



*Celebrating Ten Years of the Maytree Scholarship Program*

# MAKING THEIR MARK

Canada's Young Refugees

with a special policy section by Peter Showler, *Director of the Refugee Forum at the University of Ottawa*

Making Their Mark: Canada's Young Refugees  
Celebrating Ten Years of the Maytree Scholarship Program

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**About Maytree:** Established in 1982, Maytree is a private foundation that promotes equity and prosperity through its policy insights, grants and programs. [www.maytree.com](http://www.maytree.com)



5	Introduction Judy Broadbent, Vice Chair, Maytree
7	Chapter 1: Student Profiles
35	Chapter 2: Refugees Around the World Peter Showler, Director of the Refugee Forum at the University of Ottawa
41	Chapter 3: Canada's Asylum System Peter Showler
47	Chapter 4: The Refugee Experience Peter Showler



“As people who come to Canada as refugees, there’s this tendency to crave security, which is natural, but it’s also important to recognize that anyone in any position is capable of making a difference in another person’s life. You don’t necessarily have to be at the top of the ladder to lift someone up.”

*Uitsile Ndlovu, Maytree Scholarship Student*



Judy Broadbent,  
*Vice Chair, Maytree*

## INTRODUCTION

This book is a testimony to an amazing group of young people whom I have had the privilege of knowing over the past ten years. Each one of them came to Canada as a refugee. All have experienced separation and loss. Many have witnessed violence and atrocities; some have been imprisoned and tortured. All know what it is like to live in countries where there is little regard for human rights or human lives.

Yet, all of them have shown depths of resilience and carved out a future in their new country. They have brought passion, energy and determination to make a better life for themselves and for the greater community. They have made new friends, learned new customs and taught us a great deal about true adversity on the one hand and true courage on the other.

Each year Maytree accepts a new group of students, and for those who are in Toronto without families, we have created a peer support group. We meet regularly at the Maytree office and share a meal together. For the past three years the group has participated in a community service project throughout the school year. This helps to develop their sense of community engagement and helps create bonds with each

other. A small summer employment program enables a few students to get the work experience they need to confirm their career choices.

All our students appreciate the tremendous opportunities that are part of Canadian society. Many are instilled with a strong desire to contribute to a country that offered them safety and the opportunity to pursue their dreams. Education is viewed as a privilege and without exception all have studied hard and have given their studies their best effort. Many have now graduated from various post-secondary institutions. They are employed in jobs related to their field of study or attending graduate school.

The breadth of career choices they have made is as diverse as the countries from which they came. Several of our students are nurses, engineers and business people. They are human resource managers, accountants, electricians and IT specialists. Two are physicians and one is in medical school. Two are lawyers; one is an airline pilot, another a landscape architect and a couple have graduated from the Ontario College of Art and Design. Some have chosen to be child care workers and social workers, and we have a journalist, a probation officer and a specialist in telecommunications among our graduates.

Maytree started the scholarship program for protected persons (formally known as Convention refugees) in 1999. At that time, protected persons were unable to access student loans. So for many, post-secondary education was simply not an option. We also knew that it was important not only to provide scholarships to refugee students but aim for legislative change as well.

Our preliminary research showed us that no one had set out to intentionally bar refugees from student loans. The problem lay in the language governing who had access to student loans, limiting loans to Canadian citizens and landed immigrants. All that needed to be done was to add three words – “and protected persons” – to the Canada Student Financial Assistance Act. But this small legislative change took an enormous amount of time, patient follow-through and persistent, partnered effort by a wide range of people.

Most of all, the students got involved in this process, helping us make the case through their stories, making presentations to parliamentarians, and travelling to Ottawa to meet a delegation. The process of making this change was delayed by political circumstances throughout: a review of refugee legislation; 9/11; three different immigration ministers; staff changeover in government departments and ministerial offices; an election and a Throne Speech; budget delays and then a security-focused budget.

The legislative change to allow protected persons to access student loans was finally included in

the 2003 federal Budget, to a standing ovation in the House of Commons. And in 2004 most provincial governments had made the changes in their student loan programs to mirror the federal changes.

In the end, the community of partners and supporters was wide. It included people in and out of government, people directly connected to refugees and those not, future administrators of the change, non-refugee students, members of faith groups and refugee students themselves. All played a role and persisted through the ups and downs of the process to achieve change.

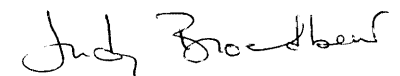
Maytree has now funded more than 150 students since the beginning of the program. And although one of our main goals has been accomplished, there is still much to do. In these times of diminishing compassion and hardening attitudes towards refugees worldwide and in Canada, we believe that our scholarship program makes an excellent case for Canada's continued and improved openness to refugees.

In the first section of this publication, we have profiled 22 of our students who have enthusiastically agreed to be included in this publication. In the second section, we describe Canada's response to refugees. We provide background and context. We outline how well we do in certain areas, and where we can do better. We propose reasonable changes so that Canada's response can be both humanitarian yet accountable. To enable readers to understand why people, young and old, flee towards an unknown future, we describe, in the last chapter, the

situation in three source countries for refugees - Somalia, Sierra Leone, and Colombia, following each country profile with a story of a refugee from that country.

I am indebted to my friend and colleague, Peter Showler, Professor of Law and Director of the Refugee Forum at the Human Rights Research and Education Centre, University of Ottawa, who has authored the latter sections of the book. His deep understanding of Canada's system, on the one hand, and our obligation to refugees as a signatory of the United Nations High Commissioner of Refugees (UNHCR), on the other, have been an invaluable source of guidance to us at Maytree.

And finally, I must thank the students themselves. They are a source of continuing inspiration for our work. I see them eagerly accepting an active role in building our nation. I am struck by their passion and loyalty for their new country, and their commitment to our society as just, free and multicultural.





## Chapter 1

# STUDENT PROFILES







A PHILOSOPHER CHARTS HER OWN PATH

## Axelle Karera

Axelle Karera was only 14 when she saw humanity at its worst. A survivor of the Rwandan genocide, she was robbed of her innocence and dignity as she went from attending the country's most renowned French and Belgian schools and having a nanny, a gardener and a cook, to hiding in a hole for three months with practically no food. "We were called cockroaches. I was a cockroach; I was no longer a human being."

In July 1994 Axelle left the southern city of Butare with only the clothes on her back and found safety in another country. Although the physical distance brought a semblance of normality to her life, she was still haunted by memories of a horrific past where villages were decimated and pillaged and where a bloodbath had claimed 800,000 lives with family and friends among them. "For a long time, I was very angry because beyond condemning the perpetrators for this crime against humanity, the international community allowed us to die for three months."

The trauma was difficult to bear and Axelle turned to alcohol in an attempt to numb the pain that lingered within. "I was 14 and I was drinking like I was a 50-year-old alcoholic." Suicide also crossed her mind.



“I went through stages where I became very self-destructive. I wanted to finish the work the Hutus hadn’t finished.”

And while she wrestled with the depths of despair, eventually, she came to realize how detrimental her way of coping really was. “Once you get to the other end of the tunnel, I think the pain is even worse. It takes a lot of commitment – a lot of stability to live.” Axelle found solace in the relationships that touched her life, but it would take a trip to Canada and a series of unplanned events to find her true calling. In 2001 at the age of 21, she arrived in Toronto with a suitcase and a dream for a better life.

As she settled in, practical concerns such as finding a job took precedence while pursuing post-secondary education seemed improbable. “I started to see all the hurdles that stood in my path. I had come as a protected person, which made me ineligible for student assistance, and I thought by the time I started working and earning a living, it would be hard to change course.”

After enrolling in some English classes, several teachers recognized Axelle’s potential and encouraged her to consider university. Axelle began with two philosophy courses. When they ended, she was eager to take more, but funding was still an issue. Then a scholarship from Maytree was awarded to her, and it fuelled her desire to forge ahead.

In April 2009, Axelle completed a double major in psychology and philosophy at York University. Initially, she wanted to be a psychologist, but her true calling was found in philosophy. “Finding my passion in the work

I’ve done at school is what really helped me. It brought such meaning to my life.”

Axelle became a voracious reader, devouring the works of French existentialist philosophers such as Jean-Paul Sartre and Simone de Beauvoir. She counts Frantz Fanon as her favourite philosopher because she could identify with everything he wrote on colonialism and oppression in his 1952 treatise *Black Skin, White Masks*. She found comfort and hope in the many books that now line her bookshelves because the philosophers she has come to admire write about oppression, tyranny, and trauma – themes intricately tied to her life experiences.

And despite the horrific events that Axelle has endured, her once imprisoned state has actually led to a form of liberation. “As a result of my experience in Rwanda, I’ve become socially and politically aware and that’s given me the ability to empathize with people and to truly understand the world we live in.”

In August 2009, Axelle left Toronto for Pennsylvania State University where she plans to complete a PhD in philosophy. Out of 200 applicants, she is one of seven who was accepted. She sought out an institution that’s doing extensive work in African philosophy, and her eyes sparkle when she talks about the future. “I’d like to be a professor at a university and to work in various parts of the world such as South America, the Caribbean, Europe, and Africa.” She’s particularly interested in working in Senegal, which is where her father once worked for the United Nations. But her first teaching stop would be in the country she now considers home – Canada.

She also hopes her future published works will play a role in the healing process for those who have been victimized by the ravages of war and genocide. “I’ve read pieces that have completely changed me, so I aspire to have my writing serve as a source of inspiration for those who have also experienced trauma.”



AFTER A LONG BATTLE, FINALLY A PLACE TO  
CALL HOME

## Richard Mwangi

When Richard Mwangi left his home in Nairobi, Kenya for Toronto as a thirteen-year-old in August 1992, he thought he was going on vacation. He was in boarding school at the time, but on his last couple of visits home, something was amiss. His father was hardly ever there and his mother was especially anxious and visibly worried.

President Moi was running for re-election, and his methods of gaining votes and stifling voices were highly disputed. The country faced a period of political instability. The ruling faction was cracking down on dissenters and the Mwangi family had come under scrutiny.

But Richard was oblivious to all that. He was overjoyed when his mother told him they were going away, but he remembers the abruptness of it all. “We had left a lot of our possessions behind. All of our bags had been packed, and we didn’t say good-bye to any family or friends.” His elation soon turned to confusion – particularly when Mrs. Mwangi started filling out school registration forms for her four daughters and one son in Toronto.

As the reality began to sink in, Richard did his best to settle in. It was a struggle adapting to an unfamiliar society and a school system that was structured very differently from the one he had left behind. And then, three years later in 1995, when the political situation in Kenya became somewhat stable, Mrs. Mwangi and her three youngest daughters returned to Kenya while Richard and his older sister remained behind. A year later, his older sister would also leave.

Now all alone as a seventeen-year-old and his family's whereabouts unknown, Richard continued to struggle to succeed in school and provide for himself. While his friends would go home and find their families and hot meals awaiting them, he would be at work after school and on weekends – operating a trolley and skid-truck at the CNE, assembling furniture in warehouses or peddling knives door to door.

At the same time, he had to deal with Immigration Canada. For a long time, he was uncertain as to what his immigration status really was. He just tried to proceed with life as a regular high school student - albeit one who dutifully filled out the required forms in order to have his work permit and study permit renewed at the specific intervals.

Richard excelled at school and stayed on the honour roll throughout high school. He joined the soccer and volleyball teams as well as the music and drama clubs and graduated with excellent grades in 1997.

He spent the next few years at odd jobs while trying to determine his exact standing in Canada. His case was complicated by the departure of his mother from Canada and the closing of files related to her application and

that of her children. In the spring of 2000, he finally came to grips with the fact that he had no status in Canada at all and his only recourse was to file an application to stay in Canada under Humanitarian and Compassionate grounds.

Richard's life now ran on two separate tracks. On the one hand, he was trying to manage and resolve his status issues. On the other, he was like any other young person trying to figure out his next steps in education.

In 2001, he enrolled at the University of Toronto as an undergraduate in social sciences. In 2002, he applied for and received support from Maytree through the scholarship program. During the school year, Maytree staff were impressed with the leadership and role modeling he provided to other students in the program, so much so, that he was offered a summer job at Maytree in 2003.

However, while things at school and work were going well, Richard's efforts to gain status in Canada were coming to an unfortunate head. In June of 2003, even though he had no criminal record of any sorts, he was arrested by Toronto police on an outstanding immigration warrant from 1995 based on his mother's departure. He was released after four days, but shortly after was issued a deportation order to leave the country within 30 days.

His friends and colleagues were appalled. Here was a young man who on his own, without any family support, managed to keep his head above water for so many years; a young man, facing deportation to a country he hardly knew; a young man, who clearly was a role model to others far more fortunate than himself.

His supporters embarked on a campaign to have Richard's application for residence in Canada approved. His friends, colleagues, professors, teachers, and employers stepped forward to support his effort as did community leaders, academics and politicians. They all felt that if ever there was a deserving candidate for Canada's compassion, it would be Richard.

In July 2003, barely a week before Richard was to be deported, he received a call at work. His case to stay in Canada had been approved.

Now six years later, Richard is a Canadian. As he looks at his citizenship card and passport, he has an overwhelming sense of relief that the nightmare of limbo is over. His new identity gives him a sense of belonging – something that has eluded him for much of his life. "I finally had a place to call home. Before that, I was just a person in limbo."

Yet despite experiencing a loss of identity and statelessness – not to mention the long struggle to stay in Canada, the innocent thirteen-year-old boy who loved playing soccer with his friends on the streets of Nairobi, who came to Canada thinking he was on vacation, has managed to achieve a lot in the country he now calls home.

In June 2005, he completed a double major, which led to a Bachelor of Science in Information Technology and Communications and Criminology at the University of Toronto. In June 2009, he also graduated with the degree of Juris Doctor (J. D.) in law from Osgoode Hall Law School at York University.

In August 2009, he passed his bar exam and began articling at Pinkofskys, a criminal law firm based in Toronto. In the future, he plans

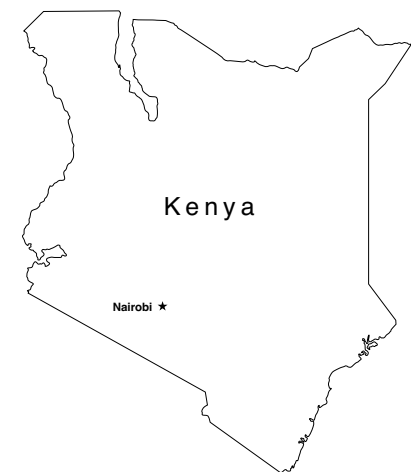
to concentrate his practice in this area or in the realm of information technology/intellectual property law. And because of what he's been through, he's also interested in human rights and immigration law.

"My experiences have taught me about tenacity, perseverance, and having faith in people and even about developing it in others." Speaking passionately he adds, "when I see new immigrants and particularly young people struggle, I feel an urge to help them and make them feel they can overcome the challenges they are facing. I think being able to look beyond ourselves as individuals to work towards a greater good is what's really important."

## COUNTRY PROFILE

### KENYA

Between 1969 and 1982, the African National Union (KANU) was the sole legal party in Kenya.<sup>1</sup> Due to violent unrest and international pressure, however, multi-party politics was restored in the early 1990s.<sup>2</sup> The KANU remained in power until 2002, but the coalition government that replaced it collapsed in 2005.<sup>3</sup> According to Amnesty International, following the 2007 elections more than 1,000 people were killed as a result of politically motivated ethnic violence and killings by police. In addition, 300,000 people were estimated to have been displaced from their homes.<sup>4</sup> Almost 10,000 refugees worldwide have originated from Kenya.<sup>5</sup>



# Halidou T. Alhadj

When asked to describe one of the biggest challenges after arriving in Canada, Halidou Tahirou is quick to answer: surviving the first months in his new Canadian high school. It wasn't so much about culture shock or about getting used to life alone in a new environment. The real difficulty was adjusting to a different academic pace. "I had to keep up with the speed," Halidou recalls.

To keep up with his schoolmates' pace, Halidou realized he needed to do more than just devote long hours to his homework. What he needed to do was become active in Canadian student life. Listening to and watching his schoolmates were the best ways for him to learn how to handle both the demands of academic and social life.

Halidou is now entering his fourth year in International Economics and Finance at Ryerson. During the school year he also works as a student life programmer. His tasks mainly consist of managing and providing the many services needed to improve life on campus. The diversity of the student body he deals with on a regular basis has also channeled Halidou's interests towards global issues. He has been particularly interested in the global economy.

Halidou just completed an internship at Jantzi Research, a leading Canadian socially responsible investment firm where he primarily dealt with the integration of environmental,



social and governance criteria into traditional investment decision-making.

The enthusiasm Halidou felt when he first became involved in the student community, coupled with his interest in world issues, have led him to his current volunteer position with the World University Service of Canada. "I am very, very proud of it," Halidou says. "We are now in the process of sponsoring one student for one year. The student will be coming from a refugee camp, and she or he will have an opportunity to pursue a higher education."

## COUNTRY PROFILE CHAD

After three decades of civil warfare and an invasion by Libya, Chad began a fragile democracy in the 1990s, but it has been threatened by rebellions from various groups.<sup>6</sup> In 2006 and 2007, attacks by armed militias, Chadian rebels and inter-ethnic violence led to the internal displacement of about 170,000 people.<sup>7</sup> In addition, there are 330,000 refugees from neighbouring Sudan and the Central African Republic (CAR) living in Chad.<sup>8</sup> According to the UNHCR, a UN refugee agency, "the overall security situation in Chad remains volatile, with armed confrontations between the national army and opposition groups, tension between the Governments of Chad and Sudan, and an increase in criminality – especially in eastern Chad."<sup>9</sup> There are more than 55,000 refugees from Chad living worldwide.<sup>10</sup>



# Simba Nagahuedi

When Simba Nagahuedi fled the Democratic Republic of Congo for Ottawa in 1997, the last thing she expected was to be thrust from one volatile situation to another. Her new nightmare began when officials at Immigration Canada neglected her file.

What should have taken a few short years for Simba to be granted landed status ended up taking over nine years – from 1997 to 2006. When the dust finally settled, an Immigration Canada staffer even advised Simba to seek legal action, but she decided not to push for recourse. She was simply elated that after nine long years, she finally knew where she stood. For Simba, moving forward and looking towards the future was what really mattered. And now, she's finally eligible to apply for Canadian citizenship.

Despite living a life in limbo, Simba wasn't deterred from her goal of pursuing higher education. In June 2005 she completed a degree in Biochemistry at the University of Ottawa before graduating with a Master's in Biology from the same university in June 2009.

As a Francophone, she began the program with much trepidation. Because the language of instruction was English, it meant she'd have to write a thesis in a language that wasn't her own. But she dedicated herself to absorbing the language and to memorizing scientific terms in it. So when she defended her thesis, which centered on the effects of dietary N-3 Fatty



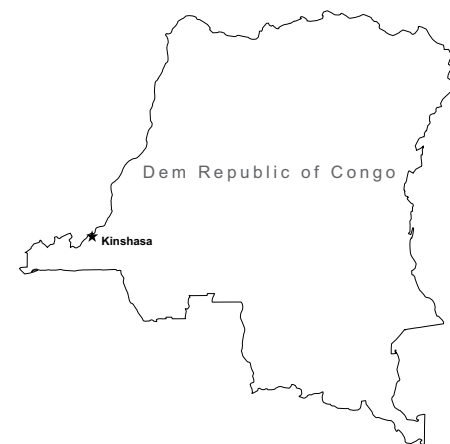
Acids on the oxidative metabolism of bobwhite quails in front of a panel of five academics and had an article she had written published two days later in *The Journal of Experimental Biology*, she knew she had done well.

She's now working with the Natural Sciences Engineering Research Council of Canada (NSERC) as a Program Officer. She's with the scholarships and fellowships division and she assesses the strength of graduate students' applications and seeks to match their proposals to the eligibility criteria.

Looking back at all she's been through, Simba knows she's capable of surmounting any obstacles that come her way. "I've learned to never give up no matter what the circumstances are. It's important to keep your goals in mind and to work hard to achieve them. Perseverance is what really counts."

## COUNTRY PROFILE DEMOCRATIC REPUBLIC OF CONGO

Since its independence from Belgium in 1960, the Republic of the Congo has experienced political and social instability.<sup>11</sup> A coup in 1965 saw Col. Joseph Mobutu seize power and change the name of the country to Zaire.<sup>12</sup> Mobutu remained in power for 32 years thanks to sham elections and brutal force, but his government fell as a result of ethnic strife and civil war and a massive inflow of refugees from Rwanda and Burundi.<sup>13</sup> The country was renamed the Democratic Republic of Congo (DRC), but sporadic fighting continued.<sup>14</sup> Since October 2002, the DRC has seen a slow but gradual return to national unity and democratic elections. About 368,000 individuals have fled the DRC.<sup>15</sup>





# Loli Morales

When Loli Morales first moved to Toronto from Ecuador as a 16-year-old in August 2000, she was in awe at the sense of safety and security she felt. She was able to go out at night without worrying about being mugged, and she no longer had to look over her shoulder in fear that someone might be lurking nearby.

But she struggled with the sense of isolation she felt after being cut off from her close-knit extended family. “Although I had come here with my immediate family, leaving everyone behind was so difficult. Sometimes I wondered whether it was better to be safe or alone.”

As she settled in and developed networks at her church and through school, she began to feel more at ease with her new life.

In October 2007, she graduated with a Bachelor’s degree in International Development Studies from York University. Now, she’s working as the Student Coordinator and Registrar at Kiosk Language Centre, a private English-language school that attracts students from around the world. She assists the students with everything from settlement services to issues pertaining to their studies.

Next year, she plans to move to Ottawa to complete a Master’s in International Development Studies. She’s excited about experiencing life in the nation’s capital because that’s where many non-governmental



organizations are headquartered. She also hopes this opportunity will pave the way for what she really wants to do. “I’d like to focus on humanitarian aid and community development projects in South America. I feel I have a good grasp of the issues facing various communities there. I think sustainable development is crucial; it’s important for local communities to reap the benefits of such work so that opportunities are created for them.”

## COUNTRY PROFILE ECUADOR

Although Ecuador has been a democracy since 1979, the country has experienced political instability.<sup>16</sup> It has the largest refugee population in Latin America, most originating from Columbia. In total there are 20,000 registered refugees and 37,000 asylum seekers.<sup>17</sup> Even so, according to the UNHRC, these high numbers represent only a fraction of displaced persons. Under-registration and lack of documentation are major challenges, and it is estimated that between 130,000-140,000 people may be in need of international protection.<sup>18</sup>





# Harriet Sakala\*

Becoming a nurse had never been part of Harriet's aspirations. As a child, she dreamt of becoming a lawyer, a writer, or even a doctor. It is when her life took a tragic turn that nursing became more than just a career choice; she saw the profession as a means to prevent painful human losses. "The things we've been through, the wars, the hardships, the losses - life experiences changed my perspective of who I wanted to become and how I wanted to use myself to contribute."

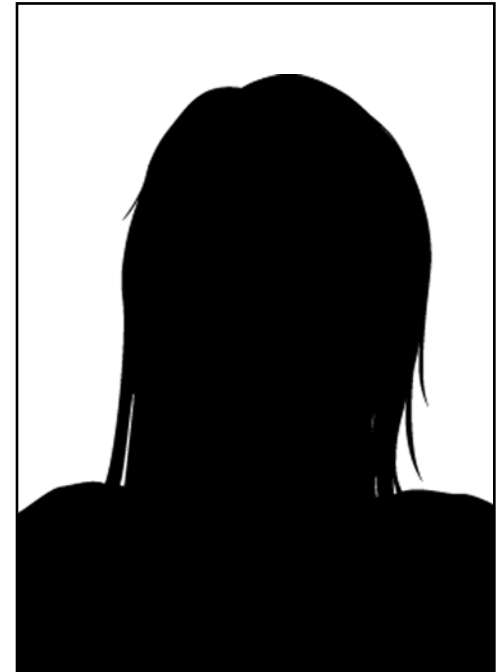
Coming from a country that has witnessed horrific crimes against humanity for the past decade, Harriet suffered many losses when she was a child. She felt powerless and longed for the ability to fix the suffering around her. "No person should have to endure the pain and the losses that come because of war. My experience with war happened at a very young age. I wanted to help, but at the time I needed help myself. Through it all, I decided on a career choice in the hopes that I could be a little more helpful."

The first years in Toronto were particularly difficult. "My number one challenge was being far from everyone I know. The first Christmas here, I had absolutely no friends or family members around and it was difficult. I would go out and see the lights everywhere; and people were clearly in the spirit of the holidays. But I returned to a dark and lonely home. I

would remember the meals around the table, everybody singing carols and many people coming to visit from far away... But here, it was just me and this city."

Harriet never lost her desire to help people. She applied and was accepted to the nursing program at George Brown College. She graduated in June 2009 with first class honours and is now a registered practical nurse. She is working at a downtown Toronto hospital and plans to continue her education in the Registered Nursing Program in the near future.

*\*Identifying information has been changed because of safety concerns.*



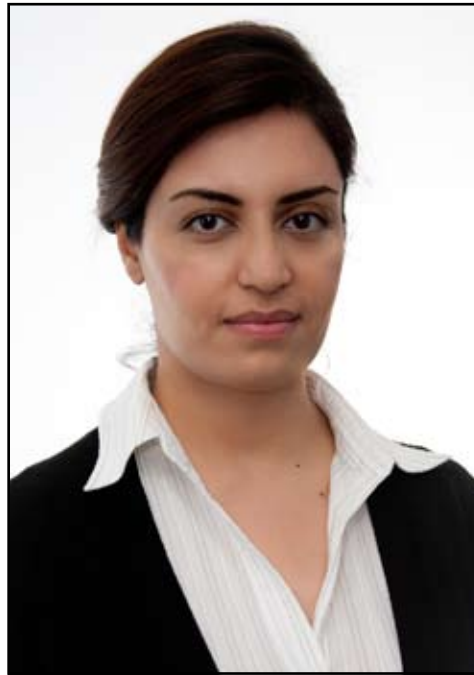
# Fateme Salehi

What Fateme Salehi likes best about living in Canada are the seemingly endless opportunities that await anyone, such as herself, with a dream. But things weren't always so easy. When she first arrived in Toronto in August 1995, the Iranian native was confronted with a widespread sense of isolation. There wasn't anyone to guide her. "Initially, you're new. You kind of feel like an extra in society; that you're not part of it. It took me a good couple of years to finally feel like I was a member of society. Now I don't see myself as somebody different."

Fateme is well on her way to being a doctor. In August 2009 she successfully defended her thesis for her Master of Science at the Institute of Medical Science at the University of Toronto. She's now enrolled in medicine at Queen's University in Kingston, Ontario where she plans to specialize in neurology or surgery. "I've always wanted to be a doctor since I was a kid because I've always wanted to help people."

She's also co-chairing the Medical Students for Mental Health Awareness Committee. Mental health is one of her key areas of focus and she'd like to create a Canada where the stigma of mental illness will be lifted and where Canadians will have a greater understanding of its complexity and how it affects those grappling with it.

She's already a well-established researcher. While completing her Master of Science, she



examined expressions of protein in pituitary and brain tumors. The purpose was to see whether these proteins could be targets of therapy. Her research led her to conclude that the proteins may indeed play a role in the formation of different tumors, and that they could eventually become a target for therapy.

As a result of her research, she has authored eleven papers (with several others currently under review), which have appeared in internationally-acclaimed journals such as *Endocrine-related Cancer*, *Endocrine Pathology* and the *Journal of Neurosurgery*.

"You just need to have a goal, because you're really free to do whatever you want. There's nothing limiting you."

## COUNTRY PROFILE IRAN

Iran has experienced political unrest and change since 1978, when the Shah of Iran was overthrown by a populist pro-Muslim uprising. According to Amnesty International, the authorities maintain tight restrictions on freedom of expression, association and assembly.<sup>19</sup> They crack down on civil society activists who are arrested, detained and prosecuted, often in unfair trials, banned from travelling abroad, and have their meetings disrupted.<sup>20</sup> Torture and other ill-treatment of detainees are common and committed with impunity.<sup>21</sup> More than 69,000 Iranians have fled the country.<sup>22</sup>



## HEALING THROUGH COMMUNITY BUILDING

# Umwali Sollange

Dealing with isolation when she moved away from her family was one of the biggest challenges Umwali Sollange faced after arriving in Canada. “While it’s not getting any easier to learn how to live with it,” she explains, “you just have to learn to live with it.”

For her first few months in Toronto, she had to come to terms with her own expectations. “It’s such a shock when you come to this country. It’s not what you expect, not what you’ve seen in the movies or heard about.”

Umwali worked at some of the low-skilled and part-time jobs typically available for newcomers, from sales person at a convenience store to a ticket seller at the CNE. While some may have felt undervalued, Umwali believes that through these jobs she began to acquire the experience necessary to feel integrated and be part of a much bigger community.

Umwali arrived in Canada during a period when issues of community and healing were central to Rwandans in their own country and abroad as they attempted to rebuild their lives in the wake of the 1994 genocide. She understood from her own experience that healing from personal trauma can only happen in a strong community.

“Some of the areas I am really passionate about and where I feel we have succeeded are in keeping the memories of the genocide survivors alive by holding commemorations of the genocide every year. In 2004 during the tenth anniversary, a team of us put together a wonderful commemoration. As a result of this, Mayor Miller recognized April 7 as a day to remember the Rwandan genocide.”



As well, Umwali started volunteering as a crisis line counselor at the Toronto Rape Crisis Centre and now works as a Manager of Community Programs and Engagement at Central Neighbourhood House and as a part-time mental health counselor at the Women’s Counseling Referral Education Centre.

“I hope that to the people I work with and talk to, one way or another, I am making a difference,” Umwali says. “And it is always great when I get responses from them that they enjoyed meeting me and want to continue. In that sense it’s very fulfilling.”

In addition to her community work, Umwali’s interests have turned to government work and policy making. She is currently completing a Master’s degree in Public Policy, Administration and Law at York University. She is also working on a graduate diploma in Democratic Administration.

## COUNTRY PROFILE RWANDA

In 1959, ethnic Hutus groups overthrew the ruling Tutsi king. Thousands of ethnic Tutsis were killed, and about 150,000 were exiled to neighbouring countries.<sup>23</sup> The children of these exiles formed the Rwandan Patriotic Front (RPF) and began a civil war in 1990.<sup>24</sup> The war exacerbated ethnic tensions and led in April 1994 to the genocide of roughly 800,000 Tutsis and moderate Hutus.<sup>25</sup> The Tutsi rebels defeated the Hutu regime and ended the killing in July 1994, but approximately two million refugees - many fearing ethnically-based retribution - fled to neighboring Burundi, Tanzania, Uganda, and Zaire (now the Democratic Republic of Congo).<sup>26</sup> There are more than 72,000 Rwandan refugees worldwide.<sup>27</sup>



# Arthur Tanga

Following a long journey through West Africa with no means or hope of returning home where his parents were still fighting to stay alive, Arthur Tanga arrived in Canada with few dreams or expectations. “I had no clue. I was a refugee from Sierra Leone. I was in limbo. I had nothing.”

What’s more, he couldn’t afford to go to university or college. Without the proper papers, he wasn’t eligible for any student loans. Fortunately, “Maytree stepped in. Without its help, even transportation would have been hard.” Once granted the scholarship, Arthur immediately enrolled at the Ontario College for Arts and Design (OCAD).

It had always been his dream to become an artist – a dream shared by his parents. For Arthur, art reaches far beyond mere aesthetics. It is an important means of telling stories; it inspires and promotes awareness about important issues. No wonder then that he has lent his artistic skills to several non-profit organizations and passionately uses his work for the public good.

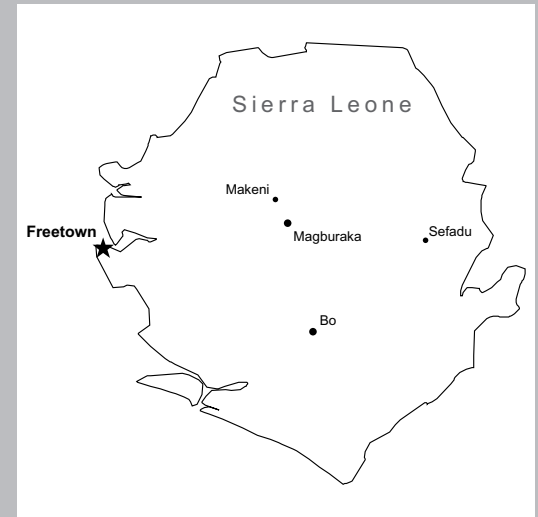
Today, Arthur works at Mad Science Toronto as an equipment manager. But he is also an artist with his own business dedicated to promoting the cultures and arts of the African continent.



In 2006 and 2007 Arthur collaborated with Alexandra Iorgu to create the official Black History Month posters for the city of Toronto. To see a sample of his work, visit his website, *Arthur Tanga Creations*, at [www.arthurtanga.com](http://www.arthurtanga.com).

## COUNTRY PROFILE SIERRA LEONE

Sierra Leone suffered from a civil war between 1991 and 2002 which resulted in tens of thousands of deaths and the displacement of about one-third of the country’s population – two million people.<sup>28</sup> UN peacekeepers were active in Sierra Leone following the war and until 2005 when the local military took over as the guarantor of the country’s stability.<sup>29</sup> There was some violence reported before and after local elections in July, but the country did not dissolve into widespread violence.<sup>30</sup> There are over 32,000 refugees originating from Sierra Leone living worldwide.<sup>31</sup>



# Arif Salum

Diversity, democracy, and peace are three characteristics of Canadian culture Arif Salum cherishes most. Coming from Somalia, an area historically known for political conflicts and civil unrest, Arif witnessed for the first time what he describes as the Canadian spirit of giving back and helping without discrimination. “I got help from everywhere regardless of my background. So I will always try to give back to all communities.”

It is thanks to this spirit of helping that Arif was able to start his post-secondary education and overcome the long months of winter and the isolation it brought. “My biggest challenge was getting through the cold. It is one thing you don’t really learn from books. So you slowly learn how to dress properly, how to enjoy the season. The first four years, I would just hibernate for all of winter – and I was like ‘this is not going to work, I can’t be indoors for six months. This is just going to drive me insane.’”

In addition to providing a close network of fellow students, Arif explains that the Maytree scholarship has been an achievement he continues to be particularly proud of. “I was able to go to school even though I wasn’t a Canadian citizen,” he explains. “There were organizations like Maytree that supported me.”

He strongly believes that the key to success in Canada is an open mind and a thirst for learning. “If you come here with your own set



mentality, and you don’t want to change, you won’t succeed. Canadian communities have so much to offer.”

Arif graduated in 2008 from the University of Toronto with a double major in Economics and CCIT (communication, culture, and information technology) and now works as an officer with Service Canada.

## COUNTRY PROFILE SOMALIA

After an authoritarian socialist regime’s collapsed in 1991, Somalia descended into turmoil, factional fighting and anarchy, disrupting agriculture and food distribution.<sup>32</sup> A severe drought exacerbated this situation - resulting in more than 300,000 people dying from famine.<sup>33</sup> Beginning in 1993, a two-year UN humanitarian effort was able to alleviate famine conditions, but when the UN withdrew in 1995, order still had not been restored.<sup>34</sup> According to Amnesty International, the general security situation in Somalia deteriorated drastically in 2008. Between January 2007 and December 2008 more than 16,000 civilians were killed and more than 1.2 million civilians were internally displaced in southern and central Somalia.<sup>35</sup> At the end of the 2008 an estimated 3.25 million people were dependent on emergency food aid. Following a series of abductions and brutal killings of humanitarian workers, UN agencies and NGOs were compelled to evacuate their staff.<sup>36</sup> There are 561,000 refugees from Somalia living worldwide.<sup>37</sup>





# Cali Jamal

In 2007, Cali Jamal graduated from the University of Toronto with a BBA in finance and economics. Shortly after, he was hired by Xerox as a financial analyst in accounting operations. This was a great achievement for someone who admits that when he arrived in Canada, “I didn’t have any ambitions at all in terms of being where I am today.”

In fact, he had never dreamt of pursuing a post-secondary education, let alone finishing high school. Born in Somalia and raised in Kenya, Cali attributes this to the lack of opportunities faced by the youth in countries plagued by conflicts, civil war and poverty.

So he came to Canada as a refugee with no idea of what he could be. “You know, you really can’t utilize your capacity if you don’t have opportunities. And sometimes you don’t even know your capacity because there are just no opportunities for you.” Once in school he had to fight another challenge: “With a lack of a solid foundation on an academic level, you go to school and you are competing with people who have had a strong foundation throughout their whole life. And it makes you feel so dumb. You have to overcome that too. It means putting in more hours of study or trying to figure out what’s the best way to study.”

Then there was the financial need. When he graduated from high school, he couldn’t see

himself being able to afford tuition. “I had no idea what I was going to do next until Maytree stepped in and said: ‘Hey, you know what, we can actually help you pursue your studies because you do have the ability to be successful.’ So, they gave me that opportunity.”

In addition to his full-time job, Cali is currently pursuing a Certified Management Accountant (CMA) certificate and also intends to do his MBA. He’s also a founding member of Jukumuletu Education and Social Program Association, a registered non-profit organization supporting orphans in Mombasa, Kenya, with their basic and educational needs. “The truth is: anything is possible, but you have to try, you have to keep challenging what you think are your own capabilities”.



# Salma Adam

Salma Adam is a nurse with an easy laugh. Looking at her today, you might be surprised at all she's been through. When she arrived alone in Toronto from Somalia in April 2003, she was determined to succeed. Her priority was to learn English so she could get her high school diploma and go to university. But success wouldn't come so easily. In fact, there was even a time when she would find herself homeless.

It was June 2004 and Salma was feverishly trying to complete her high school credits. She was given room and board by a family on the condition that she help with the household chores. But because Salma was leaving at the crack of dawn only to return late in the evening every day, she had little time to sweep and wash. Tension was building, and one night, Salma found her packed suitcase at the front door. "It was around 11 p.m. and I had nowhere to go." So with a suitcase in one hand and with books spilling out of her backpack, she found herself on the street.

The first phone call she made was to a shelter for abused women and children, but she was denied admission. As an 18-year-old, she was considered under-age, so she was told to go to Eva's Place – a shelter for homeless youth.

When she arrived there, a case worker took one look at Salma and told her she could stay, but that she didn't belong there. She was in the midst of youth, many of them bearing the signs of drug use on their arms. With no other place

to go, Salma spent a sleepless night in a room with five other people.

"I ended up staying there for about two to three weeks while a social worker tried to find me housing," she recalls.

Then her luck started to change. A guidance counsellor from the Adult Day School she had attended offered Salma a place to stay. Salma accepted and lived with her for about two weeks before moving into a basement apartment.

"She had given me a key to her place and said I'd be welcome anytime. Last year when I started working and felt more secure, I wanted to give it back, but she refused to take it. She said her home would always be open for me."

In June 2008 Salma graduated with a Bachelor of Nursing from the University of New Brunswick at Humber College in Toronto. Currently, she's working as a registered nurse in the medical, surgical, and neurological wards at Toronto Western Hospital. Next year, she plans to pursue graduate studies in nursing.

Despite the many obstacles Salma has encountered, sitting down and weeping about her lot in life was never an option for her. "The important thing to remember is to always have faith in yourself and your ability to overcome adversity. I truly believe that life is a beautiful struggle."





# Zahra Mohamed

When Zahra Mohamed, a native of Somalia, arrived in Canada as a refugee, little did she know that she would be part of the movement to get student loans extended to refugees. But first she had to go through the refugee process herself, getting her papers and her identity sorted out. She describes this process as both difficult and frustrating. “Whenever there was a change in government, asylum legislation would change. And since I was still a refugee, this would affect my life and I couldn’t move forward.”

Her biggest hurdle, however, was access to education. Because she was a Convention refugee, she was ineligible for government student loans and grants. In addition to attending classes, she had to juggle several part-time jobs so she could afford her education.

Zahra was one of the first students to be part of the Maytree scholarship program. Not only did she qualify for a scholarship, she became involved with Maytree in changing the legislation to extend federal student loans to refugees.

Today, these resources have finally been made available to refugee students and Zahra can proudly say that she has been part of the change. “Participating through Maytree in the process of making changes to give refugees access to student loans is one of the

achievements I am particularly proud of,” Zahra explains. Part of the process involved going to Ottawa, being interviewed, meeting MPs, and telling her story.

Zahra works full-time as a program officer at the Stephen Lewis Foundation, is a mother of two children, is a board member of Nellie’s, a women’s shelter, and is pursuing a Master’s degree in Public Policy and Public Administration at Queen’s University. Most importantly, she wants to continue to fight for global social justice. “The majority of us come from war-torn countries and want to make a difference one way or another.”



# Jenany Rameswaran

Jenany Rameswaran was only nine years old when she arrived in Canada. But right away she had to assume responsibilities that most adults would find challenging. “My mum didn’t understand the language. So, I had to fill out everything from forms, to OHIP, to everything we had to do. I am the oldest, my brother was only three, so I had to be the adult in our house.”

At the same time, she found it difficult to adapt to all the changes. Fitting in at school was difficult at the beginning. “I think my first few years were really tough. Even at that age, kids tend to look at you like you are from another planet.”

It is these difficult early years that have shaped the social activist Jenany is today. She now dedicates much of her efforts to raising awareness about the Tamil population in her native country. “I have been sending e-mails to the humanitarian section at the UN, to MPs, even written to Obama and everybody I can think of.” Unfortunately, the silence and the lack of care she often encountered in return has been one of her greatest disappointments.

“Immigrants and refugees are being emotionally and mentally affected,” Jenany explains why everyone should care. She has experienced this first-hand. When visiting a family member at a psychiatric facility, Jenany noticed that a great

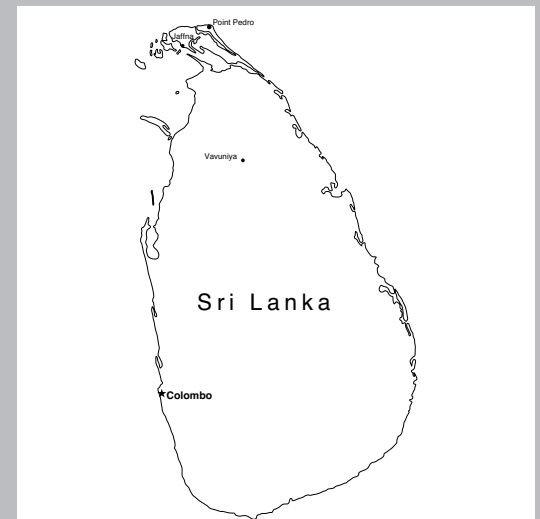


number of patients were ethnic minorities. “I remember this one lady whose son was killed in a war; she randomly talked to strangers thinking they were her son.”

Jenany graduated from York University in 2005 and now works as an accountant at Millennium Research Group. She is currently enrolled in the Strategic Leadership Program to become a Certified Management Accountant. Despite her busy career, she vows to continue to work for the most vulnerable in the world, those who are persecuted for what and who they are. “I hope to be able to work for an organization that raises awareness about and helps prevent genocide.”

## COUNTRY PROFILE SRI LANKA

Ethnic tensions between the Sinhalese majority and Tamil separatists erupted into war in 1983.<sup>38</sup> A cease fire was negotiated in February 2002.<sup>39</sup> However it was never fully operational and officially ended in 2008, when hundreds of thousands of civilians were displaced as a result of fighting in the north and east.<sup>40</sup> In November 2008, thousands of people were trapped in the Wanni region without adequate food, shelter, sanitation and medical care because the government barred UN and other humanitarian staff.<sup>41</sup> Armed groups allied with the Government killed civilians and enforced disappearances.<sup>42</sup> Separatists targeted civilians in a string of attacks in the south of the country.<sup>43</sup> The ethnic conflict in Sri Lanka resulted in 504,800 internally displaced people.<sup>44</sup> About 138,000 Sri Lankans have sought refuge overseas.<sup>45</sup>



# Maya Mahadevan\*

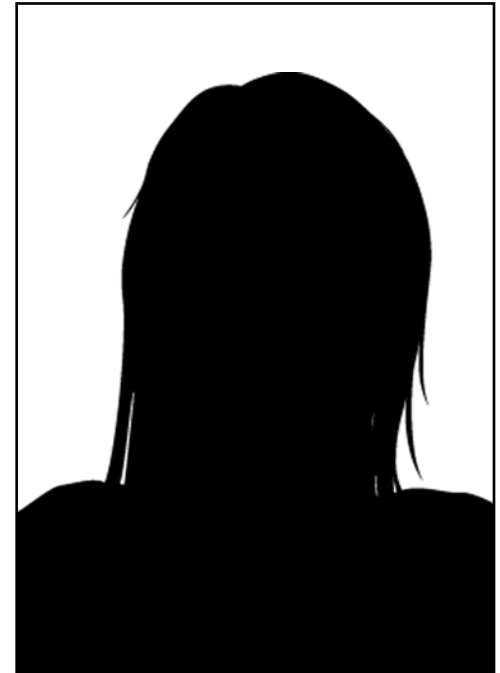
Maya Mahadevan always knew she wanted to work with people and especially children. From a very young age, she found pleasure and comfort in caring for those who needed it the most. As a survivor of war, this is one of the reasons she feels close to the most vulnerable in society: the poor, the sick and the outcasts.

It seems only logical that the profession she chose would be nursing. However, she knew that this choice would require that she become more confident with people. She recounts that the biggest hurdle since moving to Canada was her immigration hearing because it involved talking about and revealing the most personal and painful parts of her life story. “Saying things to people who are strangers was very challenging because I couldn’t take out my emotion. It was so hard. And the people couldn’t understand why.”

But with time and experience in nursing and building close friendships, Maya now radiates confidence and enthusiasm for her chosen profession. In 2008, she was hired for the summer by a hospital in Toronto as a health care provider where she has worked for the past two summers. A small part of her job was the training of volunteers and she’s particularly proud of the recognition she received: “The volunteer department gave me a certificate for being a good leader, and I am very proud of that.”

For Maya, being able to contribute to this country and the world at large is the real meaning of life. In the years to come, she hopes to pursue her passion through humanitarian nursing work around the world. She will soon complete her studies and become a registered nurse.

*\*Identifying information has been altered because of safety concerns.*



# Sutha Ariyalingam

Becoming a chemical engineer was Sutha Ariyalingam's main goal when arriving in Canada. Raised in a family of engineers, it was quite clear from a very young age that Sutha would maintain the family legacy. But when he arrived in Canada as a refugee from Sri Lanka, things didn't quite go as he had thought. "I was totally new to this country and I did not know the system, especially the education system. I didn't know where to go. I didn't know how to deal with people, how to talk to them. I didn't know the official rules and how to deal with them. I had to learn everything on my own."

Sutha soon found himself trapped working at one low-skilled job after another with no hope of fulfilling his dreams of becoming an engineer. "I worked in many restaurant kitchens. I hated it. But I kept on telling myself that all of this was temporary."

Then Sutha was hired by Canada Post, and the prospect of continuing his education seemed finally a possibility. While working at Canada Post, he completed high school and soon after was admitted to Ryerson University pursuing a bachelor's degree in chemical engineering.

While he was still in his first year, a number of professors spotted Sutha's potential. The ease with which he dealt with complex problems soon led him to become a teaching and research assistant while he was still in his first year – a rarity in a field where most assistants need to finish a couple of years first.

"Becoming an assistant opened another opportunity – that of being a mentor. Engineering is a very difficult field of study and every year hundreds of students drop out of programs across the country. I felt like there was something that needed to be done, something we needed to work on," Sutha explains.

Since his first year at Ryerson, Sutha has helped dozens of fellow students. "I motivated them, set up schedules and worked them through it. I am always so proud when I think that I have prevented friends and other students from getting kicked out!"



## USING EDUCATION TO MOVE FORWARD

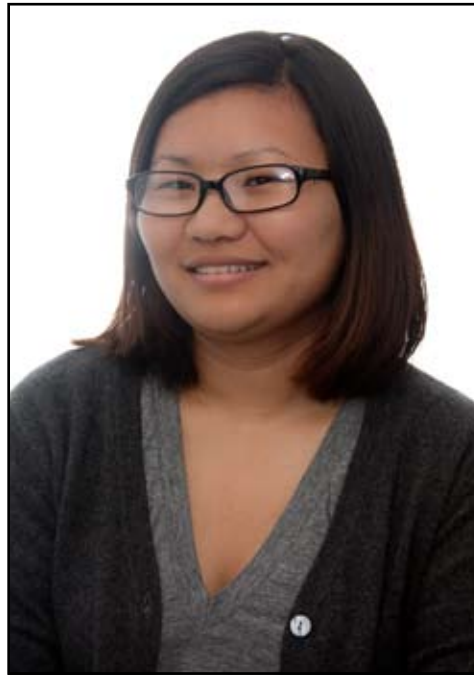
# Tsering Yangzom

Like so many Tibetans, Tsering Yangzom knows what it means to be displaced and in search of asylum. When she arrived in Canada from Nepal with her sister, what she looked for was peace and tranquility. Above all, she wanted to pursue her education.

Tsering describes her first months in this country as anything but tranquil. “When I first moved here, for three or four months, my papers were in process. During those months, the days were pretty hard. I just didn’t know what to do. There was no proper guidance. It was just me and my sister, and we had to figure out everything by ourselves.”

Then came the search for a job – and it took even longer. Tsering remembers how monotonous her days were at that time: “We looked for a job for more than five months. There was a library near where we lived and there was a Coffee Time. And then back to the library, library, and more library. We didn’t know what else to do.”

Through it all, Tsering’s dream of a good education didn’t die. “I know it’s difficult to survive, but some people forget that they need education as well. A lot of people just put education aside and work – which is fine because you have to make ends meet. But education is the thing that will get you over the bad situation that you are in.”



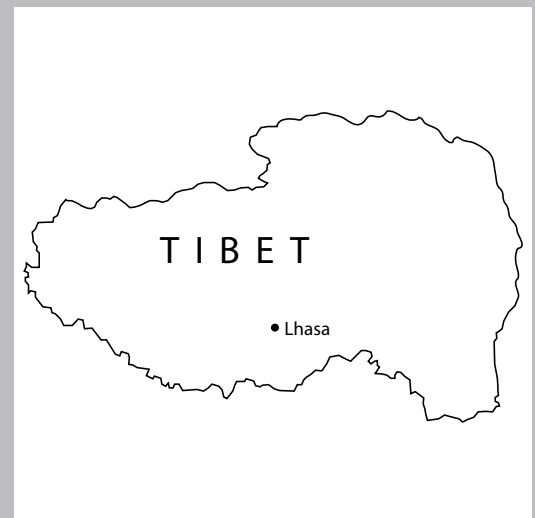
She managed to go back to high school and came across the Maytree Scholarship program when she graduated. For Tsering, the scholarship meant more than just getting access to higher learning. She describes it as her most important achievement in Canada.

Through the scholarship, Tsering also started to meet people from different cultures. She was able to expand her network and feel more integrated.

Tsering is currently studying chemistry at Ryerson University.

## COUNTRY PROFILE TIBET

Tibet is an autonomous region in China. In 1959, an uprising for independence led to the exile of the Dalai Lama, the region’s spiritual leader. Peaceful protests for independence are violently suppressed by government forces. In 2009, protests led “to arbitrary arrests and other human rights violations including prolonged detention and imprisonment, torture and other ill-treatment.”<sup>46</sup> Amnesty International has requested that Chinese authorities account for all Tibetans who have been killed, injured or gone missing. But Chinese authorities continue to resist international efforts which would allow UN human rights experts and other independent observers to further investigate the human rights situation.<sup>47</sup>





# Reinaldo Jordan

When Reinaldo Jordan first arrived in Toronto from Venezuela in August 1993 as a 14-year-old, he had to learn a new language and adapt to a new society.

He also remembers how pursuing post-secondary studies seemed like a distant dream. “The most challenging part of the immigration process was trying to lead a normal life even though there was a lot of uncertainty regarding my immigration status and entering university. Not entering university because of my ineligibility to obtain student assistance was a terrifying and stressful situation.”

Reinaldo ended up graduating with an undergraduate degree in International Development and Fine Arts from the University of Toronto in 2004.

Currently, Reinaldo is working as a landscape designer at *West 8 Design and Landscape Architecture*, a Rotterdam, Netherlands-based company, which specializes in urban design and landscape architecture. He has worked on various projects around Europe and the Middle East, including such sites as the Olympic Village in Stratford, England; a waterfront project in Tempelhof-Berlin, Germany; the Pegaso City Project in Madrid, Spain; and an urban planning project in Samarra, Iraq.

But Toronto – the city he considers his hometown – is never far from his mind.



This is because since he began working at *West 8*, one of his main projects has been the Toronto central waterfront project, which the renowned firm has taken on in conjunction with the Toronto-based landscape architecture and design firm DTAH. Reinaldo’s job is to assist in the design of outdoor spaces, “the public realm” – public squares, sidewalks and bike lanes, etc., and “furnishings” – benches, street lamp posts, etc., along the waterfront, which is undergoing revitalization.

He plans to return to Toronto in 2010 to complete his final year of a Master’s degree in Landscape Architecture. “My goal is to eventually set up an office in Toronto that specializes in international landscape architecture and urban design.”

## COUNTRY PROFILE VENEZUELA

Venezuela is characterized by weak institutions which fail to protect citizens from drug-related violence along the Colombian border. Lack of arms control contributes to high levels of violence and public insecurity. In 2008, according to Amnesty International, human rights defenders suffered harassment and attacks on journalists were widespread.<sup>48</sup> There are over 5,800 refugees from Venezuela worldwide.<sup>49</sup>



# Nankoria Gahadza

Nankoria Gahadza's initial days in Canada were difficult. The 30-year-old Zimbabwean native who was born in Zambia found herself in the throes of a long and arduous process of being recognized as a refugee. Her life was in limbo. "The process took forever," she remembers. "Everything took a long time. Everything that you do is in stages. And sometimes the stages are long and sometimes it can be very difficult especially if you are not diligent to follow up with the process. You just might get lost within the stages."

So she's grateful to Maytree for making it possible for her to have access to a post-secondary education.

In 2006, after graduating with a degree in Health and Society from York University in Toronto, Nankoria felt inspired to venture onwards and seek higher education. She was also eager to work with people. With a strong social conscience and a keen sense of courage, she packed up her bags once again and headed to England.

Settling just outside of London in the village of Langley, she is now working as an Assessment/Community Access Support Worker for Hounslow Care Trust – a Primary Care Trust, which administers community health services across England. She works with adults with learning disabilities, assessing the nature of their disability and how to best foster their inclusion within mainstream society. She's also completing a double Master's degree in Public Health and Health Promotion at Brunel University in Uxbridge, West London.



Nankoria wants to work with Afrocentric communities on health policy initiatives to effectively address the complex needs of these communities. This would involve embarking on educational awareness campaigns and providing the communities with the resources they need. "Right now HIV and sexually transmitted infections are on the rise and most minority populations aren't being educated on the preventative measures they could take. By doing that, I think I could make an impact."

With all that on the horizon, her leadership ambitions have been strengthened. "I need to be in a position of responsibility whereby I'm not only responsible to the people around me, but to the global community as well. I feel I was inspired by a lot of people in Canada to believe the impossible and I need to pass that on to the next generation."

## COUNTRY PROFILE ZAMBIA

At independence in 1964, Zambia was one of the richest countries in Africa. But a colonial legacy, mismanagement, neighbouring conflicts, debt and disease created economic instability. It is now one of the continent's poorest countries.<sup>50</sup> One-party rule existed until the 1991 elections, but subsequent elections were marred by blatant harassment of opposition parties.<sup>51</sup> Zambia hosts many refugees fleeing wars in nearby countries. At its peak in 2001, Zambia hosted over 280,000 refugees – mainly from the Democratic Republic of Congo and Angola.<sup>52</sup>





# Andriata Chironda

Displacement is something that's never far from Andriata Chironda's mind. As a native of Zimbabwe who fled the country's political turmoil in 2001, her arrival in Canada precipitated a range of emotions – everything from self-pity to loneliness to isolation. She struggled as everything around her suddenly became foreign. The distance that separated her from her loved ones was difficult to bear. Having no Canadian experience, she had a hard time finding a well-paying job. Also, her intention of continuing her university education was hampered by a lack of financial resources. Her woes mounted as she hunkered down in search of a physical and emotional space to call home.

Ironically, Andriata has found liberation from it all. "As a consequence of being both psychologically and physically displaced, I've discovered other passions, capabilities and dimensions of myself that I might not have accessed or been aware of had I not left my physical homeland."

Toronto has also been the perfect place to pursue her academic career. She completed an Honours Bachelor of Arts degree at the University of Toronto with a double major in Diaspora and Transnational Studies and History, which a scholarship from the Maytree Foundation helped to fund. She graduated in June 2009, also from the University of Toronto, with a Master's degree in History with a specialization in Ethnic, Immigration and Pluralism studies. For this, she was a recipient of the Carmen Brock Fellowship, an award for students who will be studying the



history of sub-Saharan Africa, the Caribbean Islands, Belize, Guyana and/or Surinam at the doctoral or masters level. In her academic work, she focuses on people of African descent and their experience of immigration and displacement. "I often find that issues of identity and, particularly, race, gender and class play significant roles in people's experience of migration and the immigration process as a whole"

She looks forward to pursuing doctoral studies soon. She is also working on a semi-autobiographical book about the experiences of those born in post-independent Zimbabwe. "My goal is to tell a story, a history, if you will – using my life and experiences as a lens – about the post-colonial angst, the tears, the wounds and the triumphs that those of my generation have survived and endured both in Zimbabwe as well as in various parts of the world as an emerging Zimbabwean Diaspora."

## COUNTRY PROFILE ZIMBABWE

In 1980, after several years of conflict and UN sanctions, Zimbabwe became independent under the leadership of Robert Mugabe.<sup>53</sup> In April 2005, an urban rationalization program in the capital destroyed the homes or businesses of 700,000 supporters of Mugabe's opposition. Victims of these forced evictions continue to live in deplorable conditions.<sup>54</sup> Following elections in 2008, the human rights situation in Zimbabwe deteriorated. According to Amnesty International, many people died, thousands were injured, and tens of thousands were displaced from rural areas to urban centers due to a wave of state-sponsored human rights violations.<sup>55</sup> About 17,000 Zimbabweans have sought refuge in other countries.<sup>56</sup>



# Evis Chirowamhangu

When Evis Chirowamhangu first arrived in Toronto from Zimbabwe in October 2005, she was struck by the sheer magnitude of the city. “That was definitely one of the biggest challenges I encountered,” she says with a laugh. “In Harare, you can walk from one end of the city to another in a short time span. Toronto’s the opposite.”

To understand the society she found herself in, Evis began to read newspapers and watched as much television news as possible. She also made sure she became more involved with the community around her. “Initially, I thought I’d just find any old job, but I was inspired by the people I met who made me realize I was capable of more.”

And just as she was inspired by others, she also seeks to do the same with those around her. She is a founding member of an organization called *iSustain* which engages people to take responsibility for sustaining the globe. The organization aims to give Toronto-area high school students a platform to change their communities.

While the organization has had to halt its activities due to financial constraints, Evis isn’t ready to give up on the idea. Challenging people to look beyond what’s at the surface is something she’s passionate about. In fact, together with the group from *iSustain*, Evis developed a program in which high school

students had to go out on the streets of Toronto and learn about some of the issues facing homeless people by speaking to them. Evis felt it was an important exercise. “These people were born into families and they are where they are today for numerous reasons. They have important stories to tell, and we need to listen to what they have to say.”

Currently, Evis is completing a Bachelor of Commerce degree at Ryerson University and plans to pursue a Master’s in Economics. While a climb up the corporate ladder is what most might expect from a commerce student, for Evis, that’s not the goal. “I’d like to use my degree to better the world.”

Chief among her objectives is to break Africa’s cycle of dependency as a result of centuries of colonialism and neglect by the Western world. “I want to start one village at a time. In Africa, there’s this tendency to want to leave for a better life abroad. But if we give people the tools to effect change within their societies, to provide them with the resources they need and the hope they yearn for, that can change.”



# Uitsile Ndlovu

Growing up in Zimbabwe, Uitsile Ndlovu became aware of the HIV/AIDS pandemic at an early age. Many friends and family members had lost their lives to the illness, and Uitsile recalls going to funerals almost every weekend. These people weren't mere statistics taken from a textbook. They were real people she knew and loved. Children she baby-sat and played with as a child; and people she couldn't imagine her life without.

Uitsile knew she wanted to make a difference by pursuing a career in health sciences. Although she struggled with the isolation she felt when she found herself alone in Toronto in June 2001, she enrolled in studies at the University of Toronto, and in 2006 she completed a Bachelor of Science degree in Biology and Comparative World Religions. She then pursued a Master of Health Science with a specialty in Health Promotion and Global Health, which she graduated from two years later.


Currently, she's working as a Research Coordinator on two provincial HIV research studies; one at the Women's Health in Women's Hands Community Health Centre and another at The Ontario HIV Treatment Network. She's also a member of Soul Influence, a pan-African, multilingual *a cappella* ensemble that does advocacy work around HIV/AIDS-related issues. In 2005, they released their debut album and their second one is slated for release in late 2009.

In 2006, Uitsile and the other members of Soul Influence raised over \$40,000 worth of medical supplies, toys, blankets and medication. In December of that year, the group travelled to an orphanage in Kenya and a pediatric hospital in Zambia, two communities ravaged by HIV/AIDS, to deliver the donations in person. This initiative received international recognition by being accepted for presentation at the 2008 International AIDS Conference in Mexico.

Her passion has also taken her to other parts of the world including India, where she worked in health promotion at three different hospitals; Germany, where she learned about the German health care system and how the European Union develops health and social policies on HIV; and New York where she interned with UNAIDS, a United Nations program, which works towards universal access to HIV prevention, treatment, care and support services.

The work she does resonates strongly for her. "As people who come to Canada as refugees, there's this tendency to crave security, which is natural, but it's also important to recognize that anyone in any position is capable of making a difference in another person's life. You don't necessarily have to be at the top of the ladder to lift someone up."





“The important thing to remember is to always have faith in yourself and your ability to overcome adversity. I truly believe that life is a beautiful struggle.”

*Salma Adam, Maytree Scholarship Student*





Peter Showler, *Director  
of the Refugee Forum at the  
University of Ottawa*

## Chapter 2

# REFUGEES AROUND THE WORLD

The starting point for a discussion about refugee issues is the 1951 United Nations Convention relating to the Status of Refugees. The Convention defines who is a refugee, and sets out specific rights and obligations for signatory countries and for refugees.

### The Convention Refugee Definition

The 1951 Convention Refugee definition is legally complex; it recognizes some forms of harm and denies others. The heart of the definition extends to those who have fled their country and fear persecution if they return because of their race, religion, nationality, membership in a particular social group or political opinion.

As a generality, people who leave their countries because of flood, famine, drought, starvation, plague, environmental disasters, lack of potable water or extreme poverty, are not recognized as refugees. People who flee civil conflicts, rampant criminality or severe discrimination, may or may not be refugees depending upon a country's interpretation of the UN Refugee Definition. Traditionally, Canadian courts have given a liberal

### TABLE 1 UN CONVENTION REFUGEE DEFINITION

A Convention refugee is a person who, by reason of a well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion,

- (a) is outside each of their countries of nationality and is unable or, by reason of that fear, unwilling to avail themselves of the protection of each of those countries; or
- (b) not having a country of nationality, is outside the country of their former habitual residence and is unable or, by reason of that fear, unwilling to return to that country.

**TABLE 2**  
**PEOPLE IN NEED OF HUMAN RIGHTS PROTECTION**

Convention Refugees	14 million
Internally Displaced	26 million
Stateless Persons	3 million
TOTAL	43 million

**TABLE 3**  
**PRINCIPAL SOURCE COUNTRIES**

Afghanistan Iraq Democratic Republic of Congo Somalia Colombia	Sri Lanka Burma China Sudan Palestine
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**TABLE 4**  
**PRINCIPAL HOST COUNTRIES**

Iran Pakistan South Africa Kenya Ecuador	Venezuela Thailand Jordan Syria Yemen
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interpretation to the definition that has included victims of domestic violence and female genital mutilation, homophobia, and victims of civil wars. In recent years, Canadian courts have not been so generous when the issue has been the capacity of the state to protect victims of crime and serious discrimination.

Although not so well known, there are other parts to the UN Convention definition that deny protection to people who already have legal status in other countries or who have ceased to be refugees. Even though a refugee may have a well-founded fear of persecution, Article F of the Convention denies protection when the refugee has himself committed various forms of international crime.

Many countries have supplemented the core Convention refugee definition with additional asylum categories. Most African countries also employ the refugee definition in the Organization for African Unity Convention that offers protection to all those fleeing a massive civil disturbance. European countries have many forms of secondary asylum protection that is usually limited to temporary protection. Canada expanded its refugee definition to include a second category, persons in need of protection, who, once accepted, have the same rights as a refugee.

### **Rights and Obligations for Signatory Countries**

Of the more than two hundred countries in the world, one hundred and forty-seven are signatories to the UN Convention. The key

obligation is not to send a refugee to a country where he or she could be persecuted. There are many additional obligations such as fair and non-discriminatory treatment based on fundamental human rights principles. The refugee's principle obligation is to respect the laws of the land. The Convention also grants the United Nations High Commissioner of Refugees (UNHCR) primary authority to monitor and implement the operation of the Convention.

Some of the principal host countries of refugees, such as Thailand, Ecuador, Jordan and Syria, are not signatories but still permit the UNHCR to manage refugee camps within their borders. Some countries permit refugee camps, some, including signatory countries, do not. Some countries have asylum systems to decide who is a refugee and some require that the UNHCR determines refugee status. Some signatory countries comply with their fundamental obligations under the Convention and some do not.

### **A World of Refugees: Who Needs Protection? Who Gets It?**

There are approximately 14 million refugees in the world today. There are also tens of millions more Internally Displaced Persons who have fled their homes but remain within the borders of their own countries as well as stateless persons who are not accepted as citizens of any country. In total, international agencies estimate that there are at least 43 million people throughout the world who require some form of human rights protection although the majority do not fit within the Convention Refugee definition.



## **Refugees: Where They Come from. Where They Remain.**

Refugees come from more than 100 countries. The majority flee countries with oppressive regimes or those that are fractured by war or internal conflicts. Almost all refugee source countries are located in the Global South, principally in the Middle East, Africa, South-east Asia and South America. Ninety per cent of the world's refugees cannot or do not go far to seek protection. They remain close to their home countries. Consequently, the principal host countries for refugees are also located in the Global South. They are the countries least able to afford to offer protection to massive numbers of refugees.

*Thousands of displaced people wait in line to receive food rations just outside a site for internally displaced persons in Kibati, Democratic Republic of Congo. © UNHCR/P.Taggart*

## **Refugee Conditions: Two Forms of Hell**

### **Refugee Camps**

More than 8.5 million people live in refugee camps around the world, principally in the Global South. The largest camps hold more than 150,000 refugees and are managed by the UNHCR. The camps are serviced by a mixed and complex network of UN agencies in concert with international NGO's and local government organizations.

The conditions in camps vary widely although many camps suffer from inadequate food rations, shelter, medical services, education, security, and employment opportunities. These inadequacies may be occasional or chronic. Well-established camps may have medical clinics and school systems

that rival local services but still remain pools of human misery and despair. Most camps have boundaries with limited rights to come and go.

Refugees say that the most crippling aspects of camp life are the lack of opportunity, the lack of freedom, the lack of hope. More than sixty per cent of camp refugees remain for more than ten years. The average time to live in a refugee camp is seventeen years. There are fifty-year-old people who have lived their entire lives in refugee camps.

### **Urban Refugees**

Three to four million refugees do not live in camps. Some are registered with the UNHCR as Convention refugees and some are not. They reside in countries throughout the world, principally in the Global South, with or without





*A young girl shows the Voluntary Repatriation Form that her family was given when they returned from Pakistan to Afghanistan. © UNHCR/R.Arno*

legal status. Some are temporarily and informally allowed to remain in the host country. Many lack any form of legal status and migrate through several countries. Even if registered, most urban refugees lack a complete core of human rights protections. They are vulnerable to whimsical changes in government policy. Many lack reliable protection from the host country and are vulnerable to discrimination and exploitation including forced labour, sexual abuse, expropriation of property, eviction, arbitrary detention, blackmail and theft.

### **Durable Solutions, Durable Problems**

Each signatory country takes responsibility for protecting refugees who come within its borders and may grant them either temporary or permanent protection. For high volumes of

refugees, the UNHCR has adopted the principle of durable solutions as a three-step strategy to resolve situations. Those steps are:

- Voluntary repatriation
- Local integration
- Resettlement

Voluntary repatriation to the country of origin is always preferred if feasible. Last year 750,000 refugees voluntarily returned to their home countries. In most cases, repatriation requires resolution of the cause of the persecution whether that is a change of government or termination of a civil conflict. For long-standing conflicts such as the Israeli occupation of Palestine, the Chinese occupation of Tibet or the civil war in Somalia, repatriation is not a realistic solution. Excessive reliance on repatriation has resulted in protracted refugee situations where

entire generations live their lives in refugee camps. In other situations, such as Rwandan and Burundian refugees, the repatriation has been more coerced than voluntary.

Local integration is the second option. Most refugees are located in countries near to their own, often with similarities of culture, climate, language group and religion. For those refugees who cannot return to their country, it seems logical that they can more easily integrate into cultural and physical circumstances similar to their own. With some exceptions, local integration has not been successful. Most countries with large refugee populations have been reluctant to grant permanent residence to refugees. Many of the principal host countries are some of the world's poorest who can least afford to absorb significant refugee populations and

they resent the imposition of excessive burdens by wealthy nations who rely on geographic remoteness and restrictive immigration policies to limit their own responsibilities.

Resettlement is the third option where refugees with little hope of repatriation or integrating locally can be resettled in more distant countries, usually the wealthier countries of the Global North. Approximately 100,000 refugees were resettled last year. The United States, Canada and Australia have historically accepted the most refugees for resettlement. Resettlement suffers from one principal criticism: the numbers resettled are simply a drop in the bucket in relation to the massive numbers of refugees in need of resettlement. The discrepancy has led to refugees being trapped in miserable camp conditions for inexcusably long periods of time. A second criticism alleges that some resettlement countries cherry pick the most highly educated and competent refugees and leave behind the most vulnerable who often have the greatest need for protection.

**Mixed Flows, Mixed Motives and Mixed Messages**

For some years, there has been a great debate in the world of international refugee law with two intertwining themes: the legitimacy of modern asylum systems and the legitimacy of asylum seekers. Many of the wealthier nations in the Global North have drastically restricted access to their borders and asylum systems. They argue that too many asylum seekers are really economic migrants who do not fall within the Convention

refugee definition and are overwhelming and misusing asylum systems to establish residence in wealthy countries. Critics of this view say that asylum policies have been unjust and too restrictive. Legitimate refugees who do meet the definition are being denied access to asylum systems or are being unjustly refused. Moreover, even those who do not meet the definition are often at risk from other forms of harm that are not covered by the UN definition.

There is no clear resolution to the debate but the following information may assist readers to reach their own conclusions.

Most of the wealthy nations have asylum systems that have high refusal rates and are weighed down with high claim flows and backlogs. All have interdiction and deterrence policies that seriously limit or discourage access to their asylum systems. Some policies are more draconian than others. Some policies do not comply with the spirit or the letter of the Refugee Convention. Some policies, such as the demand for legitimate travel documents, appear to exclude legitimate refugees more than economic migrants. Some policies result in refugees being returned to countries where they are at risk of persecution or other forms of serious harm.

In recent years, the migration story has become more complicated. Asylum seekers tend to move from poorer to wealthier countries although the majority of asylum migration is not to the wealthiest countries. There is a mixed flow of economic migrants and refugee claimants moving in asylum streams where a significant number

<p><b>TABLE 5</b></p> <p><b>INTERDICTION POLICIES</b></p> <ul style="list-style-type: none"><li>• Visa requirements</li><li>• Migration controls in International airports</li><li>• Carrier sanctions (fines for bringing refugee claimants)</li><li>• Interception of vessels on the high seas</li><li>• Interception of vessels in territorial waters</li><li>• Safe third country agreements</li><li>• Off-shore refugee determination processes</li><li>• Asylum ineligibility based on country of origin</li></ul>
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<p><b>TABLE 6</b></p> <p><b>ASYLUM DETERRENCE PRACTICES</b></p> <ul style="list-style-type: none"><li>• Automatic detention policies</li><li>• Poor detention conditions</li><li>• No or insufficient social assistance</li><li>• Denial of employment</li><li>• Denial of education</li><li>• Unfair refugee claim practices</li></ul>
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do not meet the UN refugee definition. Many migrants leave their countries for mixed motives including fear of harm, severe discrimination, extreme poverty, environmental degradation, lack of fundamental resources such as food, potable water, health protection, arable land, or employment opportunities. Sometimes they may be at risk of greater harm, including death from disease and starvation, than those who would qualify under the UN definition. They may not meet the refugee definition but they are desperate for themselves and their families.



## Chapter 3

# CANADA'S ASYLUM SYSTEM

In some ways Canada's asylum system is unique and has been often cited as a model by the UNHCR and international observers. Some of the praise has been well earned and Canadians can be justifiably proud of some aspects of its refugee protection programs. At the same time, Canada's asylum system has serious deficiencies and much of the praise has been solely in comparison to the serious shortcomings of other wealthy countries that have less hospitable asylum systems.

Canada became a signatory to the UN Refugee Convention in 1967, and its asylum system is based on its obligations under the Convention although the legal structure of the system is contained within the *Immigration and Refugee Protection Act* of 2001. Canadian refugee protection is based on two distinctly separate programs, Overseas Resettlement and the Inland Refugee Determination Program.

### Overseas Resettlement Program

Canada accepts between ten to twelve thousand refugees per year through its resettlement program. As described in Chapter 2, after the United States and equivalent to Australia, Canada is one of the three principal participants in

the UNHCR's overseas refugee resettlement program. The Canadian program is unique in that it enables both government and private sponsors to identify individual refugees or refugee families for resettlement in Canada. Private sponsorship accounts for approximately one third of all overseas refugees. In total, 10,800 refugees were brought to Canada in 2008.

Almost all resettled refugees are living in refugee camps. Before being accepted, they must pass an assessment of their refugee claim, a medical examination and a security clearance. They are granted permanent residence upon arrival in Canada and provided with financial assistance, usually for one year, along with language training and various forms of settlement assistance, usually through provincial programs. The private sponsors take on most support responsibilities for privately sponsored refugees.

The resettlement programs are not without their critics. The Canadian government charges refugees for the cost of medical examinations and transport expenses. Many refugees arriving from camps are burdened with loans of up to \$10,000 plus interest while struggling to earn a living and adapt to Canadian life. There have been chronic complaints of unnecessary administrative





*Refugees and migrants risk their lives in over-crowded and unseaworthy vessels to escape persecution and violence or simply to find a better life. © UNHCR/ A.Di Loreto*

delays in processing cases, particularly private sponsorships. Several sponsorship groups have declined to undertake additional sponsorships due to the aggravation of dealing with the immigration bureaucracy. Immigration officials in turn find it difficult to approve the refugees named by the sponsors. Critics also allege that the global selection of resettlement refugees has not been geographically proportional.

On the positive side, the government has initiated group resettlements from camps where refugees have been trapped for years with little hope of return to their country. Groups of several hundred Burmese and Bhutanese refugees have been brought to Canada in the past few years. Group sponsorships can be processed far more efficiently and quickly and can cushion the cultural shock of trying to establish in a Canadian

community as a solitary individual or family.

### **The Inland Refugee Program**

There is a separate refugee determination program for refugee claimants who arrive at the Canadian border or are already in Canada. Upon arrival at the border, Canada assumes the responsibility of assessing their refugee claim in compliance with its UN Convention obligations that Canada will not send anyone back to a country where they have a well-founded fear of persecution. All such claims are decided within Canada.

The challenge of any asylum system is to make thousands of very difficult decisions fairly and quickly.

- The decisions must be fair and well considered because the consequence of error is potentially deportation to persecution which can include death, torture or arbitrary imprisonment. No other judicial body in Canada decides cases with such potentially horrific consequences.
- The decisions must be fast because Canada receives on average of 25,000 claims per year. Last year more than 36,000 people asked for Canada's protection. If the claims are not decided quickly, the entire system can be rapidly overloaded resulting in endless delays.
- The decisions are difficult because most of the evidence to prove or disprove the claim is located in a distant country that is caught in internal conflicts or bound by



an oppressive regime. There are usually no witnesses other than the refugee claimant who usually must testify through an interpreter, does not understand Canadian law or culture and may often be a vulnerable witness because of fear, past persecution or cultural misunderstanding.

Canada's current refugee system was established in 1989 and was significantly modified in 2001. It has five stages that begin when a person makes a refugee claim either at the border or at an immigration office in Canada. Anyone who is not a Canadian citizen can make a refugee claim.

Here are the five stages:

**1. Security and Eligibility Review:**

Every claimant is photographed, fingerprinted and interviewed. Serious criminals and security threats such as terrorists are not allowed to make refugee claims. Other claimants may be ineligible such as repeat claimants or people claiming at the US-Canada border. Over 98% of claimants are eligible and are referred to the IRB to have their claim decided. While awaiting a decision, the claimant is entitled to seek employment, receive social assistance if required and to attend primary and secondary school. A refugee claimant cannot attend university except as a foreign student until they are accepted as a refugee.

**2. Deciding the Refugee Claim:**

The IRB (Immigration and Refugee Board) is an independent tribunal that is responsible for deciding refugee claims. The claimant has the right to a full hearing before an

independent Board member who has the sole responsibility for deciding the claim. The member must give the claimant a reasonable opportunity to present evidence and prove her claim. The member shares the burden of finding important evidence and must give reasons for the decision whether positive or negative. The claimant has the right to a legal representative and an interpreter.

If the claim is accepted, the refugee is permitted to apply for permanent residence for herself and her family. If the claim is rejected, the claimant has a right to ask the Federal Court to review the decision. About 75% of refused claimants ask for a judicial review.

**3. Judicial Review:**

There is no full appeal available to a refused claimant. An appeal was included in the *Immigration and Refugee Protection Act, 2001*, but the Refugee Appeal Division has never been implemented. Judicial review is more limited than an appeal. The court cannot grant refugee status, it can only send the case back to the IRB for another hearing. As well, judicial review is limited to correcting errors of law or major factual errors. Most importantly, the applicant must first ask the court for permission to apply for judicial review, a kind of triage process. Only about 13% of applicants receive approval to have their decisions judicially reviewed. About 40% of judicial review applications are successful.

**4. Pre-Removal Risk Assessment:**

After the court has rejected the application, the claimant has the right to ask for a risk assessment before she can be removed

**TABLE 7**  
**REFUGEE SYSTEM BY THE NUMBERS**

Refugee Claims in 2008	36,700
IRB claims decided, 2008	15,000
IRB backlog: July, 2009	60,000
Average time for IRB decision	18 months
Claims accepted, 2008	41%
IRB refused claims, 2008	5,900

from Canada. This is not an appeal. It is an opportunity for the person to present new evidence that she could be seriously harmed in her home country. Often there are long time delays between the original IRB decision and the time for removal. Intervening events may have occurred in the home country and this is an opportunity to show why it would be dangerous for her to return. Only 2% of pre-removal risk applications are successful.

### **Humanitarian and Compassionate Applications for Permanent Residence (H&C).**

At any time while in Canada a person can apply for permanent residence for humanitarian reasons. The application is not part of the asylum process but many refused claimants, particularly when they have lived in

Canada for several years and have established roots, will make a humanitarian application to remain. If children have been born in Canada, they are Canadian citizens and have the right to remain. Family separation would be a humanitarian factor although it is ordinarily not sufficient in itself. Families have been separated by deportation orders and Canadian children have accompanied their parents to foreign countries sometimes into impoverished or dangerous situations. Many factors are considered in a humanitarian decision. Approximately 40% of H&C applications are accepted although not all are refused refugee claimants.

### **5. Removal from Canada**

Refused refugee claimants can voluntarily leave Canada and preserve their right to return as a visitor. However, most claimants contest the negative refugee decision and eventually are deported which means that they cannot return to Canada without the permission of the Canadian government. Deportation, usually to the person's home country, can be a complicated process. Under international law, it normally requires legal travel documents and the cooperation of the home country which is not always available. Some countries do not welcome the return of their citizens and often the refused refugee lacks legal identity documents to prove her citizenship.



*Displaced Iraqi children play outside in a makeshift settlement © UNHCR/B.Heger*

## HOW ARE WE DOING? CURRENT CHALLENGES FOR THE REFUGEE SYSTEM

Canada's asylum system is facing serious backlogs and takes too long to decide and remove unsuccessful claims. Both refugee claims and processing times have increased while the capacity of the IRB to decide claims has decreased. As of July 2009, the IRB has a backlog of more than 60,000 claims and takes an average of 18 months to decide claims. There are an additional 20-25,000 refused claims that are located somewhere in the judicial review and removal process. The average time to decide, review and remove negative claims is unknown but is estimated to be four to six years.

### Strengths and Weaknesses of the Canadian System

Canada's asylum system has strengths and weaknesses. It has been widely praised by international agencies and has been sometimes harshly criticized at home. Not all of the praise or criticism has been deserved.

#### Strengths:

Relative to other countries, Canada is hospitable to refugee claimants. The system has three principal strengths:

##### 1. Accessibility:

Compared to other countries, Canada's asylum system is very accessible: there is a moderate detention policy, less than two per cent of applicants are denied a hearing, claimants are given social assistance if

needed, and they are allowed to work and attend school. It is not a perfect system. Critics will point to visa restrictions and the Safe Third Country Agreement with the United States as instances where some refugees are denied access to Canadian asylum. Other critics allege that the system is too hospitable thus attracting an excessive number of fraudulent claimants.

##### 2. The First Decision:

Canada is unique. It is the only country that relies on the principle of First Decision, Best Decision. Other countries make an early decision by a government official with a limited opportunity for refugees to present their case and then have lengthy appeal procedures to review the first decision. By allowing claimants a full opportunity to tell their story to an expert tribunal, more care is taken to ensure that the first decision will be the correct one. At the IRB, more time and care is taken to obtain the relevant evidence before the hearing takes place. Every decision, positive and negative, includes a set of reasons that explains why a person is or is not a refugee. Approximately 45% of claimants are accepted as refugees.

##### 3. Permanent Residence:

Even when accepted, most countries only grant a refugee temporary residence in the country. Such policies prevent family reunification and often create ethnic poverty ghettos. Canada allows refugees to apply for permanent residence and to bring their immediate family members to Canada. By granting permanent residence, Canada allows refugees to get on with their lives and to

avoid many of the social problems caused by temporary residence. Refugees from the Inland refugee system represent about 7% of Canada's annual immigration flow.

### Weaknesses

There are four principal weaknesses to the Canadian system:

##### 1. Appointment of IRB Members:

The competence and expertise of IRB members is the lynchpin to the effectiveness and reliability of the refugee claim system. IRB members are appointed and re-appointed by the federal cabinet. The process is ultimately a political and secretive one that does not yield the best candidates available. The overall quality of the decisions and the productivity of the Board would be greatly improved by a non-political appointment process.

##### 2. No Refugee Appeal Division:

Refugee decisions are difficult, particularly when the claim turns on the credibility of a traumatized and confused claimant speaking a different language. Since a single member makes the decision, mistakes are unavoidably made. A Refugee Appeal Division was put into the law as a safety net to catch the mistakes but has never been implemented. The limited Federal Court process of judicial review is not well designed to catch errors related to credibility assessment. If the Board member does not believe a claimant, it is unlikely that anyone else in the system will take a careful look at the case. Inevitably,

some refugees are mistakenly sent back to persecution.

### **3. The Review and Removal Process:**

As described above, the review and removal process is too complicated with a series of administrative stages, each subject to judicial review by the court. The result is a slow and ineffective process that changes few original IRB decisions and takes years to remove failed claimants. In addition, it adds a significant and costly burden to the court system.

### **4. Family Reunification Process:**

Although Canada does allow refugees to bring their families to Canada, critics allege that the process is slow and harsh. Many family members in refugee camps lack formal identification and are delayed for years trying to provide proof of their identity. Some family members, including children and spouses, are excluded forever because of innocent paperwork errors. Impoverished refugees are held accountable for medical examinations and travel expenses. Refugees who are minors are not allowed to sponsor their parents even if the child refugee is alone in Canada.

## **REFUGEE REFORM: A BETTER SYSTEM**

All asylum systems aspire to be fast and fair. None of them are and, in one sense it is an impossible task to decide tens of thousands of claims quickly and reliably and, just as quickly, deport people who continue to maintain that they are being sent home to persecution. Despite the challenges, Canada's system can be better.

The system is too slow and unreliable. Excessive delay hurts refugees and encourages fraudulent claims. Mistakes leave refugees floundering in the review stage for years, uncertain of their fate and separated from family. In some instances, mistakes result in people being sent back to persecution and even death.

Here is a random list of key reforms that would result in a fast, fair and final asylum system. The watchwords are: good first decision, quick and reliable appeal, prompt removal of failed claims.

### **Appoint better decision-makers:**

Members should be appointed and re-appointed by an independent committee of experts based solely on merit. There is no role for the federal cabinet. This is the cheapest and easiest reform measure. For the same money, the tribunal will make more accurate decisions with more coherent reasons more quickly. Accurate and well written decisions make the job easier for the appeal division. The tribunal continues to be fully independent and well resourced to maintain its expertise.

### **Catch the mistakes:**

Even the best members make mistakes. Allow refused claimants a right of appeal to an appeal division of the tribunal made up of experienced and superior members. The government could also appeal positive decisions. The role of the appeal division is to both catch the mistakes and to confirm the great majority of negative decisions that are not mistakes. The appeal division has the power to consider new evidence and to grant refugee status where mistakes have been made.

### **Give the court its appropriate role:**

The Federal Court is limited to errors of law. If the court is provided with a well reasoned first decision and a well written confirmation of that decision, it can quickly triage the small number of cases that raise true issues of law. The remainder, more than 95% of the applications, can be immediately removed.

### **Prompt removal:**

If there is prompt removal of refused claimants, there is no need for an additional risk analysis or for additional applications to court. Delays cause more delays. Voluntary removal programs have been very successful and should be used whenever possible. The removals unit must be adequately resourced to avoid backlogs.

### **Family reunification:**

For accepted refugees, more generosity is required to ensure the prompt reunification of refugee families. It requires more flexibility for refugees who lack identity documents or who make reasonable and explicable errors in filling out complicated documents. Child refugees should have the right to sponsor their parents and minor siblings. Like most other governments, the government should bear the relatively minor cost of medical and transportation expenses to reunite refugee families.



## Chapter 4

# THE REFUGEE EXPERIENCE

In this chapter, we describe the situation in three source countries for refugees – Somalia, Sierra Leone, and Colombia. Each country profile is followed with a story of a refugee from that country. While these stories are fictional because of the confidentiality of actual cases, we know from our work with Maytree’s scholarship students that they are an accurate composite of the experiences of thousands of refugees.

### SOMALIA

Somalia is a long dusty elbow of a country that runs along the coast of the Indian Ocean to the Horn of Africa where it hooks sharply left to continue along the Gulf of Aden toward the Red Sea. Its awkward shape is the result of a decision by the British government after World War I to award the Ogaden Desert and its Somali inhabitants to Ethiopia. Somalia and Ethiopia have disputed control of the territory ever since.

Somalia is a political enigma. Unlike most African nations, it has a remarkably homogenous population. Somalis share the same language and religion, yet it is the most fractured of African countries, enduring a civil war between clan-based militias that now exceeds twenty years. Long before its evolution into a modern nation,

Somalia had been populated by eight principal clan groups of pastoralists and farmers who shared land and water, relying on the wisdom of clan and sub-clan elders to settle the inevitable disputes that arose between nomadic and agrarian cultures. It was a subtle and flexible system that survived the division of the region into three colonial territories controlled by the French, British and Italians. Some argue that the current instability of the country has deep colonial roots.

In 1960, Somalia achieved independence with the departure of the Italians and the British although the straight lines of European cartographers cut through traditional tribal lands to leave some Somalis living in Kenya, Ethiopia and Djibouti. In 1969, after the assassination of the president,



*A refugee woman uses a fuel efficient stove to prepare food. The stove reduces the amount of firewood she needs to collect each day. © UNHCR/B.Heger*



Major-General Siad Barre seized power and attempted to consolidate the country into a more unified socialist state. Ironically, during his twenty-year quest to centralize government power, Siad Barre played clan groups off against one another and sowed the seeds for the political disintegration of the country. In reaction to real and perceived injustices by the Siad Barre government, militias arose to contest control of regional clan territories.

In 1982 the Somali National Movement (SNM) of the Isaaq clan was the first to challenge the Barre government in northern Somaliland. Thousands of Isaaq people were killed during the civil war and thousands more fled to refugee camps in neighbouring countries. Wealthier Somalis sought asylum in the Global North. With the support of Ethiopia, the SNM eventually

gained control of the region. After negotiations with other militias from the other northern clans, the SNM declared Somaliland to be an independent state in May 1991. Although the international community has consistently refused to recognize the Republic of Somaliland as an independent country, the region has enjoyed relative peace and prosperity since 1992. In contrast, the remainder of the country has been decimated by an unending series of clan-based conflicts between more than a dozen militias.

In January 1991, Siad Barre was driven out of Mogadishu, the nation's capital, by the United Somali Congress (USC), the principal militia of the Hawiye clan. Tens of thousands of Mogadishu residents who were not Hawiye fled before the USC forces arrived. Many who did not leave were killed, raped, robbed or imprisoned.

The USC declared an interim government that did not include rival militias fighting in other parts of the country. Those militias in turn refused to recognize the interim government. Meanwhile Siad Barre continued to fight in the southern regions of the country until his eventual defeat and departure to Nigeria. Somalia splintered into several regions controlled by local clan militias. In their rush to control Mogadishu, USC leaders split along sub-clan lines and fought amongst themselves, dividing the city into armed camps.

In the ensuing years, Somalia has suffered a long sad history of sporadic militia warfare. The local authority of clan elders has often been ignored or trampled by warlords and undisciplined militia fighters. Violence prevailed over civility. Parts of the country descended into anarchy. The violence



was often interspersed with ceasefire agreements, declarations by transitional governments-in-exile, United Nations interventions, droughts, international humanitarian aid, the imposition of Sharia Law and, more recently, an invasion by Ethiopian forces. Portions of the country, Puntland and Jubaland, have become semi-autonomous and peaceful regions but little has relieved the suffering of the general civilian population.

The occupation of Mogadishu triggered the beginning of a great Somali diaspora that has not ended until today. Hundreds of thousands of Somalis living as clan minorities throughout the country fled to home clan territories or neighbouring countries. Since 1991, millions of Somalis have abandoned their country.

The majority have remained in neighbouring countries, particularly Kenya, living in refugee camps or living illegally in Nairobi or other urban centres. Others risked their lives in overloaded boats, crossing the Gulf of Aden to Yemen.

The largest camp in Kenya, Dadaab, currently holds 270,000 people, nearly three times the camp's capacity. The residents live in tents on bare, sandy soil incapable of growing food, plagued by heat and cold. In the early years, the camps were dangerous places without fences or protection to prevent marauding bands from attacking women and robbing families. Those who could escape the camps did so, travelling throughout Africa and abroad. Most Somalis did not possess passports and the collapsed Somali state was incapable of producing them. To

escape the hell of the camps, desperate residents begged or borrowed money from clan relatives to buy false documents to reach Europe and North America. Those lucky enough to reach the West, sent money back to help others escape. Since 1991, through both the overseas and inland refugee programs, thousands of Somalis have been granted refugee status by Canada.

Meanwhile the violence continues. In 2009, a resurgence in the fighting caused another 40,000 civilians to flee the country, some of them for the third or fourth time. Despite UN resolutions, interventions, the death of many of the original militia leaders and elections of transitional governments, there is no end in sight to the violence and instability that plagues this troubled state.

## AHMED'S STORY

Ahmed allowed his bare skinny legs to swing over the back end of the truck's platform. He was far above the ground and his mother had said not to move or someone would take his place. He looked intently for his mother who had gone back for his sisters. Then he heard his mother's voice. He recognized the voice that spoke sharply, this time telling his youngest sister Amina to hurry. And there she was with a huge bundle and his three sisters, giving the driver the money and the driver said he needed more since the bundle was so big and his mother's voice became shriller but the driver did not relent. He understood the desperation of all who wanted to leave.

Ahmed watched his mother reach into her robe to draw out more crumpled shilling notes and then the driver lifted Amina up to the floor of the truck, pushing her against the legs of the adults who already filled the back of the truck. The driver ignored Ahmed's mother, a large woman, who struggled to climb up to the truck bed. A man pushed her from behind and laughed and his mother's voice again grew shrill. Finally a man's hand reached down to assist her and then pull his two sisters up as well. Ahmed recognized the man. He was Marehan sub-clan like himself. Ahmed could recite his clan lineage to the tenth level and he believed the man was the uncle of the sister of the wife of his father's brother.

His mother forced her way through the bodies to the edge of the truck beside Ahmed where she clung to the high sides of the truck, protecting the three girls with her body as the diesel smoke made Ahmed cough and the truck lurched forward. As the truck turned away from the city, Ahmed saw the flashing lights in the night sky and heard the booming sounds. It was January 20, 1991 although Ahmed did not know dates or calendars. His mother had said they must leave or bad things would happen. His father had left their home three days before to get some food and money but he had not returned.



*50,000 children in the Dadaab camps are not attending school. Schools are overcrowded and there is no space to build new classrooms. © UNHCR/B.Heger*

The truck would journey south for eight days over broken rutted roads toward Kismayo where there were many members of their clan and his mother said they would be safe. Once, the truck was stopped by soldiers who made everyone leave the truck. They hit a man with their guns and demanded money. Ahmed went behind a bush to make his poo and almost missed the truck. The soldiers were laughing but he ran hard and the uncle of the sister of the wife of his father's brother pulled him up. His mother pulled him hard to her and gave him a piece of flatbread. He had eaten nothing but flatbread and water for two days and his mother said that's all there was. He found a crushed banana on the floor of the truck and ate that.

Ahmed was ten years of age and a member of the entire Darood clan that fled Mogadishu

before the advancing Hawiye militia. His family stayed near Kismayo for five months with his mother's relatives. When the fighting came too close, his family, along with the families of his three uncles, walked south for twelve days to reach the Kenyan border. From there, a truck took them to a camp called Dadaab. He could not believe there were so many tents. He could walk a very long way and not reach the end of the tents.

Ahmed remained in the camp for nine years. His father did not return and his mother was unhappy. At first he was not able to go to school. There was not enough food. He was always hungry and there was work to do. He helped his mother carry water and collect firewood. He had to go very far to collect the wood. His sister used to go with him until the men attacked her and left him beaten. He still carried a dark mark over

his left eye that would never go away. His mother sold some of her jewellery to buy a large knife that she said would protect them from the men who came at night. When his mother got sick, he took the knife and kept it under his blanket. The nights were very cold and he often woke up shivering, feeling the knife and he would listen for the men but they did not come. He was fourteen and sure that he would use the knife. His sister was always sad after the attack. People said that she was unclean and she died after the floods that came in the spring and made people sick. That year his oldest sister was married to a man from Nairobi. He was not of their clan but he was rich and his mother said that Hawa would be safe. Four times a year she sent wonderful food and once she came to visit with her husband in a car.

In 1997, Ahmed's uncle, Abdi, came from Nairobi to say that Ahmed's father was alive in Canada. He had sent a letter and some money. Ahmed's uncle gave his mother a small amount of the money and said he would keep the rest. When enough money was sent, he would buy the papers for them to go to Canada. His mother went to Nairobi with his uncle. She returned to say that it was true; she had spoken to his father on the telephone. Ahmed's teacher showed him a book with strange shapes and said that it was Canada. Later he showed him pictures of very high bushes and very much water and pointy hills with the white ground they called snow that was cold. The teacher said there would be lots of blankets in Canada and the houses were warm. The teacher was a white man and taught him many English words.

In March 2000, his uncle said there was enough money and they went to stay at his home in Nairobi. Ahmed liked the food smells and all of the sounds but he was told not to go in the street. The police looked for young Somali men to arrest and his uncle would have to pay money to rescue him. One day he went to a shop where they took his photograph. Later he went to the airport with his mother, Amina and his cousin Mohammed except Mohammed was supposed to be his brother named Hassan. On the paper, his own name was Ismail and he must not forget. At the airport, a man named Abdi took them through the policemen onto the plane which was large and silver with many chairs inside. The plane rose into the sky and he saw the clouds from above and the land with little houses.

Later he saw the ocean that was bigger than the desert and then the city bigger than Nairobi with very high buildings. Abdi took them through a place filled with white people. The city was filled with cars and the noise of cars. Abdi put them on a bus where he sat in a big chair even softer than the chair in the airplane. In the morning they arrived in Canada which only had a small white house with many trees and a few white police people. Some of the police were women and they wore pants like the men. The police talked to his mother for a long time. Ahmed could understand some of the English. There was a man who spoke Somali in a strange way but he spoke English to the police. He asked Ahmed if his name was Ismail and he said yes in English but his mother told him no. It was okay. He could tell them his real name and he did.

Many hours later they came out of the white house. There was no snow on the ground and his father was standing there in Canada with another Somali man. His father was much smaller than he remembered but he was smiling and Ahmed proudly said hello in English. Then his mother rushed forward and Ahmed looked away.

## SIERRA LEONE

Sierra Leone is a small, beautiful West African country whose mountains and tropical forests protected its peoples from the incursions of African empires but not from the depredations of European slave traders who came by sea. Freetown, the capital city, looks upon the third largest natural harbour in the world, a perfect setting for the building of a fort by the Portuguese in 1495 and for the collection and delivery of Africans to the slave markets of the world. Sierra Leone would have a unique history with the slave trade being both a principal delivery point for Portuguese, Dutch, French and English slave traders and, two hundred and fifty years later, the new and hopeful home of freed slaves returning from England, Nova Scotia, the West Indies and America. The new arrivals, descendants of Europeans and Africans from many countries, were known as Creoles and spoke Krio, an English/African patois that eventually became the people's language throughout Sierra Leone.

Like most African countries, Sierra Leone has not had an easy history. In the late 1700's, the Creoles or Krio were returned by the English to a land still populated by indigenous peoples. Sierra Leone was divided into a British Crown Colony at Freetown and the interior which was a British protectorate. Throughout the 19th century, there were several revolts against British rule, culminating in the Hut Tax War of 1898. Like the American colonists, taxes were the final cause for revolt; unlike the Americans, the revolt was crushed after hundreds of African

and British soldiers were killed and the Temne chief, Bai Bureh, was exiled. It was the last open revolt against colonial rule. On April 27, 1961, the anniversary of the Hut Tax War, Sierra Leone finally gained its formal independence, becoming a parliamentary democracy with Dr. Milton Margai, a Mende leader, becoming the first Prime Minister.

Unfortunately, independence did not bring peace and stability. The following thirty years were marked by a repeated pattern of parliamentary elections followed by accusations of corruption and military coups and, eventually, more elections. Sierra Leone has 16 ethnic groups, each with its own language and customs. The two largest groups are the Temne and Mende peoples and although Sierra Leone's modern political history cannot be solely explained by ethnic differences, ethnic identity cannot be ignored. The two principal political parties have been the All-People's Congress (APC) supported by the Temne and the Sierra Leone People's Party (SLPP), supported by the Mende. Alliances were made with other minority tribes and the longest serving president, after the country became the Republic of Sierra Leone, was Siaka Stevens, a member of the Limba tribe and leader of the APC. In 1978, the APC became the only legal party. Others will say that the chronic corruption of the government and mismanagement of the nations' resources led to profound discontent and was the primary cause of the civil war.

The war began in March 1991, when the Revolutionary United Front (RUF), led by Foday Sankoh, invaded Eastern province from Liberia. Sankoh, a former army corporal, was an ally of Charles Taylor, the rebel leader of the National Patriotic Front of Liberia, who was fighting his own civil war in Liberia. In exchange for his support, Taylor received access to the diamond wealth of Southern Province. The so-called "blood diamonds" would help buy weapons for both rebel groups. The Sierra Leone government, already seen as weak and corrupt, could not oust the RUF and would suffer through more elections and military coups.

The civil war continued for the next ten years. It was a war of extraordinary brutality. Combatants on both side of the conflict committed massive human rights violations while the civilian population was caught in between. The RUF used drugs and intimidation to forcibly recruit child soldiers. Civilians suspected of disloyalty were raped, mutilated and abused in horrific ways. Entire villages were destroyed. Government gunships strafed and bombed rebel-held territory. Hundreds of thousands of people were forced from their homes and many fled as refugees to Liberia and Guinea, the two neighbouring countries. United Nations refugee camps were established in both countries although many refugees chose to live amongst the local population. Some refugees were abused by the Guinean army and private Guineans as a disruptive force in the midst of their own political problems. There were many reports of



beatings, rapes, forced evictions and the forced labour of refugees including separated children. By the year 2000, more than 500,000 refugees were living in Guinea and Liberia; more than half of them were children. Another half million were living in other parts of Africa. A few refugees were lucky enough to be resettled to one of the handful of countries, including Canada, who operated overseas refugee programs in the region. Others were able to obtain travel money and documents in order to reach Canada and claim refugee status within Canada's Inland Refugee Program.

In 1998, ECOMOG forces of the United Nations, led by Nigeria, overthrew the military

junta in power and re-instated Ahmad Tejan Kabbah, the democratically elected president and leader of the SLPP. Fighting continued until 2001 when the RUF finally agreed to disarm and the war formally ended in January 2002. During the ten-year war, more than 50,000 people were killed, approximately 20,000 suffered mutilation, 5,000 children were forcibly recruited as child soldiers and slaves, more than two million people, a third of the population, fled their homes and half of those fled their country to become refugees throughout Africa and the world.

Since war's end, 70,000 ex-combatants have been disarmed; many of them remain unemployed. In 2004, a UN-sponsored Special Court began to

hear charges of human rights crimes by military leaders from both sides of the conflict. To date, three RUF leaders have been convicted and sentenced. Charles Taylor's trial is proceeding before the Special Court. Foday Sankoh died in prison in 2002.

In 2009, a new government was elected on the promise to end the government corruption that has crippled the country since independence. Tens of thousands of Sierra Leoneans still bear physical and psychological scars from the war and the country is still considered to be the poorest in the world.

*UNHCR trucks gather at Liberia's VOA camp in preparation for the last convoy back to Sierra Leone. © UNHCR/E.Kanelstein*



## JANNEH'S STORY

Janneh was preparing the soil for cassava in the garden when she heard the loud noises. She did not know the meaning of these noises that seemed to come from several directions at once. She had never heard the sound of a gun. She had heard the trucks just a minute before and had wondered why so many trucks were coming to the village. Normally the truck from Kenema came once a week. She also heard the shouts and a scream as Foday, her brother, came running around the corner of the house. Foday was very fast. He hoped to play for the Kono Stars when he became older. He was shouting something and there was blood on his mouth. He was still yelling when he grabbed her hand, she could see the

words forming on his mouth with the blood, and he was saying that she must run to the bush. He was pulling her, and she started to run. She could hear the scream beyond the hut and knew that it was her mother although she had never heard her mother cry out in such a manner.

They did not stop until they were past the maize patch and far into the bush. Janneh had tripped on a root and fallen and did not want to run any further. Foday said that they had run enough but she must remain quiet. She closed her eyes and opened them again when Foday touched her cheek and it was already dark. He said they did not need to return to the village. He said that

their parents had run away and they would find them.

Janneh Hawa Bangura was 12 years of age when the RUF rebels destroyed her village. They came for food which they took, killing and mutilating those who resisted. They took the boys and young men to become soldiers, killing and mutilating those who resisted. They took some of the young girls, killing those who resisted. The rest they killed as they burned the village. Janneh was one time lucky, one of the few, with her brother, to escape.



*Young refugees like these may be seeing Sierra Leone for the first time.*  
© UNHCR/E.Kanelstein



Foday and Janneh walked for many days, more than a month, following the dirt road north, away from the fighting, hiding in the bush at the sound of trucks, begging for food in the villages, stealing from gardens. There were others on the road, carrying bundles of belongings that they later dropped in the roadway. There was a woman without a hand, a man without a foot. Everyone said the rebels were everywhere, better to head north to Guinea. Twice government helicopter gunships flew over, once spraying bullets onto the people as they ran from the road. A woman, still holding her baby, lay in the ditch. There were others, and Janneh no longer saw the dead people and kept walking.

There were soldiers at the border and barbed wire. They waited three days with hundreds of people, more than she had ever seen in one place. The United Nations men gave them water and a handful of maize. Then they opened the gates for the people, but a soldier pushed Foday back saying no men and hit him on the chest with the butt of his rifle. Janneh tried to go back but the crowd pushed forward, and she went too; and she was safe in Guinea, without Foday, two times lucky.

Janneh lived in the home of a Guinean woman who found her in the road and took her home. Janneh was made to work hard and could not attend school but she was fed and given the old clothes of the woman's daughters. The woman did not speak Mandingo and only a bit of Krio and Janneh learned to speak French. Then the woman became sick and said that Janneh could no longer stay with her. A man took Janneh to

the UN refugee camp where she slept in a large room with other girls and then in the hut of a Mandingo family who were from a village in Kono. After a while she was given a uniform and allowed to go to school in primary five. One day she was brought to the camp manager's office. A man spoke to her in English and said that her brother was in Canada and that she too would be able to go there. She did not know what Canada was and asked when she could see Foday. The man said it would be a while. He asked her some questions which he wrote down. Then he went away.

A long time later she was taken in a truck with two other families to the airport in Conakry. She was taken up steps into an airplane by a woman with a bright blue uniform. She was given cookies and coca-cola with ice and bubbles and then hot food that was delicious. The woman had very red lips and spoke French. Janneh slept during the night and in the morning, they opened the door of the airplane and she walked through a tunnel with the woman into a giant room filled with noise and white people. The woman led her to a place and spoke to a man behind a window. Then she led her through a sliding door that moved itself and there was Foday in strange clothes and she was truly three times lucky.

The RUF attacked and destroyed Janneh's village in the north-west corner of the District of Kono in November 1992. Her family was killed except for her, Foday and her brother Tejan, age 13, who was recruited as a child soldier. Janneh remained in Guinea for more than five years. Foday, after he was separated from Janneh,

returned to Freetown by foot and later walked to Liberia where he was placed in a UN refugee camp. Foday thrived in the camp and was one of twenty accepted for overseas resettlement to Canada in 1994. Upon his arrival he found work in a pizza shop and registered for night school. The International Committee of the Red Cross located Janneh in August 1996. She arrived in Canada on January 16, 1998. Foday graduated from Ryerson with a degree in computer science. He works for CTV. Janneh is in third year nursing at Ryerson and lives with Foday, his wife and son. They are still looking for Tejan.

## COLOMBIA

Colombia is a country with a rich and varied landscape. Coastal lowlands give way to rugged mountains in the centre of the country that are circled by fertile valleys and plateaus in the west and jungles in the south and the east. Since the arrival of the first Spanish colonists in 1499, Colombia has been a deeply stratified society where political, social and economic powers have been concentrated in the hands of Spanish colonists. Class divisions survived the colonial period and continue to be an underlying cause of the political violence that has plagued the country for more than one hundred years.

Colombia is one of Latin America's oldest democracies with a nearly uninterrupted democratic tradition that dates back over 150

years. Two political parties – the Liberal Party (PL) and the Conservative Party (PC) – have dominated Colombian politics. As power alternated between the parties, the country was frequently plunged into violent internal conflicts. Relations between the PL and the PC became increasingly polarized during the 1940s and led to *La Violencia*, a massive revolt among the rural population that lasted ten years and resulted in over 250,000 deaths.

In the wake of the extreme brutality of *La Violencia*, the two dominant political parties joined together in 1958 under a power-sharing agreement known as the National Front. While this arrangement effectively ended the civil war, the elites excluded other groups from political

power and thus instigated the beginning of another period of conflict that has torn Colombia apart for the past 50 years.

A number of left wing guerilla groups sprang up in the 1960s in response to the National Front. Although most have since disbanded, two guerrillas groups have continued armed conflict against the government. The largest and best-organized group is the Revolutionary Armed Forces of Colombian (FARC); the second group is the National Liberation Army (ELN). At various times the guerrillas have controlled vast regions of the country. From the beginning, FARC mobilized to help poor, rural workers against the expansion of wealthy landowners. Its primary focus has been the protection of



*Temporary humanitarian status gives this indigenous family the right to remain in Panama for two months. With Colombia's 40-year-old civil war smouldering on, it seems unlikely that they will be able to return home once it expires. © UNHCR/B.Heger*

land, and it has controlled up to 40 per cent of Colombian territory. FARC has also been condemned for repeated human rights violations against civilians, including political kidnappings, extortion, murder, the use of landmines and the recruitment of children, both male and female.

The armed conflict acquired another dimension in the 1980s with the rise of large-scale drug production and trafficking. Smuggling cartels began to buy up large tracts of land for the cultivation of coca leaf and the production of cocaine while expelling peasants thought to be sympathetic to the guerrillas. FARC already controlled large areas of the country where coca was cultivated and imposed taxes on the drug traffickers for the use of its territories. A number of right-wing paramilitary groups were established by the state armed forces as a counter-insurgency force in the mid-1980s. These paramilitary groups proved to be quite effective at fighting FARC but they also engaged in drug production and human rights violations. By the late 1990s, various paramilitary groups banded together to form the United Defense Groups of Colombia (AUC). Between 2002 and 2006,

the Colombian Commission of Jurists estimates that more than 11,000 civilians were murdered or disappeared because of socio-political violence and 75 per cent of the murders were committed by paramilitary groups.

Because the conflict has been centered on access to land and rural development, the poorest segments of society have been the most frequent victims of the violence. Civilians caught in shifting zones of influence by the guerrillas, the paramilitaries or the army have been targeted for their perceived links to an opposing group. In defending the interests of large landowners, the AUC and government forces have caused massive displacements of peasants thought to be FARC sympathizers. It is estimated that more than three million people, principally indigenous and Afro-Colombian groups, have been internally displaced as a result of the conflict, a figure only surpassed by Sudan and the Democratic Republic of Congo. Government troops and paramilitaries have also deliberately targeted particular groups, such as human rights activists, journalists, political candidates and trade union leaders.

The conflict continues to plague Colombia's countryside although the fighting has recently moderated. The AUC underwent a demobilization process from 2003 to 2006 although some former paramilitaries have joined drug trafficking groups and criminal gangs. After peace talks with FARC collapsed in 2002, the government made considerable territorial gains against the guerilla group. In the past year, several FARC leaders have been killed or captured but the war continues. FARC has approximately 9,000 fighters and continues to control regions of the country.

It is estimated that at least half a million Colombians have fled the country as refugees, most of them remaining in Ecuador or Venezuela but also migrating throughout South and North America. In the past 10 years, more than 20,000 Colombians, fearing persecution from combatants on both sides of the conflict, have sought refugee protection in Canada. Nearly 75 per cent of the claims have been accepted.

## AURELIO'S STORY

Aurelio Gomez was twelve years of age when he came to Canada from Colombia. One day in July 2003, his father had come home in the middle of the day to say that they had to leave the house immediately, Aurelio, his sister Anna and his mother. His father seemed both angry and frightened. He said not to ask questions; they

only had a few minutes to pack their bags. They drove to the apartment of his uncle Rodolfo in Bogotá, the capital city. Except for his father and his uncle, no one left the apartment. After two weeks, his father announced that he had obtained passports and visas to go to Canada. The next night, his uncle drove them to the airport. Aurelio

sat beside his father on the plane. His father told him that he had had some problems with FARC and that it was necessary to leave. His father said that they were now refugees. He did not know how long they would have to stay in Canada but Aurelio must learn English in order to succeed in school.

Aurelio knew that FARC were the guerrillas who fought in the jungle. They were very dangerous. Some of the kids said they were heroes fighting for the people. Aurelio thought that Canada would be very cold but it was hotter than Piamonte when they arrived in Toronto.

Over the following year, Aurelio learned that one of the FARC commanders had threatened to kill his father who owned a small factory and made contributions to FARC, just like everyone else. His father explained that he did not approve of FARC. They were violent people but they controlled much of the region around Piamonte and had to be respected. Then FARC became unreasonable. They demanded five times the amount that he had previously paid. Many of the businessmen held a secret meeting and agreed not to pay. Then Emilio Sanchez was killed, shot in his home. Emilio and his father had organized the meeting together.

Aurelio was determined to learn English very quickly. He did not like school because his English was not good enough. Many of the students came from other countries and did not speak English very well. It was a long walk to school and the first winter was very cold. His family lived in an apartment with only two bedrooms. The elevators never worked and his mother had trouble climbing the stairs. At night, he heard his parents arguing. He knew his father was unhappy. His English was not good enough to find a job, and he did not like to take the welfare money from the government.

One night in December, 2004, his father told him that he would not be going to school in the morning. All of the family would go to the Immigration court to see the judge who would make the decision about their refugee claim. The lawyer said that Aurelio and Anna would not have to talk but they must be there. Aurelio knew this was important for his father. Things were a little better. His father was working as a security guard but said that he would start a business once he was accepted to stay in Canada. They had waited a long time for the refugee judge but now everything would be okay. Aurelio was pleased. He still missed his friends in Piamonte but he was doing well in school. It was easy now that he spoke good English. He and his friend Bobby Rodriguez were the best soccer players on their team. Bobby was from Mexico and Aurelio thought that maybe he was a refugee too but no one talked about refugees at school.

Aurelio was embarrassed at the hearing. The judge said he could leave but he wanted to stay and sat at the back of the small room. Aurelio was embarrassed for his father because the interpreter made mistakes and made his father sound stupid. The judge asked strange questions. He did not understand anything about Piamonte and thought that his father was not telling the truth. The judge kept asking about why his father did not ask the police for protection. Everyone knew that the FARC were dangerous and the police could do nothing. The police were afraid. The judge did not like it that his father did not have his business papers or the paper about the death of Emilio Sanchez. The judge blamed his father but Aurelio knew it was the lawyer's

mistake and the lawyer said nothing. Two months later a letter came in the mail saying that they were not accepted to be refugees. His father was angry when he read that the judge did not believe him. He said the judge, the interpreter and the lawyer were idiots and knew nothing about Colombia.

His father found another lawyer who said the judge had made legal mistakes and the court could squash the decision. Later, in the springtime, the lawyer said the court did not want to hear the case. He said there was a problem in the court. Most of the cases did not get permission to talk to a judge but he said don't worry. It would be many years before they could be deported, and the lawyer would ask for an H and C. Aurelio thought maybe the lawyer meant an "agency" but did not ask.

By 2009, Aurelio was a happy guy. He never thought about being a refugee, no one knew, not even his girlfriend. He didn't even have to lie about it because it wasn't really part of his life. He had his friends, soccer, his music, a neat after-school job at the Source so he didn't have to ask his father for money. Both his father and mother were working, Anna liked her new school. It was all cool until the day in March when his father returned in shock from the Canadian Border Services Agency office to say that CBSA wanted to deport them. They said there was no risk for his family in Colombia, and they were "removal ready", like what did that mean? His parents were freaking out, calling the lawyer, his uncle, the guy at El Club Colombiano who was calling some member of parliament. The whole thing

was unreal. His uncle said that things were still bad with FARC; and his father was raving, asking why they would think a sane man would leave a good life in a warm country to become a stupid bookkeeper without respect.

His father has hired a different lawyer who is supposed to be really good. Aurelio doesn't understand what is happening, something about

a stay of removal and another H and C but he won't be allowed to go to university next year. Most of his friends are going to York and his marks are way good enough but they said he couldn't apply or get a student loan but there is no way he is going back to Colombia. He'll work at the Source for a year if he has to. And even get married if he has to. He'll be 18 in a few months. He and his girlfriend have talked about it. He had

to tell her everything. She's cool with it, but she'd have to ask her parents. But he's not going back to Colombia. No way.

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