

News of the arts

Refugee policy working well

"There are a lot of people who have no conception of just how far we have gone to set up a humane, realistic, and thoroughly workable policy in dealing with refugees," says J. Cal Best, Executive Director of the Immigration and Demographic Policy Group of Employment and Immigration Canada.

"Canada has always dealt with the problems of refugees in a very forthright manner even when, as a class, they were not specifically dealt with in our immigration law. Since the end of the Second World War we have welcomed more than 350,000 refugees and now, in our current law, the special status of these men and women has been recognized."

Since there was no specific mention of refugees in the law prior to the coming into effect of the Immigration Act this year, Canadian officials had to apply the normal immigrant selection criteria to refugees and use the discretionary powers entrusted to them through the Immigration Regulations.

Fully 75 per cent of all refugee admissions to Canada between 1967-1977 were approved by officers using this system.

Refugees outside Canada

"That's all changed," says Mr. Best. "Under our new Immigration Act refugees are, for the first time, recognized as a distinct, admissible class. They are no longer selected under requirements applicable to normal immigrants."

Overseas, the selection of refugees for



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admission to Canada is usually carried out through a two-step program. First an applicant's eligibility is determined based on the United Nations' definition of a refugee and second, immigration officers must decide whether the person involved is able to become established successfully in Canada.

Even in cases where people do not meet the refugee definition as outlined in the United Nations Convention, the new act allows for the designation of groups of displaced and persecuted people and for setting regulations governing their admission.

An important factor of the 1978 Immigration Act is the provision of a refugee sponsorship system aimed at meeting the short-term settlement needs of refugees.

"Our refugee policy program abroad assumes some selection of refugees is necessary," says Mr. Best. "It also recognizes that not all refugees can benefit

from settlement in Canada. We also assume that the bulk of refugees accepted by this country will be selected outside Canada."

Applications from within

While most people admitted as refugees come from points outside Canada, there are visitors within the country who, for a variety of reasons, seek refugee status.

Their cases are now dealt with through a formal system anchored in law, which makes certain that the claimants have every opportunity to explain why they fear persecution in their homeland or in their country of permanent residence.

"In essence," Mr. Best says, "the central factor in the granting of refugee status is this. Does the claim conform to the UN Convention definition? In its simplest terms the Convention says a person can be classified as a refugee if there is a well founded expectation or personal history of persecution."

"Many claimants are not granted refugee status even though they come from countries with repressive regimes because the individuals concerned have never been persecuted and, in all likelihood, would not be so dealt with in the future."

"In addition", Mr. Best says, "our experience shows quite clearly that a large number of people who claim to be political refugees, both in Canada and abroad, are motivated by economic factors. They simply wish to immigrate to Canada to improve their economic position."

Humanitarian grounds

These people are not refugees but many who do apply for admission within Canada may warrant special relief on humanitarian or compassionate grounds which would allow them to remain in Canada.

"These cases are neither overlooked nor ignored," says Mr. Best. "A special review committee has been established to examine the claims for refugee status which have been rejected, those of others who come from countries where war, political upheaval, or natural disaster have occurred, and those claims involving people whose admission to Canada is in accordance with our commitment to family reunification."

"By embodying the UN Refugee Convention definition in our law," Mr. Best says, "Canada is acknowledging and supporting the efforts of the United Nations High Commission on Refugees in encouraging countries to incorporate these principles in their legislation."



Photo and text courtesy of Panorama

Although these young Tibetan children looked a little pensive when they first arrived, they have since settled successfully in the Lindsay, Ontario, area.