

Proposal for Conditional Permanent Residence: A Step Backwards



In March 2011, the federal government published in the *Canada Gazette* a proposal to introduce a conditional permanent residence period of two years or more for sponsored spouses and partners who have been in a relationship of two years or less with their sponsors. According to the proposal, if the sponsored spouse or partner does not remain in a bona fide relationship with their sponsor during the conditional period, their permanent residence could be revoked, and they would be deported.

If implemented, this proposal will increase inequalities in relationships between spouses and put women in particular at heightened risk of violence.

Spousal Abuse – impact on women and children

- > Making permanent residency for the sponsored partners conditional puts all the power into the hands of the sponsor, who can use the precarity of the partner's status as a tool for manipulation – at any time, the sponsor can declare the spouse fraudulent. This can be a constant threat and source of fear for the sponsored person, who faces the risk of being deported.
- > This power imbalance affects all sponsored partners, regardless of the “genuineness” of relationship, and reinforces unequal gendered power dynamics.
- > Making permanent residency conditional on staying in the marriage for two years traps women in abusive relationships for fear of losing their status. Children will also be hurt when they remain with their parent in an abusive home, or if they face being separated from one parent if the sponsored parent is removed from Canada.

- > Having exceptions for cases of spousal abuse will not solve the problem. Many sponsored immigrants speak neither official language and are unaware of their rights: they are likely to remain in an abusive situation because they are unaware that an exception applies to their situation.

The proposal unfairly treats immigrants as fraudulent and insincere

- > Many genuine relationships break down in the course of two years: it is unfair to treat them as necessarily “fraudulent”.
- > The federal government's suggestion that some cases would be “targeted for fraud” raises fears of possible racial, national or ethnic stereotyping and discrimination, and of malicious denunciations.
- > No evidence has been presented to suggest that this proposal is addressing a widespread problem. The immigration law already has provisions to deal with any people who commit misrepresentation, including through engaging in “marriages of convenience.”

Oppose spousal abuse.

Oppose the proposal for Conditional Permanent Residence.

For more information: ccrweb.ca/en/conditional-permanent-residence



Canadian Council for Refugees
Conseil canadien pour les réfugiés

October 2011