

# Tories Unleash Canada Border Services on Migrants

Jason Kenney's Doublespeak Exposed

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It is hard to write an article about Conservative Immigration Minister Jason Kenney's attacks on Canadian racialized communities. As soon as one draft is complete, Kenney is at it again, spinning new lies and venting hateful rhetoric. In a federal cabinet chock-a-block with unsavory characters, Kenney stands first in line. Kenney has expanded his use of arbitrary power and has moved with stealth to significantly reduce the number of family-class immigrants applying from countries of the Global South. While on the one hand Kenney and the Conservatives portray themselves as the friend of immigrant communities, their administrative edicts to Citizenship and Immigration Canada and legislative changes have resulted in the door being shut on immigrants' hands.

The most recent step has been a ramped-up Conservative attack on immigrants in early April using workplace raids of unprecedented size and scope. These raids have increased undocumented migrants fears and potential for workplace intimidation. At the same time, Kenney and the Conservatives have continued their support for the expansion of temporary worker intake resulting in the continued reproduction of a migrant working-class without political, social and economic rights. Temporary work programs have been used to swell corporate profit at the expense of human misery and migrant workers face removal at an employer's whim.

## Immigration Minister Jason Kenney's Doublespeak Exposed

Speaking in Calgary on April 14th, Kenney announced an immigrant 'integration' program that will result in new immigrants to Canada watching videos and writing tests prior to being granted Citizenship. These videos and tests are meant to 'teach' people Canadian history and 'Canadian values.' No doubt the 'history' will be devoid of the role of indigenous and racialized peoples in making Canada, and will gloss over Canada's state-sponsored terrorism against indigenous people. The videos project a false picture of the present-day Canada that is post-sexist, post-racist, post-homophobic and post-ableist. By setting up this integration program, Kenney effectively wants to reinforce dominant Eurocentric myths of Canadian history, and to add to the liberal lie that all immigrants can and will succeed in a land without discriminatory barriers.

Back on 20 February 2009, Kenney released a press statement saying,

"Our government will not follow the advice of those who believe that Canada should take steps to reduce immigration levels. In fact, we are maintaining our planned immigration levels for 2009."

Statements like these were also repeated to community press and at community events that Minister Kenney works very hard to be at. (He is the Conservative Party's front-person for their ethnic outreach strategy.) Breaking down these immigration targets one sees that the majority of the nearly 265,000 incoming Permanent Residents will be rich immigrants in the economic class and not from the poorer Asian, African or Latin American countries. In almost every region, there has been massive slashing in the family class and refugee class claimants. Simone Stothers, who works as a Certified Immigration Consultant, said about Tory immigration policy:

"Our general experience is that visas are being denied at consulates located in South Asia and Latin America basically because many people there are poor and because of the regions they are from. I had a client who was sexually assaulted and needed her mother here to take care of her, but her visa was denied at the consulate in Guatemala City. I generally advise clients who are poor or working people that their chances are very, very low and not to waste money hiring counsel."

A border which was already virtually closed to refugees, immigrant applicants and visa applicants looking to visit family in Canada, has become even harder to cross.

Take for instance applications for family class immigration from the Middle East and Asia. In 2008, the Canadian Consulate in Abu Dhabi processed 65 parents and grandparents. In 2009, this number will drop to 25. New Delhi reduced its refugee targets from 150 to 125. The targets for the Consulate in Islamabad have been dropped from 8,540 to 6,210 for 2009. Skilled workers accepted dropped from 3,370 to 1,980 while acceptance rates for parents/grandparents dropped from 1,340 to 75. In Nairobi, the number of parents/grandparents brought into Canada dropped from 210 to 42. (All statistics are from an Access to Information Request made by the Canadian Migration Institute.)

### **The Expansion of the Use of Arbitrary Administrative Powers**

Using the new powers given to him under Bill C-50, that let the Minister make changes to the overseas programs without prior notice, Kenney has thus quietly signaled that an imminent reduction of immigration targets is likely (*Toronto Star*, February 11th, "Rising jobless rate may curb immigration"). This is in direct contradiction to statements he is making in the non-official language press and his press release of February 20th and shows a blatant disrespect for migrant communities. What is most disgusting is that at the same time as Kenney is using the non-English language press as his mouthpiece, he is attacking immigrants for not having language competency (*National Post*, March 21, "Immigrants should speak English or French: Kenney") and simultaneously cutting language skills funding for the Canadian Arab Federation (*Toronto Star*, March 19, "Kenney has no regrets over cutting off Arab group"). Kenney's hypocrisy knows no bounds.

Though Kenney would have us believe that Canada is welcoming large numbers of refugees, the opposite is true. According to the Canadian Council for Refugees Website, the United Nations set a goal of 560,000 resettled refugees for 2008/9 - of these Canada will only accept about 11,000 ([www.ccrweb.ca](http://www.ccrweb.ca)). This is nearly half of Canada's annual acceptance rate of 21,400 in the 1980s. All the while he ostracizes refugees as 'queue jumpers.'

On 27 March, Kenney spoke of "wide-scale and almost systematic abuse" of the refugee determination process as his initial salvo against the Pre-Removal Risk Assessment Process

(PRRA). The PRRA is presently the only application that failed refugee claimants (the rate of rejection of refugee applications has now reached 60%) can use to ensure that they are not returned to conditions of great personal danger. The PRRA assesses whether the country where the refugee claimant will be deported to is considered safe. Kenney's plan is to either get rid of the PRRA or have the same officer who considered the refugee claim to also be in charge of the risk assessment. This would place the decision on refoulement to a potentially life-threatening situation into the hands of a person who has **already** decided that the refugee applicant is not at risk. Broken as the refugee system is, the removal of the PRRA process (only 1-2% successfully argue that they will face a risk if removed from Canada) will mean that more people will be denied any path to status - however small a chance - and will be forced to work without status in conditions ripe for exploitation to avoid the dangers they face in their home country.

### **Workplace Raids and Citizenship and Immigration Canada's Trickery**

To top off this vicious policy shift, immigration enforcement teams (Canada Border Services) carried out the largest workplace raids in Canadian history in Southern Ontario on April 2-3, 2009. These U.S.-style attacks (even as they are being phased out by the Obama administration) were used to arrest refugee claimants, live-in caregivers, temporary workers and non-status people who have fallen outside of the strict and official compliance with immigration regulations. A worker who dropped out of status when she left the employment of a sexually abusive boss was arrested in the raids. Though she is part of a pending criminal investigation against her employer, the fact that she was working outside the terms of her employer-dependent visa means she was scheduled for deportation on 19th April which was only stopped by community and labour mobilization.

In an illegal move, 41 of the nearly 100 arrested were tricked into signing waivers that removed their right to a PRRA hearing and a chance at protection from deportation, and promised a quick return to Canada and are being deported on Sunday, 19 April, at last count, 29 had been removed and many more were awaiting travel documents. It is extremely doubtful that these migrants will ever be allowed back into Canada. The last time pressure tactics on this scale were used was during Project Thread in 2003 when 23 Pakistani men were picked up on terrorism charges that were never laid and most were swiftly deported.

These workplace raids target temporary foreign workers who have now become the new majority in the Canadian immigration system. The number of non-permanent workers entering Canada every year almost equals landed immigrants. Pablo Vivanco, Public Relations officer for the Chilean Canadian Cultural Association - Salvador Allende noted:

"Latin Americans, who are among the millions of immigrants who come here to work and build a life have been among the most targeted by Canada's immigration officials... Just as they want other workers to accept concessions around job security, this government wants to force people looking to come to Canada for precarious employment to work under the slave-wage temporary worker programs."

Latin Americans and other workers who come to Canada have been hit by a global farm and food crisis that has driven millions of people off their lands and from their homes in the last few years. As that crisis is joined by finance capital's meltdown, displaced and made-displaceable migrants are seeing their already precarious position attacked, their families

targeted and their humanity devalued. Contrary to Kenney's pronouncements of the government's concern for immigrant welfare, Marco Luciano of Migrant Ontario reported that:

"In our experience it is the caregivers that are punished and deported. In 2007 alone there were reportedly 13,000 Filipino migrants that came to Canada through the Live-in Caregiver Program. That same year our organization, Migrant, was faced with over 20 cases of the death of the migrant, and many agency exploitation and deportation issues. In these cases we were not able to get support from the Canadian and the Philippine governments. Minister Kenney's government treats migrants like rags that they would throw away when they're done with them."

The unprecedented workplace raids of April 2nd and 3rd are part of a larger tactic of fear and intimidation. Enforcement is targeting immigrants more intensely now during this economic crisis. The ramping-up of pressure and tactics to find and deport non-status people is crossing lines that even fast-and-loose immigration officers have not crossed in the past. In January, a non-status man was detained after the enforcement officer posed as his lawyer ("Illegal immigrant nabbed after agent allegedly posed as his lawyer" *Globe and Mail* January 17th).

Canada Border Services Agents have even gone in to schools to detain children of undocumented migrants, which was responded to by the "Education, Not Deportation" campaign led by No One is Illegal-Toronto, and resulted in the Toronto District School Board adopting a new 'don't ask, don't tell' policy. The policy remains to be fully implemented. "Enforcement is going into women's shelters to detain people, and enforcement officers are posing as community workers to enter low income housing," says Macdonald Scott, Certified Immigration Consultant, Carranza Barristers and Solicitors. "Just weeks ago, Border guards tried to force their way in to a shelter to arrest one of our members." Scott who works with the migrant justice group No One Is Illegal-Toronto adds, "Now more than ever, people need to take a stand." Regarding this increase in enforcement in the last four to five months Amina Sherazee, a lawyer who represents many facing removal said: "Not only has there been an increase in deportations but also people are given very little time between the day they receive notice of deportation and the removal date in order to make it harder for them to use the courts to stop their removal."

Sultana Jahangir, Executive Director of the grassroots South Asian Women's Right Organization also similarly observes:

"Our organization watches the community very carefully. Recently we have observed increasing enforcement which has caused us to lose some very influential and community-minded immigrants from our community. As well, we have found that the harassment and enforcement increased very suddenly. We have lost our friends, and our family members as well as our neighbours."

### **Public Safety Minister Van Loan Gets Into the Act**

Public Safety Minister Peter Van Loan is the man responsible for Immigration Enforcement, and his agents are busy kicking out families and keeping working people from the Global South out of Canada, in particular keeping out people of colour, working people, women, LGBTTTQ and disabled people. Enforcing this exclusion exacerbates sweatshop like conditions for the approximately 200,000-500,000 people living and working without status

in Canada.<sup>[1]</sup>

Migrants, poor and working people and those classified as 'low skilled' have always been the last hired, first fired. Temporary work programs mean greater corporate profit at huge human expense and a worker population that can be removed at an employer's whim. These programs compromise the struggle of all workers for decent living and working conditions.

Kenney's sophisticated media machinations attempt to lull immigrants into a false sense of security, and the two-track citizenship system (permanent vs. temporary) has contributed to a weakening of worker solidarity on citizenship grounds, requiring a broad collaborative fight backed by all members of the Left. The fear mongering about non-status people ensures that the hundreds of thousands of people living without status will work for low wages, pay large sums of taxes to support the under-funded social services but will remain fearful of accessing them. Non-status people and temporary workers have become the ultimate cash cow. Community organizers and union activists can begin to combine efforts to challenge the division of people based on arbitrary citizenship documents. Capitalism's crisis is being downloaded on to those it perceives as the weakest - poor and working people - and it is essential that all of us combine our voices to say this is not our crisis, and we will not pay for it.

For those readers living in the Greater Toronto Area, help challenge the criminalization of our communities and take to the streets on 2 May 2009. We will insist that No One - poor or undocumented - is Illegal. Meet in downtown Toronto, at Sherbourne and Carlton Streets at 1pm. •

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*(For those readers living in other areas of Canada, you are encouraged to take action against Immigration and Enforcement offices in your area. Please send us a note about your actions at [nooneisillegal@riseup.net](mailto:nooneisillegal@riseup.net) )*

## **Note**

1 See [are.berkeley.edu/APMP/pubs/agworkvisa/canada111503.html](http://are.berkeley.edu/APMP/pubs/agworkvisa/canada111503.html). The last census was in the 1980s and put the number at 200,000. We believe it has more than doubled since that time.

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