

HOW YOU CAN HELP:

- **SIGN** the 'Lives on Hold' petition
- **COLLECT** signatures for the 'Lives on Hold' petition
- **WRITE** to the Minister of Citizenship and Immigration, asking him to support solution offered by the 'Lives on Hold' campaign
- **MEET** with your Member of Parliament and ask him or her to support the 'Lives on Hold' campaign
- **ORGANIZE** an event in your community to tell other people about the conditions that nationals from moratorium countries living in limbo face.
- **REFER** people to the 'Lives on Hold' webpage at www.web.ca/ccr/livesonhold.htm for more information
- **SHARE** the 'Lives on Hold' DVD and this study guide with other people

The 'Lives on Hold' DVD is available for \$5.00 (including shipping) by sending an email to ccr4@web.ca The 'Lives on Hold' DVD, Study Guide and additional materials are made available by:



CANADIAN COUNCIL FOR REFUGEES
CONSEIL CANADIEN POUR LES RÉFUGIÉS



LIGUE DES DROITS ET LIBERTÉS

In collaboration with the refugee communities from the following countries, on which Canada has imposed a moratorium on removals: Afghanistan, Burundi, Democratic Republic of Congo, Haiti, Iraq, Liberia, Rwanda and Zimbabwe.



THE VIDEO STUDY GUIDE

BEFORE THE FILM:

What rights do you benefit from by living in Canada? Which are most important to you? Make a list and share it with others in your group. Are these rights available to everyone living in Canada?

AFTER THE FILM:

What are some of the stories that touched you the most from Lives on Hold? Why? How did you feel?

Living in limbo affects not only the adults who live in Canada without status; it affects their children as well. What could be some possible inter-generational effects of living in limbo if the situation is allowed to persist?

What are the pros and cons of allowing individuals from moratoria countries to remain in Canada without status?

RETURN TO THE DISCUSSION BEFORE THE FILM:

Have your ideas on the rights that you find important in Canada changed? How? Now that you have watched the film, are there any important rights that you would add to the list that may not have been mentioned earlier?

Out of the rights that you value the most, which ones are not shared by people from moratorium countries living in limbo? Should these rights be made available to everyone in Canada? Why/why not?

TRY THESE ACTIVITIES AS A GROUP:

ACTIVITY #1: MEMBERSHIP HAS ITS PRIVILEGES

Step 1: Look at your Social Insurance Number (SIN). Consult the *Human Resources Canada* factsheet to see what this allows you to do. What are the differences that are listed for people who have a SIN beginning with a “9”? What are the practical effects of these differences? Make a list of examples.

Step 2: Write down the five most important tasks that you need to do in the next week. If your SIN begins with a “9”, which tasks in the next week will you have difficulty doing?

Step 3: In a small group, compare your lists. Was there anything that you overlooked?

Step 4: Share your list with the entire group. Were there any ideas that were surprising? How would your life be different if you had difficulties accomplishing them, if at all? What are the secondary effects of these complications?

USEFUL RESOURCES:

- ▶ Lives on Hold—campaign materials. *Canadian Council for Refugees*. Available at: www.web.ca/ccr/livesonhold.htm
 - *Lives on Hold* pamphlet (in .pdf format for easy printing)
 - *Lives on Hold* petition (in .pdf format for easy printing)
 - *Lives on Hold* report (in .pdf format for easy printing)
 - *Lives on Hold—The limits of H&C* (in .pdf format for easy printing)
- ▶ ‘Fact Sheet: People Claiming Refugee Protection and Canada’s 900-Series Social Insurance Number (SIN).’ *Human Resources and Social Development Canada*. Available at: www.sdc.gc.ca/asp/gateway.asp?hr=/en/cs/sin/print_03_06_30.shtml&hs=sxn
OR through the ‘Frequently Asked Questions’ section on the Social Insurance Number at: www.hrsdc.gc.ca
- ▶ For regulations on government moratoria on removals: Immigration and Refugee Protection Regulations. *Canada Gazette* Vol. 135, No. 50 — December 15, 2001 Section XXII — STAYS OF REMOVAL — PART 13, DIVISION 3; AND PART 15. Available at: canadagazette.gc.ca/partI/2001/20011215/html/regle-e.html#i1
- ▶ ‘Immigration and Refugee Board of Canada: An Overview.’ Available at: www.irb-cisr.gc.ca/en/about/publications/overview/index_e.htm
- ▶ ‘State of Refugees in Canada’. *Canadian Council for Refugees*. Available at: www.web.ca/ccr/state.html
- ▶ ‘Talking about Refugees and Immigrants: A glossary of terms’. *Canadian Council for Refugees*. Available at: www.web.ca/ccr/glossary.htm

FREQUENTLY ASKED QUESTIONS (FAQS)

Why does a person need protection in Canada if his or her application for refugee status has been denied? Isn't it abusing the system if they stay?

The Canadian government has provided different mechanisms to respond to "personalized risk" and "generalized risk". Refugee status is granted to persons who face a personalized risk, that is a risk because of who they are (because of their religion, their sexual orientation, their ethnicity or their political activities, for example). Refugee status does not cover all the risks people may face – in some countries there is a generalized risk (an ongoing war or an environmental disaster, for example), with the result that all civilians are at risk. In these cases, the government may suspend removals to the country.

Some people whose refugee claims were rejected should in fact have been recognized as refugees. Because the government has not implemented the right to an appeal (even though such a right exists in the Immigration and Refugee Protection Act), wrong refugee determinations go uncorrected.

What is an H&C review?

Nationals of moratoria countries, like anyone else, can apply for permanent residence on Humanitarian and Compassionate grounds (H&C) at any time. To apply, there is a fee of \$550 per adult (\$150 per child) and an immigration officer makes the decision (often several years later). H&C is a discretionary measure where there are no hard and fast rules about who qualifies. Officers must consider all the information provided and make their own decision about whether there are sufficient humanitarian and compassionate factors to grant permanent residence on humanitarian and compassionate grounds.

Why is the coalition asking for people whose lives on hold be allowed permanent resident status in Canada after three years?

The three-year period was used in the 1990s with the Deferred Removals Order Class (DROC), which was applied to refugee claimants who came from moratorium countries, among others. Three years is also the period of residence required for citizenship in Canada.

ACTIVITY #2: IN FIVE YEARS, I WILL BE ...

Step 1: What do you see yourself doing in five years? Make a list of the changes that you would like to happen between now and then. Imagine your SIN begins with a "9", how would your plans change?

Step 2: In a small group, compare your ideas. Was there anything that you overlooked?

Step 3: Compare your list with the entire group. Were there any ideas that were surprising?

ACTIVITY #3: WAITING IS NO GAME

Think of a time in your life when you had to wait for something to happen. Perhaps you applied for a job and were waiting to hear if you secured an interview. Maybe you were waiting to hear from a university to find out whether you were accepted. Perhaps you or someone close to you was on a hospital waiting list. How did it feel to wait without knowing when you would see results? How did this waiting affect the choices you were able to make? Did it limit your choices or expand them? Did you notice a change in your mood while you were waiting?

ACTIVITY #4: RISKY BUSINESS

Step 1: Review the distinctions between personal risk and general risk. (See p. 6 of the 'Frequently Asked Questions').

Step 2: Which of the following situations put people at personal risk? Which ones pose a general risk to a community? Are there any that fall into both categories? Neither category? Discuss your answers in small groups. (Note: Many of these situations will need further information to be able to make an exact determination. What additional information do you need in these cases?): A flood; a riot; your aunt receives a death threat; government militias start targeting an ethnic minority; a neighbouring country invades; famine; your brother disappears; the government approves a military draft.

ACTIVITY #5: WHEN ARE YOU "HOME"?

Canadians generally accept that once someone has been living long enough in Canada and has settled, it would be wrong to remove him or her (for example: after a moratorium is lifted). How long do you think is 'long enough'? What factors would be relevant, apart from time? How are these factors relevant? You might consider: work, social involvement, family ties, children in school, children that are born in Canada. Any other factors?

FREQUENTLY ASKED QUESTIONS (FAQS)

Who is a refugee?

A refugee is a person who is forced to flee persecution. In international law, a refugee is a person outside their country of origin who has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.

What is a 'moratorium' country?

The Canadian government recognizes that people should not be removed to certain countries because of generalized insecurity there. Canada has put a moratorium on—or suspended deportations to: Afghanistan, Burundi, Democratic Republic of Congo, Haiti, Iraq, Liberia, Rwanda, and Zimbabwe.

What are the impacts of living without permanent status on people from moratorium countries?

- they cannot reunite with family members, even spouses and children
- they have limited job prospects
- they cannot pursue their education
- they are ineligible for child tax credits, even if they work and pay the same taxes as Canadians
- they have access only to emergency health care coverage
- they cannot travel outside of Canada

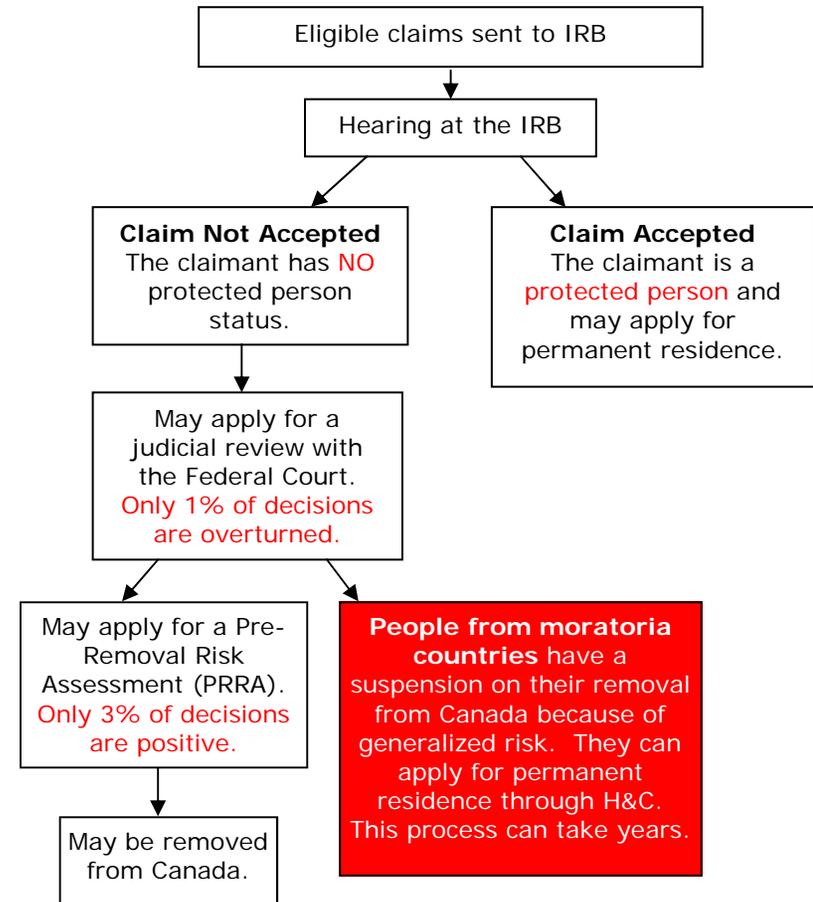
What are the impacts on children in families whose lives are on hold?

- they cannot pursue education past high school
- they suffer the effects of being separated from family members
- they are often unable to participate in school activities that involve high costs or travelling to another country

What happens when a person makes a refugee claim in Canada? How does a person end up 'in limbo'?

When people fleeing their country arrive in Canada, they apply for refugee status (refugee claimant). If an immigration officer decides that the claim is eligible, the file is referred to the Immigration and Refugee Board (IRB). The IRB decides whether a refugee claimant is a refugee or a protected person. To be recognized as a refugee / protected person, claimants must show they face personalized risk in the country of origin.

THE REFUGEE CLAIM PROCESS IN CANADA



UNDERSTANDING THE REFUGEE CLAIM PROCESS

Judicial review (Federal Court) - a legal review of a claimant's application. Only with permission from the Court and on technical legal matters.

Pre-Removal Risk Assessment (PRRA) - considers changes in a claimant's application since the IRB's decision. If accepted, the person is a protected person.

Humanitarian and Compassionate (H&C) review - a process through which an immigration officer determines whether an applicant should be granted permanent residence on humanitarian grounds..