

# REFUGEE

U P D A T E

ISSUE NO. 18

A PROJECT OF THE JESUIT REFUGEE SERVICE/CANADA

SUMMER, 1993

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# SANCTUARY PROMISED

**R**efugee workers in Southern Ontario are preparing to offer sanctuary for 23 refugees that the Canadian government has rejected and now threatens to remove. The following is an illustration of what these refugee workers propose to do.



SOURCE: UNIYA, JRS/AUSTRALIA

### A CIVIL INITIATIVE TO PROTECT REFUGEES (EXCERPTS FROM PRESS CONFERENCE STATEMENT)

**T**oday, May 31, 1993, we make a promise to 23 refugees: we will not abandon you.

We believe that most Canadians, most politicians, would be shocked to learn of the daily violation of the human rights of refugees in this country. Even in tough economic times, Canadians know there is a world of difference between being out of a life and being out of a job. Genuine refugees do not come to this country for a better life - they come for a life.

In the past year, we have seen some genuine refugees deported, sent on the long journey back to the arbitrary detention, torture and death they had tried to escape. These people are not cases to us. They are human beings with names and faces. Their tears are like yours and ours. We have gone with refugees to the "removal" units. Husbands and wives have been separated. We have seen fathers shackled in front of their children - children put in "detention."

In the name of God, in the name of Canada, this must

stop. We have been, we are, more decent than this.

**C**anada's refugee determination system largely reflects the basic sense of decency and fairness in this country. Nevertheless,

**CONTINUED ON PAGE 2.**



when a mistake is made, it becomes a matter of life and death for someone.

We know of genuine refugees who are threatened with deportation - not because their claims are invalid but because their claims were jeopardized by negligent lawyers, by incompetent translators, by culturally insensitive panel

members or because of inadequate information about a country situation at the time of hearing.

When a just claim is refused, there is almost no possibility of obtaining an adequate review of the decision. The grounds for an appeal to the federal court are restricted to the conduct of a hearing rather than the content of a refugee claim. New information, for example, is inadmissible. The only alternative is to request a review from Immigration Canada.

Twenty three carefully documented files were sent to the Prime Minister's Office. All of these files detailed reasons why 23 human beings and their families were in danger of death if deported back to their own country.

While the Prime Minister was under the impression that most of these 23 cases referred to him had been accepted, we knew something quite different from the Ministry of Immigration: 14 of the cases were slated for deportation. The refugees concerned were not, as usual, given any reasons for these decisions. We also knew that one file (at least) had been lost. Not one refugee had received a positive review. By this time one of the refugees was suicidal, some were on the verge of nervous collapse.

Senior Immigration officials have promised that a review of these cases will take place sometime after June 25 and possibly before the end of July. By this time Brian Mulroney will be out of office.

**L**et us say this clearly: the government of Canada has a legal obligation to protect genuine refugees. If our government will not or cannot honour this obligation then we, as citizens of Canada, will protect these people. We are prepared to take the civil initiative of declaring sanctuary for these 23 refugees.

This is not a threat. This is a promise we make today to those refugees, whose lives are in danger. **We will not abandon you.**

*The signatories of this statement live in Southern Ontario and come from a variety of Christian denominations. Some are refugee advocates, students, teachers, nurses, professors and writers. There are Anglican priests and Roman Catholic sisters, a Catholic brother and priest, a United Church minister, and Mennonite pastors. There is a lawyer and a member of parliament.*

**R**

# MY WEEKLY VISIT

BY JOHN MASTERSON

**S**ince mid-October 1992, I have been visiting a family once a week to bring them money for food and other necessities of life. I was providing where our government refused to provide. How I fell into this role was not something I planned on my own or even contemplated seeing myself doing a year ago.

It all started with a visit I received from a couple of people I know who are involved in refugee advocacy work. Following that visit, I was invited to a meeting - a meeting that would qualify as one of the great revelations of my life. At this meeting was a mixture of people that crossed religious and political lines, some prominent faces well-known to the public and run-of-the-mill pedestrian types, such as myself. What I was to learn that afternoon, after I heard various people speak, was that this was a group of people brought together in conscience around an issue we all shared. All were there because of the plight of refugees - in particular, the plight of refugees who were refused Convention status in Canada.

As I listened there were evident concerns that meaningful review was an impossibility when there is a chaotic bureaucracy that clings to a certitude about the correctness of their decisions. Why this certitude is the 'gift' of a privileged few - and how it is allowed to impact on the lives of desperate people was a serious concern to this particular group.

To make a long story short, this is why I find myself on the subway this morning making my way across the city for my weekly visit to this gentle family. As always, when I make this trip there is a nervous feeling in the pit of my stomach. Once again, I will be reminded of their story, see their isolation, hear their desolation and absorb their fear and anxiety and the uncertainty of their lives: "What is our crime? Why do they want to throw us on the scrap heap of lost humanity? All we want to do is to live our lives free of fear, in peace and security."

I listen and try to respond with words of hope and encouragement. I deliberately turn the conversation to small-talk. I say my good-byes and leave. I leave knowing that I will return next week. I will return like a pilgrim called out into the desert to hear the exhortations of the prophet: "Be gentle, show mercy, care for your brother! Care for your sister so that in your time of need you will know gentleness and mercy."

O Canada - oh my country, hear this small voice crying the wilderness.

*John Masterson is director of the Jesuit Refugee House in Parkdale, Toronto.*

**R**



# CHRONOLOGY OF EVENTS

## LEADING TO THE PROMISE OF SANCTUARY

MAY 92 - MAY 93

BY MARY JO LEDDY AND MARY POWER

**U**nder former Immigration Minister Barbara McDougall there was once the semblance of a Humanitarian and Compassionate Review (H & C) for those cases rejected by the Immigration and Refugee Board. Groups such as Vigil, Amnesty International and the Quaker Committee for Refugees were quite rigorous in researching the H & C requests which came to them to be forwarded to the Minister. Although the number of refugees referred in this manner was relatively small, there was the sense that the data and information was, at very least, acknowledged by the Minister's staff. It seemed that, in the years to come, a working relationship would be possible for the mutual assurance of the protection of genuine refugees.

Refugee advocates were now finding that if they made an H & C request to Mr. Valcourt's office they were told that such decisions had been delegated to local immigration officers at "Hearings and Appeals", i.e. at the Enforcement Office! When refugee advocates contacted these local immigration officers they were told that no decision could be made without a permit from the Minister.

**I**n the Fall of 92 we became aware of the numerous rejections of refugee claimants who were members of Eritrean Opposition groups. We wrote several letters to the IRB requesting that the new information which now showed these groups were in danger would be grounds for having a hearing reopened. Dorothy Davey,

IRB deputy director, agreed that the issue of new or previously unavailable information should be addressed somewhere. However, on September 30 Mr. Gordon Fairweather, head of the IRB, wrote a letter saying that new or previously unavailable information did not constitute grounds for a reopening of hearing.

We continued our efforts at the local Immigration level with little success. Several Eritreans went into hiding instead of exposing themselves to the danger waiting for them in their country if deported. With Amnesty International and Vigil we delivered on November 27 all 23 cases directly to the Prime Minister's office. His assistant assured us that they would be dealt with immediately and carefully.

On February 26 Cabinet Minister Pauline Browne finally informed us that 13 of the cases had not been accepted - with no word about the others. A meeting took place in her office on March 25 to look at these cases. It was clear to us that Minister Browne had not read the files and was unaware of some issues. At one point she asked us: "What happens to the refugees that are deported to Buffalo?" She seemed surprised to learn that families were being separated. We asked for a review of the 13 cases which had been rejected and we asked for consideration of a family which had been separated (that is, the wife and children were deported while the husband's case was still before the courts). At least 3 of the 13 had already received deportation orders, even though Minister Browne had promised to review them.

On April 23 we wrote an urgent appeal asking her to stop the deportations in light of updated information we had recently forwarded. It was obvious that, after five months, no one had been accepted and the 13 on the list of those rejected was slowly being added to.

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**T**he deportations went ahead: a family was split and two families were sent to Buffalo. We accompanied these people. It was devastating.

In the late afternoon of **May 19** we learned that the Prime Minister had put a hold on all deportations (of the original 23 names we had forwarded) and asked that they be reviewed. The hold was for one month. As a result, there were several relieved families among those not yet deported. On **May 20** we received a Fax from Mr Hallam Johnson saying that the cases would be reviewed some time after **June 25** and there would be

no deportation before then.

As all of this was happening, various small groups of people met together to discuss how we best can protect these refugees. On **May 31** we decided to announce our commitment to these refugees in a press conference and to demand decisions for all 23 by **July 1**.

*Mary Jo Leddy NDS, writer and activist, is the founding director of Romero House in Toronto. Mary Power RSCJ works at Romero House. For more information about this civil initiative call (416) 516-3123*

**R**

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# EVERYBODY'S TALKING

**G**one are the days when individual countries formulate refugee policies in isolation from each other. The marriage of global politics and communication technologies in the 1980's have led to the rapid growth of inter-governmental policy development. NGOs around the world complain that these discussions are occurring in an atmosphere of secrecy with little or no public accountability. As these NGOs find themselves cutting back more and more to survive in the nineties, inter-governmental bodies are rapidly expanding their research and communication mandates.

*The following is a snap-shot of some the ever-multiplying global bodies centred in Europe.*

**T**HE SCHENGEN GROUP – On June 14, 1985, five countries (Belgium, France, Germany, Luxembourg, the Netherlands) signed an agreement to work toward the suppression of the internal borders between them. This agreement was partly in response to the huge protests in 1984 by truckers demanding an end to excessive border-crossing delays. Since that time, seven other European states have since signed on to the agreement and all have been working on a "Supplementary Agreement" on how to achieve a Europe-without-borders.

The latest word is that this goal will not be reached soon,

if at all. This should bring some delays to the set-up of a computerized personal data system proposed for use at border points. Such a system would consider all rejected refugee claimants from any country with an outstanding deportation, removal or expulsion order, as "clandestine immigrants" to be automatically barred from entry.

**C**OORDINATORS' GROUP ON THE FREE MOVEMENT OF PERSONS (RHODES GROUP) – Since 1989, this group has



ILLUSTRATION BY ROBERT ZIMMERMAN

been coordinating several sub-groups related to the suppression of internal European borders. One sub-group is the **ad hoc Immigration Group**. Its agenda includes admissions/expulsions, visas, false documents, asylum, external borders, and now monitor refugees from the former Yugoslavia.

**O**n June 15, 1990, the **ad hoc Immigration Group** signed a draft Convention Determining the State Responsible for Examining Applications for Asylum, known as the **Dublin Convention**. Three years later, Canada's **Bill C-86** announced the Canadian government's intention to sign onto the Dublin Convention. This will enable Canada to send refugees that arrive in Canada through Europe back to Europe to have their claims heard there. Under another measure in Bill C-86, the Canadian government can join such agreements without going through Parliament!

Refugees and their supporters in Canada might take some comfort from the fact that the parallel agreement to include Canadian and US membership is ready but cannot go ahead until all EC states have ratified the Dublin Convention. To date, only six of the twelve European Community states have chosen to sign on.

**I**NTER-GOVERNMENTAL CONSULTATIONS ON ASYLUM, REFUGEES, & MIGRATION POLICIES IN EUROPE, NORTH AMERICA AND AUSTRALIA (IGC) – Since 1985, this group has provided a forum for Western states to discuss common problems, specific migration situations, and revisions to asylum law and procedure. Some say this group has played a key role in formulating the recent spate of restrictive refugee policies within member states. **Refugee Update #15** reported about an IGC meeting held in Niagara-on-the-Lake, Ontario in December of last year. The timing of this meeting with **Bill C-86** seems to suggest that the Immigration Department of Canada was intent on impressing the members of this inter-governmental body.

**B**esides these three groups, many other groups continue to meet in relative secrecy. Here are some examples of the never inter-governmental agencies on the European scene: The Berlin Group; The Budapest Group; Central European Initiative Working Group on Migration; Committee of Experts on the Legal Aspects of Territorial Asylum, Refugees and Stateless Persons (CAHAR); Committee of Experts for Identity Documents and Movement of Persons (CAHID); Conference on Security and Cooperation in Europe; European Committee on Migration (CDMG); Executive Committee of the UNHCR Working Group on Solutions and Protection; The International Air Transport Association Control Authority; Nordic Joint Advisory Group; OECD Migration Observation Team; OECD Working Group on Migration; Working Group on Inadmissible Passengers; The Vienna Club; The Vienna Group. **R**

## EUROPEAN NEWS BREAKDOWN

**FRANCE - Asylum-Seekers May Be Refused Entry Without Having Their Applications Examined** According to a new Bill on the entry and residence of foreigners, the frontier police may be allowed to refuse foreigners claiming to be refugees access to the asylum procedure. Admission into France may be refused if the person arrives from a third country considered to be without any danger or travelled via an EC member state.

**GERMANY - New Asylum Law on July 1st** On May 26 the Bundestag voted in favour of an amendment to the constitution that would enable border guards to turn away asylum seekers who try to enter Germany from a neighbouring safe country. Some 10,000 protestors, some throwing stones and bottles, managed to close off street access to the Bundestag building, forcing MPs to use ferries and helicopter to enter. Two other texts were adopted, one reducing the social benefits allocated to asylum-seekers by 25%, and the other on expulsion procedures.

**GERMANY - Bonn and Warsaw Sign Treaty on Return of Asylum-Seekers** The German Federal Interior Minister and his Polish counterpart signed an agreement that will allow Bonn to refuse asylum-seekers at its border with Poland and deport up to 10,000 rejected applicants who arrive from Poland this year after the new German asylum law comes into effect.

**SWEDEN - Pro-Immigrant Political Party Emerges** A new Political party in favour of immigrants will be launched on July 1st. It will be called the Humanist Alliance and will be directed towards underprivileged groups in society, among others, pensioners, youths, the unemployed and women.

**UNITED KINGDOM - House of Lords Confirms that Asylum-Seekers Without Valid Travel Documents Are Not Illegal Entrants** In a very important test case, the House of Lords ruled, on May 26, that asylum-seekers who embarked on a flight with forged travel documents cannot be considered as illegal entrants if they did not use such documents to enter the UK clandestinely. This ruling quashes convictions in 2 cases of persons sentenced for helping asylum-seekers enter the UK with falsified documents. Since there had been no attempt by the passengers to use forged passports to enter the UK, they could not have been illegal entrants and therefore the defendants could not have been guilty of facilitating their illegal entry. The court moreover ruled that it was not a prerequisite to hold a valid passport to apply for asylum.

**UNITED KINGDOM - 10,000 Migrants Imprisoned Annually** A report entitled "Detention Without Trial" which was released on June 2 1993 claims that more than 10,000 persons, immigrants and asylum seekers are imprisoned every year, some as long as 18 months. They are not charged, convicted or brought before a court.

**O**n Toronto's City TV last week there was a news clip about an accident that occurred near Milton, in which a van carrying a group of Vietnamese refugees overturned beside the highway.

As the ambulances carried people off on stretchers, the TV station resorted to interviewing passersby, because none of the accident victims could speak English. The reporter also commented in a bemused tone on an extraordinary phenomenon: scattered in heaps among the wounded were thousands and thousands of worms.

The underground economy of refugees and immigrants had surfaced briefly in the media, and the public had a rare glimpse into what many refugees are doing to survive this recession. These Vietnamese travellers were on their way home to Toronto from their night's work picking worms.

Ten days later another van-load of pickers crashed. Most of the passengers fled, causing suspicion that they were illegal workers, perhaps supplementing their welfare cheques. On top of a meagre rent allowance, welfare in Toronto pays about \$7 a day, or \$200 a month. A pass on public transit alone is \$67.

Although we keep reading in the newspaper that the recession is over, who believes it any more? We've all read it too many times. People know it isn't, and they are afraid. When people are afraid they lash out at those at the bottom of the heap, and the heap's bottom is getting deeper.

Refugees get it from all sides. People who are on welfare complain that refugees are taking their jobs, and people who have



ILLUSTRATION BY JAMES WARDELL

## ANALYSIS GROUP: **SLIM PICKINGS** REFUGEES IN THIS RECESSION

L O U I S A B L A I R

all-night gas bars, or as private security forces. People are dishwashing in restaurants, delivering circulars, cleaning offices at night. But much of the work is completely invisible: women are sewing, cooking and hairdressing at home, now that so many

jobs complain that refugees are on welfare. Most of the news the public hears only fuels that resentment.

**W**hat has changed for refugees since the recession? Refugee workers around the analysis table at the Jesuit Centre share stories. High expectations on arrival are dashed even sooner than they used to be. Some refugees are arriving with few expectations to begin with, but had no choice but to come anyway. One highly educated refugee was told that the only work available in Canada was walking the dogs of the rich. As Canadian embassies abroad select Convention refugees with higher and higher levels of skills and education, their chances of getting appropriate work when they arrive in Canada fall lower and lower. Betty Dilio at the Catholic Immigration Centre says "We mustn't assume that if they're not educated they won't fit in. In fact they settle in better, they're used to hard work. If you have sacrificed everything to get an education, it's much more depressing to have to do manual labour."

What kinds of work are people doing in this recession, aside from invisible worm-picking at night? The visible jobs that people associate with refugees are taxi-drivers and parking lot attendants, and they are visible because they are often visible minorities. Men workin

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manufacturing industries have closed up or moved south. There has been a 40% increase in work at home during the decade 1981-1991, compared with 17% increase in labour force.

For employers, the distinguishing mark of a refugee seeking employment is not just colour or accent but the notorious number "9" on their Social Insurance card. Some employers overlook it, others will find an excuse not to hire them, "no Canadian experience" being the common cruel Catch-22. Still other employers will seek out the number nines, as it gives them an opportunity to exploit. One refugee related that he was offered a job by a baker at \$3.25 an hour on the understanding that he would keep getting welfare.

**M**any women are working for a private nursing homes: One operator of a nursing home hires illegal refugees and pays them \$700 a month for around-the-clock duties, promising them sponsorship which they don't yet realize is impossible. Once they realize and leave, there are plenty more waiting to be hired. One fifty-year old Jamaican woman is looking after an entire house full of senior citizens all alone. Another is babysitting full-time for \$500 a month.

These employers are teaching their employees to cheat: they have to cheat to live on these salaries. In a recession these exploiters increase, because there are more people desperate enough to risk exploitation of themselves. Among them, refugees are the most vulnerable. They may not know their rights, or even that they have rights. Those who know their rights may believe that at the moment rights are a luxury that they can't afford.

We must shift the responsibility for the recession away from the victims and squarely on to the shoulders of those who control the economy. And we must shift the onus from refugees for taking our jobs to the employers who exploit them and damage our whole society. Racketeers are making a profit out of the most vulnerable: selling Social Insurance cards (\$500 to \$1000 each) and false work permits.

The media provides the public with most of their informa-

tion about refugees, but where are the voices of refugees in the media? Unless people can express themselves through the media, they cannot own the culture, and until they own the culture they cannot welcome anyone else—it's like trying to welcome someone to another person's house. Nor do we hear in the media the voices of local communities who have quietly continued to welcome refugees to this country.

**M**eanwhile refugees are leaving for the west coast, hoping things might be better out there. And others are sending a family member back home, perhaps at great risk of persecution, having finally given up hope of finding work here. The family is fragmented and demoralized.

Yet these are the people who are being blamed for the recession. If we are lucky enough to speak to someone who *openly* proclaims these views, how do we respond? Are refugees taking the jobs, are they milking the welfare system? Is the old "unique contribution to Canadian society" argument enough any more?

If you stick to ethics, the unique contribution argument is irrelevant, and so is the recession. There are bleak outlooks and then there are bleak outlooks. This is not the first recession we have suffered. Anyone who has read *None is Too Many* by Abella and Troper, which chronicles Canada's refusal to take European Jewish refugees during the thirties and forties, knows the capacity of Canadians to turn talk of bleak fiscal climates into denying people who are doomed their last chance of survival.

Yes there are fewer jobs and less money around. Refugees need protection. We don't owe it to them because they will one day make a unique contribution to Canada. We owe it to them because our international obligations demand it of us, because we have contributed to creating refugees (for example by arming their oppressors), because we have a Charter of Human Rights. But even without all that, we owe it to them because they simply need protection.

Protection means more than letting refugees in. It extends to making sure they can survive once they've arrived.

Louisa Blair is a writer and editor based in Toronto.

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# WILL CANADA RECOGNIZE OUR EXPERIENCE?

*The Following is an excerpt from a talk given at the  
April 1993 forum, When Refugees Come Calling...  
New Questions, New Voices.*

*This forum was sponsored by the Jesuit Centre for  
Social Faith and Justice together with the  
Harbourfront Centre in Toronto.*



ILLUSTRATED BY DENNIS SMITH

BY HAIDEH MOGHISSI

It is easy, and I must say often convenient, to lose sight of the human being behind the political/legal term "refugee". Easily one overlooks the history of physical and emotional turmoil, the dreams and nightmares on the run. Being a refugee is only one dimension of a refugee's identity, as being, for instance, a Canadian describes only one part of our myriad identities. Depending on a refugee's place of origin, religion, level of education, class, gender, and length of time in transit, an individual's refugee experience could be vastly different from another refugee. Yet for the public and its media who seem to grudgingly receive them, these aspects appear indistinguishable.

## MEMORY

Living in exile is the strongest personal loss and indignation that can be experienced by a human being. In the middle of a life a person is suddenly on the run: an experience no one could ever prepare for nor accept as the characterizing event of his or her life. The closest experience to such uprootedness would probably be death. A refugee's choice between leaving his or her home and

staying is a choice between surviving or not surviving. This lack of choice, and a feeling of being lost, being helpless and not knowing where s/he belongs, never completely leaves a refugee. It becomes a part of one's new identity.

Just imagine suddenly in your thirties, forties, or fifties you lose everything you've worked for all your life - all the people and things you cherish and love. The experience reduces you to a child - and the response of others intensifies it. All of a sudden you are having to learn the basics of life again: how to speak, behave, how to interact with people, find a job, learn a new skill - as if your past education was a slate wiped clean. Whatever you've learned before, all your previous life achievements and experiences are worth nothing in the country of refuge.

Many refugees undergo a complete change of character - losing their self-esteem and confidence. When everything you know, care for and hope for is devalued all the time, there is no reason for you to value them yourself. For many refugees, this can cause deep bitterness or cynicism. After all, if you are not in your homeland, among your loved ones, enjoying what life could give you, it is because you believed in some moral, religious or political principles which you could not give up, regardless of the

personal costs. But the refugees experience early on that this is the most irrelevant and the least appreciated part of their identity as refugees in a new land.

In Canada, once you are granted refugee status, there is no difference between a refugee who has been forced into exile and an immigrant who has left her/his homeland by choice. The undistinguishable treatment of the two, strips the refugee of the notion of "protection" to which a refugee is entitled. Often what a refugee experiences is not protection in the form of financial and moral support, that is, one which allows them to stand again on their own two feet and face the world. Instead, a subtle or open racism or discrimination - even condemnation and blame - reflect more accurately the reality. Refugees are increasingly considered an embarrassment for the host country.

### GENDER CONSIDERATIONS

The need for protection is more acute in the case of female refugees. Many women have lived through years of hiding in fear of arrest, carrying their children from one place to another because of their own political activities or those of their relatives. When captured many are subject to cruel punishments, sexual abuse and rape in order to elicit information from them or to make male family members confess. Sometimes the reasons for persecution are as trivial as not behaving according to the state/male defined codes of conduct that violate the most basic human rights - such as choice of dress. Once in exile, their chances of having a secure and productive life are usually more restricted than men. This is because of the general disregard for previous life experience, education and skill that is usually not accorded to "immigrant women". Discrimination, bias and double standards in Canada's "modern" society often mimic those which they had to escape from in their "traditional" society.

The case of the Iranian woman whose claim was rejected by the IRB two years ago is a case in point. Even though she had been whipped by Islamic guards in Iran while her hands were tied to a table, and was detained, lost her job and had to flee the country, the Board ruled that "the punishment was not exceedingly harsh, considering that she has not suffered permanent physical damage". A Toronto psychiatrist had nevertheless diagnosed her condition as a disorder by severe trauma causing her sleeping trouble, nightmares, headaches, depression and lack of concentration (*The Toronto Star*, October 11, 1991).

Fortunately public pressure and media attention forced the government to allow this woman to stay. And now the IRB, to its credit, has finally issued guidelines recognizing gender-based persecution as grounds for granting refugee status. But as I speak, at least five Iranian women in Montreal and several women in Toronto who fit under these guidelines are about to be deported. One of the women in Montreal recently tried to commit suicide and cut her wrist in the detention centre. Believe me, such a life in exile is not all milk and honey. If a woman is prepared to die rather than be deported, the situation is certainly desperate.

### HAVE WE NOT FLED?

When I hear Immigration Minister Bernard Valcourt talking about "asylum shopping" or the "burden of refugees", I ask myself who he is talking about? Is he really talking about those individuals who have left their countries where their lives and dignity were endangered by ruthless and brutal dictators? Does he really understand what it means to be a refugee? Has anyone informed him that an exceeding majority of refugees were respected leaders in their communities as he is here, many of them with university degrees, who are now doing the hard, dirty, under-paid jobs Canadians refuse to touch? And that hundreds of professionals, scientists and academics, who came to Canada

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THIS LACK OF CHOICE, AND A FEELING OF BEING LOST, BEING HELPLESS AND NOT KNOWING WHERE S/HE BELONGS, NEVER COMPLETELY LEAVES A REFUGEE. IT BECOMES A PART OF ONE'S NEW IDENTITY.

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over the years as refugees are now part of the skilled work force - without this country having spent a cent for their education. Unfortunately Statistics Canada does not produce statistics showing the brain-drain from our homelands nor the brain-gain for Canada.

As a refugee and in the name of refugees I would like to suggest that the Canadian government not consider their mandate to protect refugees as merely another rule to bend, but a guideline for compassion. As humans we must protect each other. And at the essence of the term human being, to paraphrase the modern French philosopher Emmanuel Levinas, is to be a being-for-others.

*Haideh Moghissi is a Lecturer in the Women's Studies Programme at Queen's University in Kingston, Ontario and a post-doctoral fellow in the Department of Middle East and Islamic Studies at the University of Toronto. Dr. Moghissi had to leave Iran with her family in 1984. She lived as a refugee in Lyon France for eight months before coming to Canada in October of that year.*

# CONSIDER MY PLEA

**S**ince 1989 the Government of Canada has been reviewing its refugee sponsorship program. From that time until today over 2 million more refugees have been created. Currently it takes up to 3 years for a private sponsorship group to sponsor a refugee to come to Canada. The following is one of many letters that Canadian agencies frequently receive.

July, 1993

Dear Sir/Madam

I hereby humbly request you and your organization to consider my plea kindly.

I am an Ethiopian refugee, female. Twenty solid months have elapsed ever since I fled my beloved country and exiled in Kenya.

I am by now living miserable life here in the jungle. I fetch water from a distant area carried with a jerrycan on my back, collect firewood from the thorny bush that thorn out my only clothes and scratched deep my skin. Moreover, you can imagine the difficulties I may face in the bush where the nomads enjoy themselves committing rape on most of the ladies. I am also suffering from the relapsing disease malaria.

Besides this, the area where I am encamped is so arid that I

could not possibly conduct the rest of my life under such a terrible plight.

How long am I supposed to stay in the wilderness receiving alms? - is the question that recurrently appears to my mind. Thus, I had to find ways and means whereby I can be emancipated from the grave difficulties I am immersed in. Therefore, as a last resort I searched and managed to get your organization's address and wrote my begging letter supposing that I would beg your great help.

To this end, I implore you to assist me in the endeavour I make to conduct the rest of my life in such a way that I would eventually be a self-sustained person. I am eagerly awaiting to hearing from you.

Very Sincerely Yours,

**HABTAN GETUNAN**

(not her real name) Walda Refugee Camp  
Nairobi, Kenya.

## REFUGEE CLAIMS (ARRIVALS)

BY COUNTRY OF ORIGIN AND REGION IN CANADA JANUARY TO DECEMBER 1992

REGION/COUNTRY	NFD	PEI	NS	NB	QUE	ONT	MAN	SAS	ALT	BC	TOTAL
1. SRI LANKA	95	-	1	-	569	4993	1	-	5	184	5848
2. SOMALIA	9	-	1	2	454	2633	1	-	8	82	3192
3. CIS, USSR	338	-	23	-	404	1229	4	2	22	50	2072
4. ISRAEL	-	-	-	-	612	1398	-	1	2	29	2042
5. PAKISTAN	4	-	-	-	1284	589	-	7	48	63	1995
6. IRAN	2	-	-	1	380	753	-	4	12	221	1373
7. YUGOSLAVIA	1	-	2	1	102	1103	9	-	51	60	1329
8. INDIA	69	-	15	-	405	561	9	-	11	193	1256
9. CHINA	3	-	9	4	154	850	2	4	33	158	1217
10. LEBANON	-	-	2	-	672	428	2	-	7	25	1136
11. EL SALVADOR	1	-	-	-	235	398	19	-	70	112	835
12. BANGLADESH	1	-	7	-	493	249	-	-	4	13	767
13. ROUMANIA	2	-	17	3	530	162	3	1	17	16	751
14. GUATEMALA	-	-	1	10	237	264	7	-	63	104	686
15. GHANA	-	-	-	-	211	444	-	-	5	24	673
16. MOLDOVA	557	-	-	-	-	116	-	-	-	-	668
17. NIGERIA	-	-	2	-	187	463	-	1	2	13	668
18. PERU	153	-	-	-	283	163	2	-	4	4	609
19. ZAIRE	2	-	1	5	440	138	1	-	1	-	588
20. HAITI	-	-	-	-	476	20	-	-	-	1	497
OTHERS	783	1	42	19	2561	5646	17	8	133	264	9486
<b>TOTAL</b>	<b>2020</b>	<b>1</b>	<b>123</b>	<b>45</b>	<b>10689</b>	<b>22600</b>	<b>70</b>	<b>28</b>	<b>498</b>	<b>1616</b>	<b>37704</b>

1. IRB NUMBERS ARE CLAIMS CONCLUDED INCLUDING CASES ARRIVING YEARS EARLIER. 2. INCLUDES 14 CLAIMS WHERE REGION IS NOT STATED.

SOURCE: EMPLOYMENT AND IMMIGRATION CANADA.

# BORDER UPDATE

## VANCOUVER

NGOs are noticing that more and more rejected refugee claimants are being deported through the boarder points near here. The number indeed indicates an increase in removals of refugees.

## EDMONTON

Refugee advocates report that Immigration officials here have been holding up the refugee determination process until claimants can produce proper identification documents. Refugees, as a matter of course, have little documentation since flight from persecution leaves little time for trips to embassies and government offices.

## DETROIT

The numbers of refugees passing through the U.S. to Canada continue to be way down. Groups and refugee workers believe this is probably due to the increase of U.S. Immigration interdictions at the Detroit airport and other airports in the U.S. As well, Detroit is receiving more and more refugee removals from Canada.

## WINDSOR

NGO relations with border officials at this border point continue to be good. Regular meetings are held between NGOs and Immigration where difficulties/solutions are discussed. As a result, settlement houses are still receiving refugees upon referral from that office. The problem is that refugees arrive at settlement houses with no advanced warning because the preliminary interview, the SIO interview and entry into Canada all occur in the same day. A big plus is that refugee claimants are receiving Health Insurance cards on their first day in Canada. The major groups arriving at this border are from Rwanda, El Salvador, Lebanon and Guatemala.

## NIAGARA FALLS

The processing of applications for Legal Aid are taking longer than the 15 days in which someone is given to apply for legal help. As a result, many are not getting legal advice for refugee applications. The numbers of refugees passing through Buffalo to Niagara Falls, Ontario have decreased so much that the Niagara Refugee Office has decided to close.

## TORONTO

Refugee workers are sending word to all future refugee claimants: say only the minimum to border and airport officials. Unsolicited statements said at the inquiry/SIO stage have been used against some claimants. As well, in Ontario, bank managers are requesting an unreasonable amount of documentation from refugees who wish to cash their welfare checks.

## MONTREAL

Refugee arrivals have decreased in number to less than half of that which was coming in January. Important contact has been lost between the airport/border officials and settlement groups due to the ongoing restructuring of the Quebec Immigration offices. Agencies are receiving very few referrals. Removals are way up, removals officers carry out, what the department calls, "blitzes" on target countries. Most recently, people from Zaire were rounded up in a number of simultaneous midnight raids carried out in the area. These raids have been noted to use aggressive intimidation in order to provoke reactions and justify placing them into detention until their claim is settled. One man was hauled away from his home in the middle of the night wearing only his pyjamas.

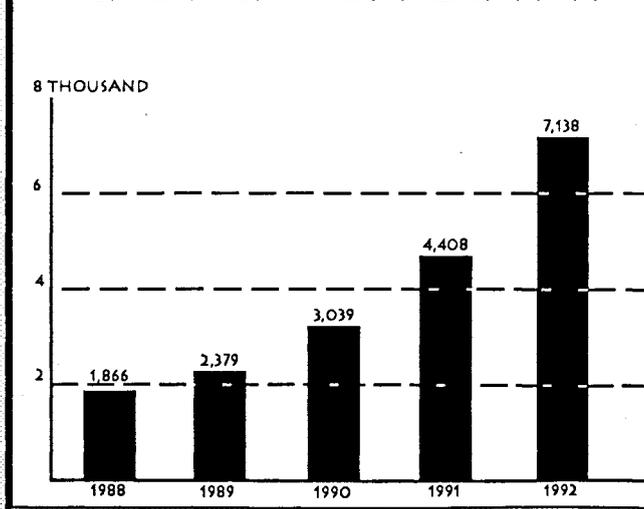
## ST. JOHNS, NB

The previous flow of Central Americans has stopped coming through this border into Canada. There have been some rejections and removals of Guatemalans from this area back to the U.S.

## MEXICO/U.S. BORDER

From January to March 93, more than a thousand Central Americans were detained after being apprehended by the U.S. Border Patrol in the lower Rio Grande Valley. Of this figure, approximately 100 were unaccompanied minors. This compares to 507 detentions during the same time last year. The greatest numbers of these refugees/migrants are from Honduras, El Salvador, Guatemala, and Nicaragua, respectively. Refugees continue to come from Central America, but fewer are making it to Canada.

## REMOVALS FROM CANADA



SOURCE: OUR NATIONAL PROTECTION PARTNERS

# U.S. SUPREME COURT UPHOLDS CLINTON INTERDICTION POLICY

American Churches reacted with dismay to the recent Supreme Court decision to uphold the Clinton Administration's policy of intercepting and returning Haitian refugees without a hearing for refugee claims. "The Court so narrowly defined our obligations under Federal and International law that our commitment to protect refugees and others is not meaningless. Its a shameful statement for the U.S. to make, especially when nations the world over are shutting their doors to people in need of protection," said Matthew Giuffrida, Chair of the Church World

Service Immigration and Refugee Program Committee.

In a case carried over from the previous administration, the U.S. Government argued that while it did not have the right to return refugees from U.S. shores to states where they would be persecuted, it could do so if it intercepted persons on the high seas. The supreme Court agreed with that argument saying that the "right of *non-refoulement* (protection from forced return) applies only to aliens physically present in the host country."

SOURCE: MONDAY, VOL. 12, NOL.12 R

## TOP TWELVE COUNTRIES

(JANUARY 1 - MARCH 31, 1993)

	1993 RANKING	1992 CLAIMS	WITHDRAWN*	HEARING REJECT*	HEARING ACCEPT*	ACCEPTANCE % 1992	1993
1.SRI LANKA	1	1101	37	168	849	92	81
2.SOMALIA	2	800	27	35	783	91	93
3.CIS, USSR	6	461	40	202	218	51	47
4.PAKISTAN	3	292	30	159	80	56	30
5.CHINA	4	274	27	259	42	19	13
6.IRAN	5	241	16	79	157	75	62
7.LEBANON	8	236	31	144	77	46	31
8.INDIA	9	213	29	127	50	22	24
9.EL SALVADOR	7	179	35	173	41	28	16
10.GUATEMALA	-	154	32	89	97	59	44
11.HAITI	-	147	5	52	84	51	60
12.ROMANIA	-	138	3	55	71	43	55
OTHERS	-	2118	373	1136	886	44	37
<b>TOTAL</b>	-	<b>6374</b>	<b>685</b>	<b>2678</b>	<b>3435</b>	<b>57</b>	<b>51</b>

(\* ) INCLUDES CLAIMS MADE IN 1992 WHICH WERE AWAITING A DECISION AS OF JANUARY 1993.

## REFUGEE UPDATE

is published quarterly by "a Project of the Jesuit Centre for Social Faith and Justice"

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**SUBSCRIPTIONS:** 1 year/4 issues

■ individuals \$10, institutions \$14 ■ 2 years/8 issues

■ individuals \$20 ■ institutions \$28 ■ bulk (20 or more) - \$1/issue

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Refugee Update would like to congratulate the Canadian Council for Refugees on the launching of their own newsletter, *Contact*. We remain extremely grateful to the CCR for their generous support of *Refugee Update* over the past four years and wish them the best of luck in their new publication.

SOURCE: IMMIGRATION AND REFUGEE BOARD