficked – using a human rights framework;
- Resources recommended for information:
  - Human trafficking Spectrum – Moving Beyond the Binary Approach, by Sue Wilson and Annalise Trudell: [ccrweb.ca/en/consult/human-trafficking-spectrum-moving-beyond-binary-approach](http://ccrweb.ca/en/consult/human-trafficking-spectrum-moving-beyond-binary-approach)
  - Migrant and Asian Sex Workers Network, Legal Resources for Service Providers: [www.butterflysw.org/legal-information-for-services-prov](http://www.butterflysw.org/legal-information-for-services-prov)

# Suggestions from workshops (continued)

*The following suggestions of resources, action items, and suggested reading emerged from workshop discussions. They have not necessarily been taken up by the CCR, but are provided here for reader interest.*

## A Journey into Exile

There was interest in using the simulation exercise from this workshop as part of the campaign to sensitize people to refugee issues.

## Forgotten Refugee Crises

- Advocacy on root causes of displacement where Canadian businesses are implicated;
- Advocacy for resettlement response and humanitarian aid in “forgotten” refugee-hosting countries;
- Ensure that any advocacy and awareness-raising campaign for response to refugee crises includes lens on “forgotten” crises.

## Barriers to Citizenship

- Creation of a resource for members to understand the systemic barriers to citizenship (high application fees (limited to online payment), demanding and inflexible language and knowledge requirements);
- Advocate with government for removal of systemic barriers;
- Organize a virtual meeting to further develop a proposal for CCR positioning on barriers to citizenship.

## Imagine: Education as a Complementary Pathway to a Durable Solution

- Advocate that those seeking study permits to come to Canada will not have to demonstrate that they will return to their home country after their studies. The reality is that once they are graduating, they become coveted candidates for permanent residence through the Canadian Experience Class. This is especially relevant for those who are fleeing their country of origin;
- Advocate that the Canadian government renew its support for the Borderless Higher Education Program for Refugees (BHER), and support other initiatives that support development of complementary pathways through education to refugees in protracted situations (particularly through resettlement within their regions).

## Protecting Refugees = Stronger Communities

- Create resources on pivoting messages, addressing “economic concerns” directly;
- Make messaging accessible for children, youth, students;
- Do not lose sight of racism/Islamophobia – it’s critical to the conversation;
- Focus on all contributions of refugees: economic, cultural, societal, social.

## Dialogue with IRCC

Several issues were identified to IRCC as priority issues related to family reunification:

- Speeding up process of dependents of refugees abroad;
- Medical examination: families with long processing times must repeat medical exams many times and they have to travel to a designated immigration physician out of the area of residence costing them a lot of resources. This should be avoided;
- Allocation of resources to deal with DR2
- Designate priority cases: separated children, vulnerable populations, protected persons and minor children at risk. Clarify to whom priority cases should be submitted;
- Alternatives to DNA test;
- Need for improved communication with overseas office.

## Working with People with Precarious Status

- Develop training resources and workshops for front-line workers on the various immigration statuses and services offered to migrants based on status;
- Advocate with IRCC for all H&C applicants to have access to an open work permit for the duration of processing, given the long delays, and for stay of deportation for all H&C applicants;
- Organize a webinar on good practices when putting together an H&C application.

# Participant evaluations

<b>94%</b> of participants agree that	the overall program was strong, including the scheduling and the mix of workshops, plenaries, and caucuses.
<b>91%</b> of participants agree that	the conference helped them acquire knowledge, understanding, and contacts that will be useful in their work.
<b>83%</b> of participants agree that	there were significant efforts to promote bilingualism.
<b>87%</b> of participants agree that	the conference provided good opportunities to participate in and contribute to the dialogue.
<b>92%</b> of participants agree that	there was a good diversity of participants.
<b>94%</b> of participants agree that	overall the conference was successful and they would recommend others to participate in the future.

**“** A conference where there is an opportunity not only to learn about issues, but also to strategize about actions to take, and dialogue with each other.”

“It was great interacting with different members of government!”

“It was great to be part of a conference that took language inclusivity seriously. I love that!”

“I appreciated the opportunity to have the ear of representatives from the government as well as the UNHCR.”

“The plenary sessions were good - lots of people and good energy. Working group sessions also useful as they came with concrete outcomes. And the community/ people are amazing!”

“Thank you for all your hard work to make your consultation as inclusive as possible. Great job! **”**

