



Economic Migrants or Refugees? Trends in Global Migration

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Introduction

The Maytree Foundation, in conjunction with the Caledon Institute of Social Policy and the Canadian Institute of International Affairs, sponsored the forum *Economic Migrants or Refugees? Trends in Global Migration* on January 12, 2000, in Toronto.

In the summer of 1999, smuggled Chinese migrants arrived by boat on Canada's West Coast. Canadians reacted in many different ways, expressing emotions ranging from consternation to compassion and from panic to ambivalence. The arrival of the smuggled migrants raised difficult and critical questions about Canada's immigration and refugee policies.

Panellists were asked to address the following key questions:

- How should a country like Canada respond to economic migrants? Is poverty a form of oppression? Is systematic deprivation of opportunity in the country of origin a form

of oppression that might qualify one as a refugee?

- Does Canada have an obligation to these new arrivals? Do wealthy countries have a moral obligation towards the citizens of poor countries?
- Is there an opportunity for Canada to benefit from those seeking a better economic situation, particularly given our low birth rate?

The objective of this forum was to bring new and fresh thinking to immigration and refugee policy questions in Canada. The forum is one in a series of public events intended to contribute to the development of progressive public policies in Canada by enhancing public discourse (For information about other events, visit www.maytree.com). For this reason, a variety of perspectives were presented – reflecting international, legal, historical, economic and social justice dimensions.

Professor Ivan Head
Director
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We are gathered today, remarkably, to address ‘economic migration.’ In the earliest hours of a new millennium, the Maytree Foundation has chosen this of all possible topics as worthy of our consideration. That so many persons have elected to participate is evidence of the wisdom of that decision. At the commencement of this year 2000 AD, we are directing our attention today not to the most recent and unprecedeted examples of human activity or accomplishment, but to one of the most basic and most traditional – the willingness of human beings to leave behind all that is familiar and to migrate in search of a more sustainable livelihood.

Thus do we reveal our values as a society this day in January. Not in anticipation of the extraordinary medical event to take place in the near future – the world’s first human implant of an artificial heart now undergoing its final trials in Ottawa. Not in recognition of the creative triumphs of this country’s many acclaimed artists, nor in celebration of the fact that two of the world’s most highly regarded jurists – both of them women – have in recent weeks been elevated to Chief Justice and appointed as Justice of the Supreme Court of Canada, signalling to the world that ours is the most human of societies. Not to any of these – but to migration, the tap root of so much of Canadian accomplishment and identity.

As is understood by historians and anthropologists, migration has been a constant theme among all human endeavours. In his most

acclaimed work, *The Ascent of Man*, Jacob Bronowski employed the first sentence of the first chapter to say: “Man is a singular creature,” and continued to describe him as “the ubiquitous animal who did not find but has made his home in every continent” [Bronowski 1973: 10]. One of the earliest written records of human history, the scriptures of the Old Testament, contains accounts of human migration: sometimes fleeing oppression, oft-times in search of food. Genesis 12:10: “There was famine in the land; so Abraham went down to Egypt to sojourn there, since the famine in the land was severe.” Of these events my friend Tom Farer, now Dean of the Graduate School of International Studies at the University of Denver, has written: “Were they but accessible, Philistines and Hebrews of Biblical times could attest that mass migration is nothing new, either as a phenomenon or a problem: sometimes for the migrants, sometimes for the people they encounter, sometimes for both” [Farer 1995: 257].

From the Neolithic Revolution around 7000 B.C. to Canada in 2000 A.D., the saga of the human species has featured migration, often of an involuntary character. Jared Diamond has described in vivid fashion how only a single continent, Antarctica, has not been populated overwhelmingly by inward migration; Antarctica, alone of all the continents, is unpopulated [Diamond 1997].

In this century, Canada is one of a number of countries whose demography has been shaped significantly by immigration. That the results have been of immense benefit to our society and our quality of life is accepted after the event virtually without qualification. To the Canadians alive during those periods of intense migration, however, the case was otherwise. From the early 18th century onward, immigration has often been

a hotly contested issue to those already here. The Year 2000 edition of *The Canadian Encyclopedia* begins its lengthy article on Immigration by stating:

The story of Canadian immigration is not one of orderly population growth; it has been and remains both a catalyst to Canadian economic development and a mirror of Canadian attitudes and values; it has often been unashamedly and economically self-serving and ethnically or racially biased [*The Canadian Encyclopedia* 1999: 1139].

And, as I mentioned above, more often than not contentious. Any examination of the history of Canadian immigration leads inexorably to the conclusion that the only periods when contention was absent, or at least muted, were those years of labour shortages that were being filled principally with persons of the white race drawn either from Western Europe or the United States. That Canada is nevertheless now one of the world's most heterogeneous and stable societies, with major cities as racially diverse as those found anywhere, is an immensely instructive human narrative.

While it would be unfair to single out any one region of the country as exhibiting the most spirited xenophobic tendencies, it would not be incorrect to say that in the course of the past century, an indelible linkage between economic circumstance and virulent racism has frequently been present in British Columbia. In her brilliant social history of the province, *The West Beyond the West*, Jean Barman encapsulated that link as observed in the late 19th century in these words:

Judge Begbie [an English jurist appointed by the British government in 1859 as 'Judge of British Columbia'] aptly summed up the general view of the Chinese in his observation that "they are generally abused, and yet everybody employs them." Since the earliest days of the gold rush the Chinese, together with the native peoples, were indispensable to the economy" [Berman 1991: 133].

The presence of Asians in Vancouver led to two sizable riots there – in 1887 and in 1907 – instigated by whites fearful of losing their livelihood to persons willing to work in dangerous or undesirable circumstances often for low wages. Of this period following completion of the Canadian Pacific Railway through the mountains, Desmond Morton has written: "When ... Chinese labour stayed on as cheap labour for the province's mines and forest industry, white workers got a solid economic basis for their racial prejudices" [Morton 1994: 122].

It should not be assumed, however, that these attitudes were confined locally, and not shared by the Government of Canada. Examples: the head tax levied upon Chinese males coming into Canada, imposed initially by the provincial government, disallowed federally, then reintroduced by the Government of Canada, rising to \$500 per person in 1903, is one; the employment of the Royal Canadian Navy in 1914 to escort out of Canadian waters the passenger ship *Komagatu Maru*, is another. This vessel, carrying 376 persons from India seeking entry into Canada in search of a better life, had been detained in Vancouver harbour for two months while authority was sought from Ottawa to turn it away. Margaret Ormsby described the scene

in graphic terms: “On the morning of July 23, every roof-top near the harbour was crowded by citizens who had risen early to watch *H.M.C.S. Rainbow*, which had been called from Esquimalt, perform her first important naval function in escorting out of Vancouver harbour a shipload of British subjects” [Ormsby 1958: 370].

Lest this central Canadian audience conclude that public hysteria with respect to boat-loads of foreigners is a symptom confined to the Pacific coast, I need only refer to the unexpected arrivals in Atlantic Canada, one year apart, of two ships bearing Sikh and Tamil refugee claimants in the late 1980s. The second arrival – carrying 174 persons – triggered in this part of the country such exaggerated fears of an Asian tidal wave of humanity that the Parliament of Canada was called back from summer recess in a rare emergency session, surely one of the more hyperbolic acts in the history of democratic institutions anywhere.

Excepting only these last incidents, all the historical examples I have offered occurred in a period much different from today. Different in two respects: first, they preceded the entry into force of the United Nations Convention Relating to the Status of Refugees; second, they took place in periods when the world’s population was a fraction of what it is today. Neither of these facts can be overlooked in any balanced discussion of migration. Let me begin with population.

In 1900, the total population of the world was 1.7 billion. A century later, it has virtually quadrupled and is now slightly more than six billion and climbing. Of equal importance to overall size, I suggest, is the geographic distribution of that population. A century ago, it was roughly evenly distributed between the industrialized and the developing countries, between North and South in the current nomenclature. Today, it is close to five to one – five in the South, one in the North.

We should not be surprised, therefore, that in an age of virtually universal access to TV and the Internet, of increasing disparities in income and living standards as between South and North, there exists an intense desire on the part of many to flee from their misery and to seek their fortunes where opportunity appears to beckon: to “sojourn” – as Abraham did – in a more attractive landscape for an indefinite period. What those seeking to move encounter today, however, are national borders much less welcoming to people than was the case even a century ago. In that interval, barriers have been eased for the passage of money and of goods, but universally strengthened against the passage of persons. The current state of the Canada-United States border is illustrative of the trend. Undefended against armies it may be; unguarded against persons it certainly is not.

As resistance to migratory movements has increased, there has been recognition coincidentally by the international community of the need to respond to those in extraordinarily perilous circumstances – those in flight from political persecution, from civil war, from natural disasters. These circumstances may be categorized as ‘push’ factors, distinct from the ‘pull’ factors of economic attraction or family reunion, though the two categories often blur and are difficult to distinguish.

The most visible of these international responses is that with respect to refugees, the second of the two major differences between the world of 100 years ago and today that I call to your attention. In response to the large numbers

of refugees within Europe following the conclusion of World War II – then referred to as “displaced persons” – international law formally acknowledged the existence of these persons with the 1951 Convention Relating to the Status of Refugees. The Convention entered into force in 1954 [189 U.N.T.S. 137] and was clarified by an amending Protocol in 1967 [606 U.N.T.S. 267]. These treaties define refugees as persons who have fled their country of origin owing to “a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.” States party to these treaties, of which Canada is one, are not obligated to offer entry to such persons, but are obligated not to return them against their will to their state of origin should they be within their territory.

As well, in the latter circumstance, the receiving state must offer to them while within their territories “treatment at least as favourable as that accorded to their nationals” for certain purposes. These requirements explain the critical importance of the geographic location of the refugee claimants when first encountered. It explains as well the oft-referred-to policy of the United States to apprehend in the waters off Guam vessels suspected of carrying illegal migrants from Asia bound for the American mainland. Guam is an island in the Northern Mariana Group, a United States commonwealth. It is not part of the United States and so refugee claimants interdicted there are not ‘within’ the US and thus are not subject to the protection of the Convention.

Whether in the United States or elsewhere, the task of determining the legitimacy of refugee claims is both challenging and time-consuming, as Canadians are aware following the arrival in British Columbia this past year of three ships and one cargo container of persons claiming refugee status.

Those persons, all of Chinese origin, represent only a fraction of those making refugee claims at Canadian ports of entry in recent years, including many who are unable or unwilling to provide either proof of identity or credible evidence of persecution, but who are nevertheless entitled to claim the protections of the Canadian Charter of Rights and Freedoms – this by virtue of a 1985 decision of the Supreme Court of Canada [Re Singh and the Minister of Employment and Immigration 1985 S.C.R. 177].

The form and slowness of the determination process understandably have been the subject of immense media attention and public controversy. They are in many respects the thorniest of the issues surrounding the subject of refugee claimants. They are beyond the scope of what I have been asked to address this afternoon, however. Let me say only that in this instance, as with any process to determine fact, arguments in favour of simplification – as distinct from acceleration – must be carefully examined to ensure that they are not shibboleths. A remark attributed to Einstein is apt: “God protect us from the simplifications,” he is alleged to have said, “I can cope with the complexities.”

The narrow Convention definition of refugee excludes vast numbers of involuntary migrants fleeing civil war, natural disasters or economic circumstance that threaten their survival. For this reason a number of states, Canada among them, have from time to time expanded the definition through the introduction of special programs to resettle victims of disturbance. The resettlement in Canada of Vietnamese ‘boat people’ is one such example; the admission of political prisoners from El Salvador and Guatemala is a second; self-exiled persons from the former Communist regimes of Eastern Europe is the third. These persons have been admitted under a provision in the Immigration Act that

authorizes asylum “in accordance with Canada’s humanitarian tradition with respect to the displaced and the persecuted” [R.S.C. 1985, c. I-12, s.6 (2)].

To assist Convention refugees as well as “populations of concern,” including asylum seekers and internally displaced persons, the UN created in 1949 the office of High Commissioner for Refugees. UNHCR reported recently that, in 1998, the total number of persons of concern had shown a marked drop to 21.5 million from the record high of 27 million in 1995. The numbers represent nevertheless misery on a massive scale. Of the 1991 total, about half – 11.5 million – fall into the category of refugees. The country of origin of the largest number of refugees currently is Afghanistan from which 2.6 million persons have fled – largely to Pakistan – with immense impact upon that already impoverished country. In addition, the poor and often heavily populated African neighbours of each of Somalia and Burundi are currently extending asylum to more than a million refugees from those places.

It is against circumstances of that magnitude and depth of despair that Canadians should measure the decision of *The Vancouver Sun* last week to dedicate a two-inch banner headline to the discovery in a container ship in Vancouver harbour of 25 men endeavouring to travel from China to the United States, followed by further front page banners in the days thereafter. Newsworthy as the event certainly was, the nature of the reporting is the concern. The media accounts generally all carried the same message: These persons are not refugees, they are only fleeing economic deprivation in search of a better life for themselves and their families, and they are jumping the available queue in doing so. As such, the Reform Party justice critic is reported to say they should be sent back summarily. “If the law needs to be changed to permit that,” said Mr. John

Reynolds, “then let’s change it.” Presumably, he would change the Charter as well.

Quite clearly, neither international nor Canadian domestic law extends the definition of refugee to include persons fleeing economic hardship – even though that hardship may be perilously close to famine of Old Testament dimensions. Equally clearly, Canadian law has consciously chosen to give great weight to the economic requirements of Canada when determining who and how many migrants may be landed in this country. In the result, had I been asked by the organizers of this meeting to do no more than explain Canada’s official position vis-à-vis ‘economic migration,’ my task would have been simple in the extreme – of considerable importance if it is the economy of Canada in question, of no consequence whatever if it is the economic plight of the migrant that is being considered. It is to consider the propriety of this policy that this meeting has been convened.

Whatever our individual attitudes here today, there can be no doubt that this distinction reflects accurately the views of the great majority of Canadians and that it is not markedly different from the policies of those few other countries that have vigorous immigration policies – the United States, Australia, New Zealand, most prominently and, occasionally, a small number of European countries. Whether this position is one that should be regarded as normative in the 21st century; whether it is one that is tenable in a society committed to social justice and to humanitarian goals – these are questions on which panellists and participants will wish to offer opinions.

I should like to offer some preliminary comments in these respects, first with a focus on Canada, then with regard to the world as a whole.

First, Canada. While the United States is most outspoken in its self-description as a nation of immigrants, Canada could make the same claim with a distinction only in the numbers of persons landed. Beginning with the arrival more than two centuries ago of the first self-identified refugees – the United Empire Loyalists – through the influx of tens of thousands of Irish in the mid-19th century, the millions who filled up the plains of Western Canada following the turn of the 20th century, the million-and-a-half who flooded in immediately following World War II, and the four or more million who have come since 1970, Canada's population has reflected in quantity and quality those born elsewhere every bit as much as it has those born here. By quality, I include educational attainment and cultural expression as well as economic vitality; by quantity, I reflect on the fact that Canada's birth rate for several decades has been less than the replacement rate. Without immigration, the aging Canadian population would become smaller as well as less dynamic.

Having said that, however, it cannot be assumed that Canada is able to absorb unlimited numbers of immigrants. The recognition of economic hardship as a valid qualification for entry, without more, would suggest to hundreds of millions of persons in developing countries that Canada is able to embrace them and offer them an enhanced livelihood – clearly an untenable proposition. I argue only that the categorization of economic need as an unworthy element in a would-be immigrant's or refugee's list of qualifications is hypocritical and unrealistic. If the economic needs of Canada are a legitimate factor, then surely should the economic motivation of a migrant be given weight as well.

Beyond our shores, as populations burgeon and major cities become so monstrously large, so environmentally benighted and so politically

unstable as to threaten even modest levels of effective governance, the promised bright future of increased international trade and political tranquillity rests on questionable foundations. Should the great commercial centres of developing countries fall prey to overburdened infrastructure, to civil unrest following on criminal activity, thence to the oppressive reaction of the privileged classes, what confidence can be placed in the orderly sourcing or marketing of products, the safety abroad of executives and skilled workers, the adherence of regimes under pressure to maintenance of international norms of civility and to performance of international legal obligations? In a global age, disruptions anywhere have impact everywhere.

Canada – a country whose history, economy and society are the products of engagement with the broader world – would atrophy should we attempt to insulate ourselves from lands and events elsewhere. That being the case, it is in our interest – indeed is an obligation to protect our future – to extend assistance to persons in the developing countries to develop their societies and their economies in order to ensure stability and well-being. That discussion, while closely related to our subject today, must wait for another day, however.

No one today can be unaware that international boundaries and geographic obstacles both have lost much of their historical effectiveness in preventing the flow through – or across – them of information, investment capital, trade goods and technology, and also of infectious disease, pollutants and contraband – including people. In any examination of the category called people, a major subset consists of those who have moved involuntarily. However we define them, as economic migrants or as refugees, is less important than understanding the nature of their plight and giving legitimacy to the extent of their

circumstance. If this is difficult, we should not stand aside in awe. We are not, after all, archaeologists examining the remnants of a distant age. We are participants in a rapidly changing, often unclear, matrix of diverse and confusing events.

We are gathered here three months to the day following the moment that the world's population reached six billion. In that brief interval, the population has swelled by another 19,418,000 – as of noon today. That is a number approaching two-thirds of the entire population of Canada. However we interpret this kaleidoscope of events, however we analyze the salient factors, we do so dependent upon – and project into the future – our vision of society, of community, of self. Do we view others, do we regard ourselves, primarily and predominantly as clans, as economic classes, as mutually competitive animals or are we able to see ourselves as humans with the responsibility to care, and the opportunity to benefit?

Bronowski regards the defining distinction of humans as their creative ability: “Every animal leaves traces of what it was,” he writes, “man alone leaves traces of what he created” [Bronoskwi 1973: 42]. We diminish ourselves and our values if we forsake our creativity in problem solving in order to concentrate upon, and increase the efficiency of, our ability to exclude.

In Vancouver, overlooking the harbour entrance from which the *Komagatu Maru* steamed 86 years ago, is situated the University of British Columbia whose student body and faculty are as diverse as the world itself, denying implicitly simplistic categorizations about status or origin.

This past autumn, an internationally renowned Professor in the Department of Sur-

gery of the Faculty of Medicine at UBC was presented with the Killam excellence in teaching prize. Dr. Karim Qayumi is Editor-in-Chief of the *Journal of Investigative Surgery* and an internationally recognized innovator in surgical instructional techniques. I mention him here as an example of the difficulty of distinguishing migrants by category. This outstanding Canadian was born and raised in Afghanistan, then educated in the Soviet Union, before migrating to Canada.

At UBC, one of his colleagues is Dr. Indira Samarasekera, Fellow of the Royal Society of Canada and Director of the Centre for Metallurgical Process Engineering. Her place of birth and undergraduate education was Sri Lanka. In June of this year, she will assume the title and office of Vice-President for Research at UBC, one of Canada's leading research universities.

There is not a single university, government department or large company in Canada that cannot identify persons of similar backgrounds, occupying positions of influence and contributing immensely to the quality of life of all Canadians. These are the new faces of Canada; these are persons who entered this country in the recent past attracted by opportunity, economic among them.

Our quality as a society is enhanced by them, as it is by ambitious young men fleeing economic disaster and willing to work as dishwashers in Montreal restaurants while they get their feet beneath them. These persons are not featured in headline articles in the press; seldom do they receive tribute from opponents of immigration. They deserve our attention, however, and our admiration, as we wrestle with the thorny questions surrounding the formulation of wise Canadian immigration and refugee policies.

As in all instances involving complex social decisions, one should seek assistance from ethical norms. Bronowski understood that: “Knowledge is not a loose-leaf notebook of facts,” he has written. “Above all it is a responsibility for the integrity of what we are, primarily of what we are as ethical creatures” [Bronowski 1973: 438]. I dare offer you one further reference to ethics, this one from a volume on foreign policy written five years ago:

Ethics are the fibres of civilized conduct. Interwoven with enlightened laws, they become the fabric we call society. A rent in that fabric weakens the structure and the security of all who are dependent upon it. The rent may be caused by the weakness of international legal regimes, or the cynical assumptions of patronizing and self-serving states. It is the more heinous, and the more damaging, when done by those segments of society so privileged as to mistake wealth for wisdom, and arrogance for dignity” [Head and Trudeau 1995: 318].

I shared authorship of those words in 1995 and offer them immodestly to you today, in 2000. Thank you.

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In recent months, Canada has witnessed firsthand glaring examples of people smuggling. Hidden in cargo ships or sequestered on barely seaworthy vessels, hundreds have come to this country in the hope of starting a new life.

Since the summer arrival of the first of four ships off the coast of British Columbia, many column inches have been dedicated to the assertion of our collective right to defend our interests against illegal entries into Canada. These incidents have been painted by some as a severe threat to our national security – a threat that should be dealt with swiftly by the courts and by Parliament, despite the statistical insignificance of the numbers involved.

Sadly, we have begun to imbue immigration policy and the administration of that policy with a series of responsibilities that go well beyond what the policy or its administration can or should address. National security is not the unique objective of immigration policy. Violations of the Immigration Act or its regulations do not constitute the most serious or threatening criminal activity in the country, however unacceptable any criminal violation most certainly is.

Associating problems of crime, poverty or unemployment solely with immigration is like claiming arthritis is caused by skating.

Immigration is a vitally important and often controversial part of our overall socioeco-

nomic framework and a key variant in our foreign, education, housing and cultural policy. But it is wrong to make it, whether in the context of economic migration or refugee determination, the proxy for all strengths or weaknesses in these policy areas that may exist from time to time.

If all one has is a hammer, every problem looks like a nail – or is quickly made to look like a nail. Immigration policy is not a hammer. It is a sensitive and complex instrument that attempts to both build the population base we need and enable us to meet our responsibilities toward those not fortunate enough to already be Canadian citizens or landed immigrants. This instrument, at its best, reflects our national values and our national interest simultaneously.

Criminal misrepresentation, fraud and human smuggling cannot be accepted. That would only weaken the rules that hundreds of thousands have followed honourably in the past to gain lawful entry. The larger issue of how open our borders are and how many people we admit every year is as important as what rules are followed and how they are set or administered.

Our need for more open and expansive immigration is indicated by the demographic challenges Canada is facing. According to Statistics Canada, the birth rate in Canada has been in steady decline for more than 20 years. Moreover, the natural increase in our population (birth rate minus the mortality rate) accounted for 77 percent of the total population growth between 1981 and 1986. Between 1991 and 1996, that number had plummeted to less than 60 percent. Even though we must rely on immigration to

* This article was first printed as “We Need an Open Immigration Policy” in *The Toronto Star* on January 11, 2000.

ensure appropriate levels of growth in our population, the federal government has set new targets for the year 2000 as low as 200,000 new Canadians. The need for a growing economic base argues for a wide-open immigration policy – not one that is driven by the latest superficial crisis.

It is not small-minded to want rules and procedures enforced to regulate the flow of immigrants to this country. But it is not soft-minded to understand that seeking an opportunity for economic and social progress for oneself or one's family is neither dishonourable nor deceptive. The host country sets the terms of entry. Prospective entrants will seek to maxi-

mize their opportunities to gain entry – and, for whatever reason, there will always be a minority of prospective immigrants and refugees who opt for illegal entry.

But we must never let the transgressions of the few prevent us from responding to the needs of the many, from seizing the opportunity Canada's desirability as a location represents for our legitimate economic and social interests. It is in Canada's interest to adopt an open immigration policy. It is therefore in the interest of Canada to shift the debate to a broader discussion on how we can actualize our potential as a modern, pluralist country with the necessary economic and intellectual scope and breadth.

Susan Davis
Co-Author
“Not Just Numbers”

I want to begin by thanking the Maytree Foundation for thinking to organize this forum. Public education and discourse are essential to the development of reasonable immigration policies that really do reflect the Canadian public psyche.

This need was stressed in *Not Just Numbers* [Davis et al. 1997] and is even more crucial in light of the recent arrival of groups of persons seeking entry and perhaps asylum in this country and in others. Well, today we are not talking about *Not Just Numbers*.

However, the response to mass influx of migrants by the Canadian public and Parliament alike has everything to do with numbers. This is especially the case when the means of transportation is by ship, because of the self-contained nature of the vessel, framed by the ocean waters, and the way it can be photographed, from the air or while docked, for all to see the mass of humanity, squeezing together and leaning over the sides.

I know that I have evoked a strong picture for everyone in this room. It need not be a negative image, but it seems to be when it is framed by smugglers' fees, inhuman conditions and illegal entry – meaning that either the ship meant to arrive clandestinely or, failing that, its human cargo did not carry visas.

Please erase that frame for a minute and remember the many ships carrying immigrants who, for the most part, arrived here with permission. Last spring, Pier 21 in Halifax reopened to retell that story. It is important to remember that

hundreds of thousands of newcomers entered there between 1928 and 1974, as well as at the ports of Montreal and Quebec City.

Let me read to you a fairly lengthy excerpt that covers many of the points we need to speak to today. This excerpt is from a small book entitled *Pier 21: The Gateway that Changed Canada*, by Trudy Duivenvoorden Mitic and J.P. Leblanc [1989: 93-98]. The year is 1949:

It was a time of hectic confusion at Pier 21. So many ... were arriving without money, sponsors and proper documentation... To add to the consternation of the government, DPs [displaced persons] also began arriving on their own, in small wooden boats ... grossly inadequate in the role of passenger transport. Several of these crafts were but small coastal vessels, less than 150 feet in length...

The majority of the passengers ... were from the overrun Baltic countries: Estonia, Latvia, and Lithuania. They had travelled to Sweden where they had paid for their voyage... Throughout the voyage they were exposed to the elements and subjected to an inadequate diet. That most of them made it safely to Halifax is nothing short of miraculous.

On August 19, 1949, the *Sarabande* arrived in Halifax (the *Sarabande* was a 183 ton minesweeper), carrying a large number (238) of DPs, including 60 children... The captain and shipping agent ... had previously been warned not to engage in the transportation of 'illegal' refugees. They were subsequently charged under the Immigration Act and fined \$400 each.

Like other immigrants, DPs arriving without proper documentation were held in detention until their papers could be put in order. While the government strove unsuccessfully to keep up with processing, the Pier's detention quarters were rapidly filled to capacity. More space was urgently needed...

At one point, almost 400 DPs were kept in detention while their individual cases were being determined and reviewed...

But the sporadic arrivals of these destitute DPs left the government grappling with the limitations of its own immigration policies. Should these homeless 'displaced persons' be turned away for failing to comply with the proper procedure for immigration, or should they be allowed to stay thereby setting a successful example to others who would attempt to gain entry in the same manner?

While the issue was being vehemently debated in Parliament [shades of summer, 1987], public interest and awareness continued to grow.

Then suddenly, in a surprise move in early November 1949, the government announced the release of 267 detainees... Meanwhile, another small boat sailing from Sweden ... had been intercepted and was being held in Eire...

... The release of the detainees ... was met with public approval, yet generated a gnawing fear that the way had been made clear for many more boatloads ... to come from Sweden, rather than through proper channels for immigration. The handling of the incident off the coast of Eire helped

to dispel the anxiety. The message to the public was clear: While the Canadian government would not be hardnosed in its dealings with a destitute people who had risked all to step ashore at Pier 21, Canada and other countries would, nonetheless, come down hard on the clandestine operation of the transport of refugees from Sweden across the Atlantic.

While the events just described are more than 50 years old, the themes are strikingly similar – no documentation, detention of large numbers pending interviews and case review, a sympathetic yet wary public, heated exchanges in Parliament and, last but foremost, desperate people taking desperate measures.

At that time, from media reports and returning soldiers, Canadians knew very well that the Nazis had overrun the Baltics and totally destroyed those countries. Today, there is little if any public knowledge of conditions in the Fujian province. Equally, in 1986 and 1987, Canadians had little knowledge of conditions in Sri Lanka and India.

Therein lies a large part of the problem where public interest and sympathy need to be invoked. Where there is all-out war, genocide, ethnic cleansing, one sees a tremendous outpouring by Canadians to help in any way they can. Media coverage of the civil war in Sri Lanka and of similar turmoil in other parts of Asia is sporadic. In some cases, these situations are complex, hard to faithfully transmit in any nuanced manner to our 'sound bite' society.

The general knowledge that the majority of the world's population lives in misery brought on by poverty, war and environmental degradation seems to make the Canadian public uneasy,

raising the same fear of 50 years past that they may all try to enter, *en masse* and without legal permission.

This is a peculiar state of affairs if we think of Canada as such a different place than it was 50 years ago. Canadian society is so diverse, many of us originating from the very countries from where these new boat people come. Professor Irving Abella and others have written about this phenomenon, remarking that it is common for each new wave of immigrants, once integrated, to distrust and even ostracize those who follow thereafter.

Yet this rejection is more than human nature. It is very much tied up in our immigration processes. Some immigrants apply through immigration channels and wait several years in their home country. Others, whom they judge to have lived in the same difficult situation, arrive in Canada without a visa and are allowed to stay as a refugee. Just try to convince the former group that the Convention Refugee Determination Division knows how to discern the real refugees from the ‘unreal.’ Or, try to explain the niceties and what we legal types call ‘terms of art’ in the legal definition of the word ‘refugee.’

There is another matter relating to the perception of the boat people. Many Canadians like to presume that everyone who arrived illegally at Pier 21 was allowed to stay. That is simply not the case. A small number were deported – and for not very respectful reasons, such as nationality. Others were deported because they did not have sponsors, or could not come up with documentation.

Likewise, not all boat people from Vietnam, even in the early years of their departure in small boats to other parts of Asia, were given settlement in third countries. After interviews

by UN officials or officers from potential receiving countries, people were rejected because they were in fact part of the Viet Cong, or because they were criminals or, worse, because they were mentally ill or physically disabled.

My point is that we should resist trying to describe the members of an arriving group with generalizations. This perception does not lead to an informed public reaching informed opinions. In an era of globalized economies and trade, it is no longer the case that we can presume homogeneity of the group, of their reasons for leaving the country of origin, or of their motivation for entering Canada.

Let me give you a very recent and well-publicized example. The Ontario Provincial Police in Wallaceburg, Ontario, stopped 10 teenage women without status in Canada – allegedly originating from the People’s Republic of China and allegedly *en route* to Walpole Island. It was also alleged that they were attempting illegal entry into the United States. The demographics of this group are well known – teenage and female. What else do we need to know to form an opinion on whether any receiving country should allow them to remain? We should ask what conditions they faced in their homes, what each is looking for and what conditions they will face in the country that was their favoured destination.

In short, having had the benefit of being inside the work of our and other nations’ immigration authorities, I still assume that people flee misery, but no longer assume they seek freedom. This was most poignantly illustrated in a recent documentary on the smuggling of Fujians to the United States. The interviewer asked a young man, working as an indentured slave in New York, where he had the most freedom. Without a moment’s hesitation, he answered “China.”

This change from smugglers who used to hold out the promise of freedom to the smugglers who now promise economic security, does not lend itself to public sympathy or understanding. Polls have been suggesting since the end of the last recession that Canadians have great compassion for those who are refugees in the sense of the UN Convention relating to the Status of Refugees, in that they fear persecution because of their race or political opinion. The same polls show that Canadians are wary of the ‘queue jumpers.’ The conundrum is and always will be that one cannot pick out the refugees from the queue jumpers until they have been through some kind of interview and evaluation process.

And that is why a fair and efficient refugee status determination system has become a preoccupation to so many. However, others do persist in the view that the sorting out of refugees from queue jumpers can be made outside of Canada, such as in the United States. Still others continue to make flawed generalizations about the arrivals, presuming that they know enough about them to conclude that the arrivals are not *bona fide* asylum seekers before they land. These assumptions lead to calls for immediate deportation, without access to the refugee status determination system.

Surely the best response is the oldest. It was described in the excerpt I read earlier: “The message to the public was clear: While the Canadian government would not be hardnosed in its dealings with a destitute people who had risked all to step ashore at Pier 21, Canada and other countries would, nonetheless come down hard on the clandestine operation of the transport of refugees...” [Mitic and Leblanc 1989: 93-98].

I ask you to recall the leadership Canada took some 20 years ago when hijacking of

airplanes became a major international concern. The endangerment of so many human lives in one act of hijacking helped to move the international community to build international law that recognized this act as an international crime.

I would argue that the case also can be made where people are placed in life-threatening situations at sea, or in cargo containers, or on small rafts. There needs to be international law to address the crime of people-smuggling and, most importantly, the lives of those smuggled need – somehow – to be protected.

However, this response creates another problem. If Canada becomes too good at controlling illegal arrivals, how do the *bona fide* asylum-seekers (however broadly or narrowly defined) arrive to make their claims?

It has always stuck me as profoundly wrong to be generous only to those with the good fortune to make it safely to our shores.

To answer the question posed by today’s forum – “Economic Migrants or Refugees?” – my answer is, I don’t know and won’t know until each person has been interviewed.

Of course, the real question for me is: “What does Canada owe to each migrant?” To the refugee, Canada owes protection from *refoulement* in accordance with this country’s international obligations. To the economic immigrant, in law Canada owes that person due process.

But it is incredible to imagine that Canada would develop immigration, international development, environment and foreign affairs policies without taking into account the 60 to 70 million people estimated by the Worldwatch Institute to be on the move right now, in addition to

UNHCR's (the United Nations High Commission for Refugees) 21 million refugees.

Immigration policies that take into account the massive movement of people globally could include the following. First, create immigration categories that reflect realistic profiles beyond those of family, business and skilled worker and always mindful of the 'modern pioneer.' Second, use information technology to allow flexibility rather than rigidity in considering the cases of prospective immigrants, perhaps to the point where we would be able to rethink the cornerstone of the present Immigration Act, that all visas must be obtained outside Canada. Finally, come to terms with our deportation policies. Canadians need to confront the fact that, no matter how flexible our immigration laws, there will always be those who fall outside of them. We

have to be comfortable that deportation laws reflect Canadian values. These are the lessons of history.

* This historical overview concerning persons who arrived *en masse* at Canadian shores is the personal view of Ms. Davis and does not reflect the opinion of the Department of Citizenship and Immigration Canada.

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Of all the portfolios in government, there can be none with the same human dimension as immigration.

At any given time, there are one million people around the world who have made an enquiry at one of our posts to come to Canada, or who have actually proceeded to file an application. When I visited our Immigration Office in the High Commission in New Delhi, there were 500,000 little cards filed away, each with the details of an individual seeking to build a new life here.

One does not have to over-dramatize to recognize that every single one of these people has a dream about the future, and a story to tell.

It is against this backdrop that the Minister of Immigration attempts to juggle the competing interests of Canadian employers, immigrants in Canada with family in the old country, displaced persons living in fear at the centre of the world's trouble spots, refugees in countries of first asylum, claimants who have made it to our shores, provincial governments that provide services to immigrants and seek to attract the best and the brightest to their province – and the refugee aid groups, churches and others.

It is also fair to say that, on matters relating to immigration, individual Canadians have views that are frequently vociferously and always firmly expressed. I make this point because it is important to remember that one cannot talk about one part of the immigration issue, or one kind of immigrant, without seeing it as part of a whole.

I take it for granted that Canada wants and needs immigrants for all the reasons so often put forward – to refresh the workforce, to add to the talent pool, to bring families together, to rescue and provide a new life for the hopeless and terrorized of other lands. Yet any discussion of immigration divides Canadians more than it unites us. As Irving Abella once pointed out, Canada didn't really have an immigration policy for the first 85 years of its constitutional history [Abella 1988].

I am not going to list all the well-known benefits of immigration. I do want to point out that those benefits are not dependent on where the immigrants come from, or how well-trained they are for the labour market, or whether they arrive with a good grasp of the language or whether they are sponsored family members or refugees or whatever.

Barring the wholesale import of terrorists or criminals, which is much more rare than the gate-closers would have us believe, on balance all immigrants are contributors to Canadian life. And, there are certainly many Canadians born here whose contribution is much more modest.

Having said that, I do urge that we have an immigration policy, that it be transparent and that it set some objectives. The Minister's primary challenge is to establish and adhere to a coherent policy, and not just get caught in a continuum of crisis management, which seems to be the sorry lot of most Ministers of Immigration.

An immigration policy should include a mission statement, reinforcing the country's commitment to a transparent and open policy – a commitment which should never be withdrawn

and which cannot be repeated often enough. And, equally, the policy should reinforce Canada's commitment to embrace Convention refugees wherever they may be from and to whatever extent possible.

Once the policy is established, the objectives, numerical and otherwise, can be established by the Minister after consultations which frequently take the form of arguments with provinces and nongovernmental organizations as to whether we are planning for enough refugees or carpenters or entrepreneurs or francophones, and so on. I am far more concerned about getting the principles right than I am about the numbers and categories, particularly since the achievement of consensus is elusive indeed.

Let me outline what I think the ministerial objectives should be. I am eager that we throw open our doors to the bright, the young, the skilled and the educated, who can add so much to our economic and cultural life. Having said that, I do not have a lot of faith in the process whereby what is now the Human Resources Development Department decrees what skills are scarce in Canada and therefore what potential immigrants should get priority. I remember one year, when I was Minister, that the job classification at the top of the list was opera singers; another favourite was cake decorators.

Family members? Of course, although I am less sympathetic to aunts, uncles and cousins than I am to spouses and children.

Convention refugees fleeing persecution or war must be a priority. Canada should lead the way in having proactive policies regarding refugees, both within our own country, and in working with other countries to broaden support for refugee settlement worldwide, as we did fol-

lowing the Hungarian Revolution in 1956 and with the Vietnamese boat people in 1979.

The real debate is over the handling of those who arrive on our borders unannounced, either at the end of an excruciating voyage, or via any of our American crossing points.

When we set up the current refugee determination system, we did so in an effort to treat all claimants fairly, to satisfy the Charter of Rights and to reach decisions quickly so that claimants were not forced to survive some eternal limbo.

The system was developed in close cooperation with the United Nations High Commission for Refugees, and it actually works, if it is given sufficient resources, and if the Refugee Board members are appropriately qualified. I recall at one point, after dealing with the initial backlog of 125,000 claimants, and running at more normal levels, that the Board was able to process claims in four to six weeks. I would hope we still can.

The effectiveness of the system depends on timeliness. It also depends on the integrity of its decisions. But here is why refugee claimants must be considered in the context of a broader, transparent immigration policy: *All* of our processes for dealing with immigrant applications, in order to be effective, must be timely, fair and consistent.

At the moment, to paraphrase a successful Canadian businessman of Chinese extraction: "In Canada too hard to be immigrant, too easy to be refugee" [CRC Townhall Panel 1999].

Canada has the reputation in many countries of being very hard to enter through normal

immigration channels because of delays or cumbersome processes or endless paperwork. If the immigration system breaks down, it is not long before the refugee determination system breaks down and vice versa. One can argue that the number of claimants in Canada is not large and that little harm is done – and perhaps some positive good – by allowing most of them to stay, but in the broader context, it is wrong.

Not only does it offend those who have taken the trouble to come here legally, or who are patiently waiting for sponsored family members, but it makes cynics of us all.

People like to come to Canada not only for economic opportunity – although that is a primary motivation – but also because it is a stable country, a democracy, governed by the rule of law. Canada's refugee policy must also be guided by the rule of law.

It is offensive that people without documents manipulate our system. It means their first act on coming here is based on dishonesty and a violation of the rule of law, which underlies the democracy they want to live under. It is equally offensive that children who are detained are made to disembark in chains.

There are always exceptions and, in my view, the Minister should always maintain the power to review claims on compassionate grounds. It is part of ministerial responsibility to remain engaged in a human way, in this most human of portfolios.

As we look ahead, we can see that migration, legal and illegal, is going to increase exponentially. Technology makes it easy to falsify documents, to know which countries offer the most opportunity and which are vulnerable to quick and illegal entry. Environmental and other disasters may force us to examine our definitions of refugees and our criteria for entry. But the most urgent requirement is that we ensure that our immigration policy and system work effectively for Canada and for those who choose to come here.

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The purpose of this presentation is to bring to bear some relevant findings from economic and social research on the economic success of immigrants in the new so-called ‘knowledge’ economy.

First, much of current research assumes, takes for granted, that the economic success of immigrants is critical to the success of the Canadian immigration program and should be maximized. The success of the immigration program itself has been an important part of Canada’s success as a nation. For immigrants, the watchword is ‘higher is better,’ since immigrants who do well:

- pay more taxes
- use less social services (in fact, the education for which they were selected was paid for elsewhere)
- buy more goods
- start more businesses
- create more jobs.

The economic success of immigrants is key. Some opponents of immigration underestimate it, wrongly seeing immigrants as a welfare burden, while others overestimate it, viewing immigrants as a privileged group displacing native-born Canadians when it comes to jobs.

Most people believe that, apart from political refugees, immigration should primarily serve the economic interests of Canada – as

opposed to, for example, the economic interests of immigrants who want to come to Canada.

When put in perspective of contemporary trends, it is clear that the significance of the issue of immigrant success is likely to grow. Pressures from rapid technological change, global competition, the emergence of a knowledge economy, and rising educational levels and emphasis on credentials – all have transformed labour markets in Canada.

These pressures have altered the circumstances faced by newly arriving immigrants, and challenge their capacity to succeed and flourish. Immigrants used to have a relatively easy time because they often had more formal educational qualifications than native-born Canadians. So, even if not every qualification was recognized, immigrants could ‘afford it’ – i.e., they still did fairly well.

The credential squeeze is increasingly affecting immigrants due to the changes that are occurring in the labour market. In order to keep the immigration program strong, it will be necessary to address the issue of recognition of foreign credentials even more forthrightly than before. This will place more attention on the question of immigrant economic success.

Let me expand briefly on these two points. When policy changes opened immigration to all sources and produced new entrants from the Caribbean, Asia and elsewhere, immigrants did relatively well – even though the qualifications of these newer immigrant groups were discounted by 15 to 25 percent for males compared to those with comparable formal qualifications among native-born men, and discounted even more for immigrant women. The saving grace was that immigrants’ qualifications were far in excess of those of the native-born counter-

parts. These immigrants had two years' more education on average than native-born Canadians, and twice the proportion of university degrees.

A controversy exists over whether this non-recognition of qualifications is justified or not and whether or not it reflects poorer quality of the immigrant qualifications. The research has not resolved this controversy completely, but has established that in the Canadian labour market the value of one particular immigrant qualification – foreign experience – is zero.

First, foreign work experience is completely discounted by Canadian employers. This fact is confirmed in data from every data source including census, Citizenship and Immigration Canada studies and independent university research. Yet Citizenship and Immigration Canada continues to be convinced that the work experience of immigrants is valuable and should be the basis for selection. In other words, Citizenship and Immigration Canada is convinced that Canadian employers are unjustified in discounting this particular qualification.

Second, the value of foreign education varies more by the race than by the apparent quality of the educational institutions and professional standards in the countries of origin of the immigrants. For example, the fact that engineering educational and professional standards in Hong Kong – however they compare to Canadian standards – compare favourably with standards in some other countries of origins for persons of comparable cultural and racial background does not appear to influence their success in Canada as much as that cultural and racial background. This strongly suggests that it is recognition of qualifications, rather than the qualifications themselves, which is problematic.

Universities, which are producers of credentials and are in perhaps the best position to evaluate foreign credentials, have this problem. Applicants to university graduate programs often present undergraduate qualifications from Asian or African schools that are not evaluated with any great sophistication. If universities, which specialize in the production of credentials, have trouble, it is not hard to see why employers (the consumers of credentials) also would have trouble.

Research could do a lot more to estimate the economic significance of the credential recognition problem. The existing research does point to the problem as being very significant, and likely to become more so as the knowledge economy – the credentials economy – develops. My own guess is that credentials from Latin America and Asia have very little value in Canada, and that the main reason immigrants with such credentials do better at all is simply because as people they tend to be smarter and more resourceful.

Regarding trends in immigrant success over time, the economic success of immigrants is falling. The position of each newly arriving cohort of immigrants is increasingly difficult. Those arriving in the 1990s have had more difficulty than those arriving in the 1980s, while those arriving in the 1980s have had more difficulty than those in the 1970s.

For example, of adult immigrant men arriving in the late 1970s, census data show that 85 percent had jobs by 1981 – almost as high as the 90 percent for native-born men – while immigrant men's average earnings were 80 percent of native-born men.

Among adult immigrant men who arrived in the early 1990s, the proportion with jobs had dropped to only 66 percent from 85 percent by 1996, while their average earnings had declined to 60 percent of the average earnings of native-born men.

Similarly, of adult immigrant women arriving in the late 1970s, 60 percent had jobs in 1981 – about the same as the 63 percent for native-born women. These adult immigrant women on average earned 73 percent of what native-born women made. But of adult immigrant women who arrived in the early 1990s, the proportion of immigrant women with jobs was only 52 percent in 1996, while the proportion of native-born women with jobs had risen from 63 percent to 73 percent. At the same time, these adult immigrant women's earnings had declined from 73 percent on average to only about 62 percent relative to native-born women.

These new immigrants are having more trouble despite being better educated and having more university degrees. In short, past immigrants were qualified for top jobs and accepted middle-level positions, while today they are qualified for middle-level jobs and end up at the bottom. Why?

Part of the reason for the slump in the early 1990s was due to the economic cycle. But this is not the only reason, because business cycles affect mainly the newest arrivals. The general downward trend is also visible for those having lived a longer period of time in Canada.

Instead, the basic reason is that the Canadian economy and society are changing toward a more competitive knowledge economy. These changes appear to have created three new difficulties for immigrants:

- educational qualifications of native-born Canadians have risen rapidly, so that despite higher levels of education, immigrants still fall further behind in terms of numbers of years of education
- immigrants' foreign credentials are not being accepted
- the value of credentials is rising for native-born Canadians and falling for the new immigrants.

Ironically, the importance of credentials does not displace discrimination. One might expect that the fact that Canadian employers are becoming more credential-conscious might have helped immigrants by making job assessments more objective. But it has not worked this way. Instead, immigrants are hurt because foreign credentials are simply unknown to Canadian employers. In addition, the earnings penalties for not having recognized skills are increasing.

These three trends are part of the basic institutional structure of Canadian society, and are not going to change. The economic success of immigrants will become an increasing problem and Canada will be forced to choose between:

- decreasing its emphasis on immigration
- increasing its emphasis on assisting Canadian employers to more effectively utilize immigrant skills in the new economic environment.

Assuming we remain committed to immigration, the challenge increasingly will be to address the economic success of immigrants

in the knowledge economy – and this is a big job that we have only just barely begun. Recognition of qualifications within the established professions is still only barely begun, and this is just the tip of the iceberg.

Addressing the economic needs of potential migrants who do not fit into the emerging knowledge economy will be seen as part of the problem of global inequality, and this too will become a more pressing issue.

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Clandestine migration will continue to challenge both the West's control mechanisms and its political patience and to create popular anxiety. By undermining the principle that successful societies are governed by the rule of law, illegal immigration also undermines key societal institutions and, if left unattended, stokes xenophobia and typically leads to increasingly extreme responses. Illegal immigration thus challenges economically better-off societies to protect their borders, labour markets and social service infrastructure, as well as their ethnic and cultural (linguistic and religious) balances.

In the many highly diverse societies in Europe, the Middle East, South and Southeast Asia, and elsewhere, where basic governance schemes have come about after hard-fought compromises, political equilibrium in many ways rests on assumptions that the ethnic balance among different groups will remain constant. When that balance is affected in significant ways from unauthorized and in some cases authorized but poorly-managed immigration, societal divisions can and do ensue.

In contrast to these clear political and social dangers of illegal immigration, many of the estimates about its economic downsides currently in vogue throughout the advanced world are often contrived and reflect healthy amounts of disingenuous analyses and variable, but typically high levels of political hypocrisy. More importantly, they fail to point directly to or address effectively one of illegal immigration's most important allies – i.e., unsound or failed social and economic policies.

All major forms of illegal immigration – such as clandestine or fraudulent entry, legal entry followed by the overstaying of one's visa period and violating the terms and conditions of a visa – are likely to intensify and will become ever better organized. By contrast, 'law-and-order' responses to it, though increasingly 'harmonized,' will continue to prove no more equal to the challenge than they are today.

The typical 'full-service' menu of responses to unauthorized migration includes two sets of basic law-and-order responses, one that is intelligence-heavy and one that is based in diplomacy in its broadest sense. Most analysts agree that the latter two hold a much more promising prospect for success than the law-and-order ones which should be seen increasingly as 'first generation' responses. Of course, the *overall response* (sic) will need to retain substantial elements of all four.

The two law-and-order responses focus on controlling entry of people involved with clandestine migration. The first kind of law-and-order response focusses on preventing unauthorized entry through 'entry or border controls.' Among the most commonly used entry controls are extending and tightening visa requirements, establishing very substantial carrier sanctions for the transportation of improperly documented passengers, and investing heavily in physical, electronic and human inspection to control borders.

A 10-year-old, largely Canadian innovation also stations a handful of a country's immigration inspectors at foreign airports from which an unauthorized flow commences or which is used as a staging area or collection and transit point for smuggling rings. The objective of such initiatives is to help airline ticket agents and local authorities identify and reject fraudulent

documents and thus divert the flow. A variant of this innovation offers more systematic and long-term ‘targeted technical assistance’ to authorities of countries identified as weak links in the effort against organized unauthorized migration.

In recent years, in an effort to reduce the number of presumably fraudulent asylum applications, the advanced industrial West has relied increasingly on a variety of procedural obstacles to lodging an asylum claim. These measures have had almost instant success in reducing such applications substantially and, in some cases, such as those of Germany and the United States, dramatically. The UN High Commissioner for Refugees and refugee advocates, however, have been sceptical about the legality of some of these procedures and have condemned some of them as inappropriate on humanitarian grounds.

The second kind of law enforcement approach emphasizes strategies for identifying and removing unauthorized immigrants after they have managed to enter a country. These are divided into two major forms – one of which is still emerging.

The first form focusses on interior enforcement – that is, the basic police work necessary to identify and remove unauthorized foreigners. Increasingly, interior enforcement emphasizes more intense cooperation and coordination among a variety of police and police-like agencies (in the US, the formation of multi-agency task forces focusing on organized criminal activity that relates to illegal immigration is becoming nearly routine) and gives immigration enforcement agencies additional legal powers, some of which can be quite extraordinary.

Among these powers are extending asset-seizure authority to the immigration agen-

cies so that they can confiscate the property and other resources of those that engage in migrant trafficking, and restricting as severely as politically possible access to the protection of the courts by unauthorized immigrants. Most advanced industrial societies now rely on such and similar ‘tools.’

The second form targets the labour market based on the widely held assumption that the overwhelming majority of unauthorized immigrants seek work. This strategy is known as ‘employer sanctions’ and requires employers to verify that job applicants are authorized to work. Employers are penalized, often severely, for failing to do so and/or for employing anyone without the proper work-authorizing documentation.

The still-emerging and final form of interior controls is a variant of the labour market control strategy. The principal difference between the two is that this last form targets the unauthorized workers themselves, either preferentially or, more typically, in addition to their employers. The penalties it relies upon are similar in that they combine ‘asset forfeiture’ (in the form of substantial fines) with incarceration. The Persian Gulf States, some East and South Asian states, and, increasingly, Japan are champions of this approach.

The third and fourth types of responses to clandestine migration involve strengthening and using the resources of the intelligence community. The third type of response relies extensively on the use of intelligence resources, international cooperation among intelligence agencies, and such more ‘classic’ police tactics as the use of informants and the penetration of criminal networks by undercover officers.

Under this response, key objectives include understanding how the various networks

are organized and relate to each other, and getting to know their routes, their infrastructure and resource bases, their accomplices throughout the typically circuitous and long journeys, and their 'clients' at destination. Only then can authorities shut down a particular ring rather than simply arresting a few operatives and a group of unauthorized immigrants. Legally sanctioned cooperation that meets each state's legal requirements about privacy and related concerns among intelligence agencies appears to be vital to this effort, as are patience and a sustained commitment of financial and human resources.

Two challenges appear to be particularly daunting. First, the most sophisticated and well resourced among these syndicates apparently use constantly shifting organizational paradigms designed precisely to defend the organization from being penetrated and dissolved by the authorities. Second, illegal immigration controls have created powerful market forces that can corrupt officials at any level, as well as lucrative black markets for all types of products and services. These forces cannot be managed by law enforcement in a single country alone, but also require the cooperation of sending and transit countries.

The final response to unauthorized migration through diplomacy or foreign policy is less well developed than the other three, but nonetheless is thought by many analysts to hold the most promise for a cooperative and comprehensive management of international migration, including clandestine migration.

This approach¹ seeks to engage key sending states in substantive negotiations that may include the following:

- Making conditional offers of more open trading and related relationships to a state or group of states with which a receiving

state has long and complex immigration relationships. This approach is modelled both on the NAFTA and on the initially German (but now EU-wide) approach first toward the Eastern European states and, in the future, (possibly) toward the states along the Mediterranean littoral.

- Offering substantial physical and social infrastructure-improving assistance (as appropriate) to the same types of state(s) as above. This is an approach advocated by many as the next step to the NAFTA and one that has long underpinned the evolution of the European integration project.²
- Extending to nationals of some of the states that now send large numbers of unauthorized workers to a receiving state greater and more organized access to that country's labour market. This is a model relied upon increasingly, although often unevenly, by some immigrant-receiving states in several world regions. Among them are: Germany (primarily with Polish and Czech citizens), the United States (with its contiguous countries and, to a more limited degree, with some of the Central American and Caribbean countries) and South Africa (with most of its immediate neighbours but also with several of the member states of the Southern Africa Development Cooperation bloc).

In addition, the foreign policy or diplomacy-heavy response involves investments in three additional types of initiatives. First is the pursuit of a UN Convention against trafficking, with an emphasis on criminalizing the organized trafficking in women and minors. This Convention is pushed very hard by the European Union (EU) and English-speaking North America³ but is supported by a variety of states. The completion of this Convention is expected in this session of the UN General Assembly.

Second is an initiative that employs intense bilateral diplomatic engagement as a means of ensuring that origin and transit states cooperate with destination countries in accepting those nationals who may be deported for immigration-related violations. The intensification of such removals has required increasing diplomatic investments and is slowly nudging international migration toward the ‘high politics’ end of the foreign policy continuum.

As a result, migration controls are likely to be found increasingly on the agenda of broader discussions about trade, commerce and even regional security negotiations. American and, increasingly, Canadian and EU negotiations with China are among the most significant efforts in this new genre of how states choose to use their foreign policy capital.

Finally, several states have begun to create regional mechanisms for addressing one form of unwanted migration or asylum by agreeing in advance which state would be responsible for adjudicating asylum claims. This effort proceeds from the assumption that most asylum claims are ‘fraudulent’ and seeks to deny asylum seekers multiple opportunities for lodging a claim. Presumably, the pre-agreed allocation of the ‘burden’ for adjudicating a claim also puts states on notice to be more careful in their issuance of visas by making the issuer take responsibility for a claim.

The member states of the EU have recently ratified such an agreement – the Dublin Convention – and Canada and the United States have been discussing a similar arrangement. Although the two governments have twice agreed on an approach, opposition by refugee advocacy organizations in both countries, and remaining concerns among key governmental sectors in the US, have stymied efforts to ratify the proposed initiative.

In conclusion, it is increasingly clear that coordinated combinations of these responses, together with extensive reliance on domestic and international intelligence cooperation that targets organized smuggling syndicates, are likely to become the dominant ‘new’ illegal immigration management policy paradigm over the next 15 years. If this ‘diplomatic’ strategy is pursued diligently, the prospects for success may in fact increase geometrically.

Endnotes

1. I have chosen to emphasize only the ‘carrot’ aspects of this response here. The ‘sticks’ would be equally important subject for a serious policy conversation. A simple rule of thumb should be remembered in this last regard: The offering of carrots often makes sticks (and, particularly, the threat of employing them) more effective.
2. It is important to note here that there is now virtual consensus among analysts that both of these types of initiatives just identified *are not likely to stem unauthorized migration* in the short to medium term (five to 15 years). There are many reasons for this conclusion. They include the fact that the relationship between poverty and emigration is both indirect and very complex. For instance, extreme poverty is thought to discourage migration because it is typically associated with limited access to information and even less access to the resources required for successful emigration – while the alleviation of some poverty through development (and the increased access to information and ties or access to another country it makes possible) may in fact facilitate further migration. Furthermore, the state that risks its treasure in the development of another country or, in the case of integration agreements, a region, is often impatient about reaping some of the migration-specific benefits. Typically, however, such benefits are not available until the later years.
3. The G-7 have also targeted this area for closer cooperation (in the context of their concerns with organized criminal networks), as have the Intergovernmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia, an informal senior level Geneva-based group in existence since the late 1980s that focusses largely on the exchange of ideas and ‘best practices’ about immigration controls.

T. Sher Singh

Lawyer and Columnist (The Toronto Star)

Some time ago, a shipload of refugees landed on Canada's East Coast and the usual furor greeted their arrival. Actually it was more than just a furor: it was the usual rhetoric, loud and charged, blared from newspaper headlines, from every pulpit, from street corners, especially on the West Coast. Reporters and newspaper editors had a heyday.

Editorials told us in no uncertain terms what the feeling was in some quarters. And to give you a taste of what was said, here is the gist of what one editorial in a prestigious West Coast journal said. I saw the piece when somebody gave it to me a few years ago and it had an illustration of one of the would-be refugees who had arrived on this ship. And here is what it said:

We have once again witnessed the arrival on our shores of a group of people who wish to make this country their home. Let's take a close look at this new bunch. To begin with, they practise a faith abhorrent to us. Some speak a language we do not understand. Those who do speak English, do so with so thick an accent that we can barely understand them. They have the same difficulty, I'm sure, in understanding ours. They are clannish by nature. Their women folk, as we already know, stick to each other and will not intermingle with ours. Their ways are alien to ours. They wear strange headgear and their garb is of course different from ours. They even wear knives on their person. Even their food is different from ours; in fact, they eat the very things that we choose to throw away. To put it mildly, there is nothing in common between this

group and the people of this land, and it cannot be said in strong enough words that we will be doing both them and ourselves a favour if we put them all on the first boat back to where they came from. It will help avoid much distress to all concerned. We urge our elected representatives to do the needful.

Now do any of you remember this particular shipload? Some of you are nodding your heads. And I should tell you that if you do, it would be a miracle because the shipload I am talking about is a shipload of Scotsmen who arrived on our East Coast in the 18th century. Their Catholic faith, their thick brogue, their kilts, their different head gear, their habit of wearing a knife, can you imagine, wearing a knife on the person – they did not call it a kirpan, though – but their clannishness, their tradition of eating haggis – the very things we throw away! Everything became the basis for saying 'no, the door is closed.'

Not much has changed since then, has it? When I first read of the gist of this editorial, like some of you, I thought, it could not be about anything but the shipload that arrived in Nova Scotia, two shiploads actually, in 1986 and 1987 – one in Halifax, if I remember correctly, and the second in Newfoundland, the Tamil boat and then the Sikh boat.

Has anything changed between the treatment of those Scottish refugees two centuries ago and the treatment of the Sikh refugees a decade and a half ago? It was then being argued that the Scots were here as economic migrants, though the actual words and terms may have been different, and therefore refugee was not warranted. The same argument was used for the Sikhs and the Tamils in 1987.

They are skipping the queue, they are beating the rules, they are bypassing the regulations and they are coming purely for economic reasons. Has anything changed in Canada?

Everything that Mackenzie King and the likes of him did to stop the *Komagata Maru* and to send it back in 1914 was repeated virtually word for word seven decades later by the government of Canada. Has anything changed?

Do you remember Mackenzie King? This is the man who is famous for three things: for seeking counsel from his dead mother on public affairs, for using his dog to communicate with his dead mother and for describing Canada as a white man's country. I should add that he's the man who later became Prime Minister.

He did other things. He was one of the proponents, the architects of laws – bizarre laws – which were passed to ensure the *Komagata Maru* went back in 1914. Both before and after that date, he was instrumental in ensuring that the basis of an immigration policy, whatever policy there was then, was immorally tied to race. You remember the law pertaining to continuous passage? That very law was re-enacted in the 1980s by the government of Canada. Has anything changed?

Now, we have heard about the economic migrants. And you know, when I went to law school about 15 or so years ago, it was a time when this new trend was beginning and now it has become entrenched: to have an economic theory about everything. There is an economic theory on sentencing, on criminal law, on family law, on support, on marriage, on everything. Everything can be explained today by reducing it to the lowest common economic denominator. Everything can be explained. We have entered into a phase of human history – Lord knows how

long it will last – where everything can be reduced to economic terms.

If given five minutes, an economic theorist can prove to you, I bet you, that when Mary and Joseph left town with their son 2000 years ago, it was for economic reasons. Really. And if given another few minutes, the same expert, I bet, can prove to you that the Pilgrim Fathers, who landed in Plymouth Rock, came for economic reasons: that they were economic migrants!

It is possible to use the same argument to prove to you successfully that many of the prime ministers of Canada were economic migrants. The shiploads of refugees that arrived in 1986 and 1987 were all described as economic migrants. But that definition, that description that is changed at will and applied willy-nilly, only when it is convenient to do so.

So you have to keep in mind (and it is difficult for everybody to understand this) that there are certain 'bogeymen' used to haunt and taunt immigrants – not all immigrants, but some immigrants. We have to, when we come to this country, deal with the 'bogeyman' of having "Canadian experience" if you want a job; it is a neat way of saying no. Then, if you want to follow or pursue your religious practices, you have to deal with the 'bogeyman' of safety. As you have read recently in papers, if you want to be a boxer, it threatens the life of the other person if you have a beard. So we had these 'bogeymen,' and the words 'economic migrant' are now used exactly in the same way.

In 1987 when the shipload arrived in Halifax, I received a call. I was a new lawyer then, just practising for a year or two, when out of the blue I received a call from Ottawa asking

me if I would be willing to fly to Halifax immediately – and immediately meant within two or three hours' notice – because they needed my assistance.

And why did they need my assistance? Because, despite the fact that approximately 2 to 3 percent of Canada is Punjabi-speaking, not all Punjabi-speaking people are Sikhs; there are some Hindus and some Muslims, and so on. Two to 3 percent of Canada speaks Punjabi. The entire RCMP, the entire Immigration Department, the entire CSIS department could not find one person they could rely on to go in to speak to these 174 people who had been locked up in the Armed Forces base in Halifax to figure out whether there was any evidence to support the public allegations being made that they were possibly terrorists. Of course, on the one hand they were saying that they have jumped the queue, they are economic migrants, while on the other hand people were saying they were possibly terrorists.

So I met these people. I agreed to fly over and the condition of my going over was that I would be free to speak to the media. I met with these people for two or three days. I was the only member of the public given access to them in this Armed Forces base. Through various methods I discovered that the only thing that these people wanted to do, when I asked them: “Can I help you in any manner?” was to have a prayer service, a thanksgiving – and I assisted them in doing so.

They had spent 40 days in a ship in total darkness except for one bulb. They did not for a moment think that they would survive – not one of the 174 (173 Sikh men and one Turkish woman). They were permitted every few days for a few minutes to come up to get some air and then they were pushed down and locked in the

hull again. The only thing they were given, from time to time, was some water, some rice and some lentils, so that they could cook on one stove and feed each other. They defecated right there; they threw up there; they were sick there; they took care of each other for 40 days. And then one morning at 3:00 a.m. – without any warning – they were asked to come up and, one by one, the crewmembers grabbed them without warning, without explanation, in total darkness and threw them overboard. They had arrived, they discovered later, on the East Coast of Canada.

The water was shallow as they waded towards the shore; it was a few hundred feet away. Some broke bones and some sprained ankles. Somehow they managed, and landed up in the backyard of a lady that we all, particularly in the Sikh community, fondly call the ‘peanut butter lady.’ She was the one who got up in the morning and, when suddenly, unexpectedly finding 174 aliens in her backyard, did not say: “Hey! You are economic migrants.” She did not say: “You are possible terrorists.” She said: “All I have is some peanut butter and some bread,” and she made peanut butter sandwiches for 174 of them. We desperately tried to get this woman an Order of Canada but no politician seems to understand why she deserves it. But she has been honoured over and over again by the Sikh community across Canada.

So these people were described as economic migrants, even though they were fleeing persecution, or at least they were allegedly doing so. They were described as terrorists. So I came back and fortunately I had the freedom to speak to the press – on CBC *The National* and to *The Globe and Mail* – immediately and was able to speak out before things got muddied further. (I should add that this was before Barbara [McDougall] became Minister, so there is no blame to be ascribed to her because I know things

improved when she came along.) But I wanted to make sure that there was no more messing around with the facts.

Since that time, I have met a number of them. Somebody in the community did a survey a few years ago and I should tell you that, of those known to us out of the 174, at least 13 of them are now millionaires. We do not know of anybody currently – and we have been able to track down from time to time approximately 85 of them – on Employment Insurance or welfare. One I met a few months ago owns 45 trucks in Toronto and has a full-time staff of 12 people. These are the economic migrants who turn up at our door and we say: “No, there is something wrong with this applicant.”

In another context, we laud our corporations for being economic migrants. We praise them for their deftness in crossing international boundaries or in ignoring them. They have all become international entities and we say: “What a wonderful idea, what a wonderful world, this small and shrunken brave new world we have.”

Then we have one of our citizens, Mr. Conrad Black, who finds it convenient to move from Canada to England, from England to Australia, and then from Australia back to Canada. Why? Because he wants to do business around the world without worrying about boundaries; he is an economic migrant. So it is OK? Yes, it is. I want any one person here to tell me that IBM is not an economic migrant, that Conrad Black is not an economic migrant. Prove it to me.

So it is fine if you have a hundred million dollars and you desperately want a few million more, to jump borders, freely. But if you are a person who wants to be productive and do

something in a new land, to become a pioneer – as I think all immigrants are – if you want to be successful, and you bring all the energy that has made this country into what it is today, then we say: “Aha, you’re an economic migrant.” It is a slur, if you are an applicant.

There is something terribly wrong in that stance, in what we are doing. I am not suggesting, and I do not believe anybody has suggested, that we open the doors or we permit indiscriminate immigration, or that we open the door to anybody who is a refugee or who applies as a refugee. But we need a policy.

We are told, from time to time, we have an immigration policy. I challenge you to prove to me that we indeed have an immigration policy. If we have an immigration policy, how is it that we have nurse shortages from time to time? I am not a bureaucrat and I never have been one, but I think the job of somebody in government has to be to plan ahead and say here are tendencies, here are market forces, and eight or 20 years from now we are going to have a shortage of nurses. We are going to have a shortage of teachers; we are going to have a shortage of doctors.

You know that, over and over again, every few years we have a shortage of nurses. Over and over again, we have a shortage of teachers. We have a shortage of doctors in this country. Northern Ontario is under-doctored, and now suddenly Southern Ontario is under-doctored (I am particularly familiar with Southern Ontario). It is difficult to get proper health treatment today and our Immigration Department says we have a policy. If there is a policy, where is it? And if there is a policy, why are we dealing with the definitions and hurdles that have no application in this world?

We need to look at all of this and learn that we can benefit from immigration. Immigration is not a burden; in fact, there is no country in the world which has benefited more, has relied on it more, from immigration than Canada. The United States has benefited as much, and relied as much on immigration, but nobody has done more than us. And yet there is no country in the world that resents immigration as much as some of our people do. Many of our citizens react to it, oppose it, fight it. But we need to learn how to benefit from it. If we do not, we will always wonder why the future is not ours.

You will recall, and I will close with this, at the beginning of the 20th century somebody had said: "This century belongs to Canada." A hundred years later, it still does not belong to Canada; it belongs to the United States, a country that learned to choose immigrants properly, and to respect them, to honour them and to integrate them fully into all levels of society. The other day, I heard somebody who came up with this original argument, original statement, that the 21st century belongs to Canada. You think so? If it does, why are Canadians with medical degrees, for example, driving taxi cabs in Toronto?

Questions From the Audience

Questions from the audience focussed on four major themes: the differentiation between economic migrants and refugees, employment and the recognition of foreign credentials, refugee policy and immigration policy. The issues for each theme are summarized below.

Theme 1: Differentiation between economic migrants and refugees

An audience member suggested that we need to stop the debate that equates 'economic migrants' with 'refugees' because it promotes racism, in particular for women and men of colour. Reinforcing the notion that all refugees migrate for economic reasons fuels the contempt towards refugees who are often viewed as economic opportunists using the refugee determination system as a back door into Canada.

Canada's role in providing safe haven for people fleeing persecution and tyranny within a global context should not be underestimated. The audience was reminded that this is our commitment under the United Nations' 1951 Convention Relating to the Status of Refugees, to which Canada is a proud signatory. The Convention (which has been incorporated into Canada's Immigration Act) guarantees safe haven to persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group.

However, international conventions tend to be interpreted in very specific ways by governments for domestic application. Such specific interpretation and application does not

effectively address the multitude of issues of global migration. For example, Canada's Immigration Act does not effectively address the complexity of issues such as the different ways people claiming refugee status explain their circumstances and the migrants' expectations of establishing a life in Canada.

Comment also was sought on a force that appears to drive economic migration – the ever-widening economic disparity globally.

It was stated that Canadians need to understand the immense complexities and the interconnectedness of issues at both the global and domestic level surrounding global migration. To view the trends in global migration in simplistic ways is neither acceptable nor effective when it involves people. Canadian society is open enough to embrace both the rational arguments of global migration and to continue making the linkages among all these issues. In the end, Canadians have to continue striving to address global migration issues with the understanding and compassion as humans, and as part of human society: There is no other alternative. Education is key to facilitating this struggle in Canada.

Theme 2: Employment and the recognition of foreign credentials

Several questions were posed concerning the lack of recognition of foreign credentials and its impact on refugee claimants and new immigrants to Canada.

People are invited to immigrate to Canada but are not provided with mechanisms to recognize their foreign credentials. This failure profoundly affects their employment prospects in

Canada and prevents people from using their education, skills and experience to contribute to Canadian society. The lack of recognition of foreign credentials hampers new immigrants in their efforts to build a new life and integrate into Canadian society. This problem represents a loss not only to those individuals, but also to the development of Canadian society generally.

The panellists agreed that the lack of recognition of foreign credentials is costly to Canada. One panellist noted that the 'brain drain' debate misinforms Canadians because in reality it really is a 'drain drain' phenomenon. It is a drain on the countries of origin as they lose their investment in educating and training people who then choose to emigrate to Canada. The lack of recognition of foreign credentials is a drain on Canada because it does not use the education, skills and experience that new immigrants bring. There was also acknowledgment of the erosive impact on individual new immigrants as their past accomplishments are discounted and their future ability to build a life in Canada is limited by the lack of recognition of their foreign credentials.

Recognizing the tremendous economic and social loss, certain provinces have started initiatives to address the issue of foreign credentials. For example, the Government of Ontario has requested bids to review qualifications of immigrants.

Clearly, the integration of new immigrants has both social and economic dimensions. The receiving institutions in Canada in various sectors, such as education and labour market development, need to be better equipped to deal with immigrants. Currently, there are no planned and established mechanisms to ensure that Canadian society benefits from new immigrants' education, skills and experience.

Theme 3: Refugee policy

There were several questions on discrepancies in refugee policy and practices in the determination process. A participant from the audience asked the panellists for clarification of seemingly incongruent actions by the Government of Canada. He gave the example of a refugee claimant who was issued a permit to work legally and then was informed a few days later that there was an order for his deportation. These government actions were contradictory: The issuance of a work permit implied an invitation to establish himself in Canada, while the following order to deport indicated that the refugee claimant was not welcome.

Concerns also were raised about the length of time that refugee claimants must wait while their claims are being processed. Refugee claimants are left to languish in uncertainty of their future for years while simultaneously trying to establish their lives in Canada.

A related issue is undocumented Convention refugees seeking landing – especially those from Somalia. Some refugee claimants are not able to leave their country of origin with any documentation to prove who they are when they enter Canada. These refugees have to wait for three years before they can apply for their landed immigrant status.

Finally, the quality of the refugee determination process was questioned, as members of the Immigration and Refugee Board are political appointees. There is concern about the fairness and ability of these members in making decisions that so dramatically affect the lives of refugee claimants.

One panellist suggested that there is a need for a discussion about deportation and related issues. Many of those deported from Canada are criminals or long-term detainees, but few are unsuccessful refugee claimants with no criminal history. This situation leads to questions related to deportation such as:

- if refugee claimants with no criminal history are often not deported, then why not let them establish themselves in Canada?
- why continue with the status quo of a costly refugee determination system that does not remove or deport people who are unsuccessful claimants with no criminal record?

Refugees who are unable to obtain identity documents when fleeing their country of origin fall under the Undocumented Convention Refugee in Canada Class (UCRCC) regulations. Under the UCRCC, Convention refugees from Somalia and Afghanistan can apply to be permanent residents of Canada without meeting the identity documentation requirement three years after they have been successfully determined as Convention refugees by the Immigration and Refugee Board. The current Minister of Immigration recently reduced the waiting period to three years from five.

The change made to the UCRCC is a reflection of the Minister of Immigration's concern about client service. In addition, the Minister has established a Working Group to look into service issues related to the immigration and refugee determination process.

In response to the concern raised about the Immigration and Refugee Board, a participant said that the members are chosen because they are knowledgeable and sensitive to the issues.

Board members receive training in refugee law and the operation of the Board, and have access to the most up-to-date immigration and refugee determination information. Members are on the Immigration and Refugee Board to exercise good leadership and management.

Theme 4: Immigration policy

Several concerns were raised regarding immigration policy and its application. One question focussed on the fundamental difference between refugee and immigration policies, since the former is rooted in concerns with human rights while the latter is not. Panellists were asked to comment on why immigration policy also could not be framed by human rights to make the immigration and refugee policies more congruent.

The practice of Ministerial discretion in making decisions when determining immigration status based on humanitarian and compassionate grounds in exceptional cases also was questioned.

Although it is often the immigrants who are blamed in the immigration and refugee debate, the audience was reminded of problems emanating from the Canadian government side. Examples cited were the lack of good judgment by bureaucrats in immigration and refugee processing, which often means that people are left to languish for 10 years; or families are unable to unite for many years.

Furthermore, services for immigrants and refugees that used to be free are now charging a fee. Related to the issue of new fees for service is the 'head tax' – a \$500 per adult application fee to become a permanent resident in Canada.

The concern is that immigration processing fees – including the head tax – encourage well-off applicants, while discriminating against those who do not have the financial resources for these fees.¹

A panellist stated that couching immigration policy in terms of human rights poses many problems as it is defined in very specific ways by governments. In Canada, the specific definition of human rights has an impact on domestic government policy, international cooperation and foreign policy such as foreign aid, building democratic institutions in other countries and ensuring a genuine need for people to migrate. The fundamental issue that should be discussed is the creation of broader immigration classes to allow

for increased flexibility in the immigration system.

These broader classes for immigration will also partly address the concern of use and over use of Ministerial discretion on humanitarian and compassionate grounds. Every Minister of Immigration employs this power of discretion in different ways.

Endnote

1. There are two fees – a \$975 ‘right-of-landing’ fee levied on each adult refugee and immigrant, and a \$500 per adult and \$100 per child ‘processing’ fee. Subsequent to this meeting, the Minister of Immigration rescinded the \$975 per adult right-of-landing fee for Convention refugees.

Concluding Remarks
Professor Ivan Head

Professor Head made three observations in his concluding remarks.

He emphasized the immense human complexity in global migration from both the perspectives of those migrating and those responsible for policies and procedures to control migration. However, people should not give up on dealing with global migration despite the awareness of the complexities.

We should recognize that it is a great challenge – but not an impossibility – when addressing issues of global migration due to the interaction of human complexities, the disciplinary limitations of academia, budgetary constraints and government policies.

And we should put Canada's immigration policy into context. Canada's immigration policy is not an anti-terrorist policy, despite the media's portrayal of global migration as having strong elements of terrorist activity. Further, in the larger context of global migration, there are other governments, such as the United States and Pakistan, which are dealing with an immensely larger number of migrants than is Canada.

Dr. Head urged Canadians to balance these factors of global migration and to look at them from a longer-term perspective, instead of engaging in the fever of anti-immigrant hysteria. In reality, there will never be a perfect immigration policy and striving for this will only deter the efforts of ensuring that a good immigration system works well.

***The Honourable Elinor Caplan
Minister of Citizenship and Immigration****

Let me begin by thanking you for your invitation to speak to you this evening. *Je vous remercie de m'avoir invité vous adresser ce soir.* In doing so, I want to pay tribute to the Maytree Foundation, the Caledon Institute of Social Policy and the Canadian Institute of International Affairs. Each one of these organizations is making an outstanding contribution to the study of important public policy issues.

Today's forum is a case in point. I want you to know that I welcome and appreciate your efforts to encourage informed public discussion of immigration issues. If you have had a chance to review the headlines over the past few months, I am sure you will understand my very sincere and heartfelt enthusiasm for informed public discussion, particularly in relation to immigration and refugee policy.

I am pleased to be here, and to have this opportunity to participate in your work. And my objectives here are modest. I want to defend two relatively simple propositions that have been publicly – and loudly – called into question of late.

The first is that Canada's refugee determination system – despite the strains and stresses and entirely new challenges it has had to deal with in recent months – is achieving its fundamental goals. The second is that increased immigration levels are not only good for Canada, but absolutely vital to our continued growth and prosperity in the years to come.

Let me begin with our refugee determination system. This system, as most of you well know, is one of the most important ways in which Canada has earned its reputation as a humanitarian leader in the world. I am proud of the fact that in our country, we provide a full and fair hearing to those who come to us asking for our protection. This is Canada's commitment under the United Nations' 1951 Geneva Convention Relating to the Status of Refugees, to which Canada is a proud signatory. This Convention, which has been incorporated into our Immigration Act, guarantees safe haven to persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group.

Let me assure you that I understand that not everyone who shows up at our ports of entry claiming persecution is telling the truth. But I am pleased to say that in this country, we do not prejudge anyone who makes such a serious claim. Refugee protection policy, after all, is about saving lives. When people come to us claiming that their lives are in danger, they are entitled, under our Charter and our Geneva commitment, to a fair hearing.

Now, as you all know, these basic principles have been confronted with a serious challenge in recent months, in the form of a large-scale new phenomenon. Throughout our history, we have always assumed that new arrivals at our ports of entry come to us seeking legal status in Canada and eventual integration into Canadian society. As the events of last summer illustrated quite strikingly, we are now facing something quite different, in the form of criminally organ-

*Notes for an address by the Honourable Elinor Caplan, Minister of Citizenship and Immigration, to the Maytree Foundation Forum "Economic Migrants or Refugees? Trends In Global Migration." Toronto, Ontario, January 12, 2000. Copyright © Citizenship and Immigration Canada.

ized trafficking of human beings. The goal of the human traffickers, of course, is not legal status at all. It is to evade detection at our borders, in order to enter unnoticed and to force their victims underground and into a life of servitude.

This is a serious challenge both for Canadian law enforcement and for Canada's refugee determination system. We have had to adapt to this new phenomenon of sudden mass arrivals seeking to evade our detection. And we have been learning much along the way. Despite some initial uncertainty in the face of the many new challenges that have emerged from these events, our officials have responded admirably well, and in accordance with our fundamental objectives.

As always, those objectives include protecting the safety, security and health of Canadians; seeing to the immediate physical safety and appropriate medical needs of migrants; and seeing to the efficient administration of Canadian law. In the case of the summer boat arrivals, we need to be clear about what has happened. Boats were identified, intercepted, boarded and apprehended. Nine of the crewmembers have been charged. Passengers have for the most part been detained. Organized crime has been denied access to the source of its profit. Its economic incentive has been cut off. Refugee claimants are being given fair hearings, on an accelerated basis, in accordance with our Charter, our international obligations and our humanitarian traditions.

To date, 80 cases have been heard, and they will continue to be heard at a rate of roughly five per day. Those determined to be genuine refugees – just three so far – will be permitted to stay in Canada. We will seek to remove the others as soon as due process has run its course. The system is working, but I know it can work better. I think it can be kept fair, but made to work

faster. To this end, I am looking hard at changes to consolidate processing at the Immigration and Refugee Board and to achieve efficiencies through greater use of single-member panels.

Fair, but faster. Canadians are deeply committed to our humanitarian traditions, and this commitment will not waver. But we will not tolerate those who would abuse our generosity. For this reason, I have recently outlined a series of measures that I believe will strengthen our ability to identify and deal severely with those who would attempt to use our refugee determination system for reasons other than protection.

I am looking closely and carefully at provisions to increase penalties, enhance overseas interdiction, conduct front-end security screenings and clarify our existing grounds for detention. While there is much that we are doing here at home, it nonetheless bears repeating that the smuggling and trafficking of human beings is a serious international problem. Correspondingly, it calls for a serious international response.

Canada has assumed a leading role in the development of United Nations Protocols on Transnational Organized Crime and Migrant Smuggling. Once signed, these Protocols will require states to improve border controls, criminalize fraud, facilitate the return of nationals and share information on the intricate network of organized crime. We are working closely with the United States, Australia and the European Union, as they confront similar problems on a scale far greater than our own.

Finally, as you may have heard, I am planning a trip to Beijing in April to continue to advance our collaborative work with the People's Republic of China on human trafficking, people smuggling and the repatriation of Chinese nationals.

I would like to take a moment to respond to recent criticism of perceived discrepancies in the way in which we have been dealing with last summer's boat arrivals, as compared to the way we deal with apparently similar arrivals at our airports. In a word: Where there are discrepancies, a closer look will reveal that the similarities are only apparent.

Wherever there is a failure to establish identity, or there are reasonable grounds to believe that there is a risk to public safety, or of flight and abandonment of a refugee claim, we move to detain until a fair hearing has taken place. Clearly, sudden mass arrivals that attempt to evade reception by government authorities provide substantial reason to believe that a criminally-organized smuggling operation may be under way.

Where there is no effort at clandestine entry, however, as in the case of most airport arrivals, there is less in the way of reasonable grounds to indicate that organized crime is involved. Airport arrivals, like all port-of-entry arrivals, regardless of the means of arrival, are considered on an individual case-by-case basis. Where there are reasonable grounds to believe that arrivals are linked to organized crime, with corresponding grounds for credible fear of flight or threat to public safety, we argue for their detention.

Indeed, we made such arguments successfully in the case of 22 Chinese refugee claimants who recently arrived together at Pearson Airport on a Hungarian airline. Here, too, we will continue to argue for detention until they have received a fair hearing and due process has been granted to them. But we will not prejudge their claims.

And, contrary to the demands of the Reform Party and other extremists, we will not detain people simply on the basis of their ethnic origin. Nor will we detain on the basis of mere suspicion or accusation. In a liberal society, detention is one of the most serious measures the state can impose upon individuals. The decision to seek to deny liberty to an individual is one that must be weighed carefully and responsibly, and taken only where there are reasonable and substantial grounds to do so. Let me turn now to the issue of immigration levels.

Lately, whenever I have had occasion to address this subject, I have been starting out with a short parable. Some of you may have heard it already. It concerns a very intense young man who was wholly absorbed with profound questions of meaning in his life and directions for his future. He sought out the advice of a wise old man. "Where am I going?" the young man asked him. The old man paused and reflected for a long moment before offering his response: "Where have you come from?" This country was built by immigrants and refugees. And immigrants and refugees will continue to help Canada grow and prosper in the years ahead.

Some people have been critical of the federal government's long-term goal of annual immigration levels of approximately one percent of our population. Others have deemed this figure arbitrary and suggested that it is unrealistic, or little more than pandering for the political support of our large immigrant communities. Well, I beg to differ. I am not a policy wonk, like many of you, but neither am I unaware of some of the most recent demographic projections for Canada and, indeed, for most of the large western democracies.

Let me take a moment to review some of this information with you. There are many sources here, but I happen to have been handed a copy of the most recent annual report of the Organization for Economic Co-operation and Development (OECD) that is published under the title *Main Trends in International Migration*.

This report highlights the prospect of rising numbers of elderly people across the major industrialized countries, in conjunction with falling numbers of working people to support them. We are living longer and having fewer children. In fact, this has been the case for some time. This trend has been gradual and largely imperceptible. If the OECD projections are accurate, that relative imperceptibility will change rather abruptly in about ten years' time, as the front end of the baby boom begins to retire. Now, this trend has hardly gone unnoticed in the policy community.

But having noticed it does not in the least diminish the long-run challenges it poses in a wide range of policy areas. Here, we need only consider the demographic effects for our labour markets, our pensions, our health care system, our housing markets and so on. With respect to the labour market, we might well ask: Who will support the current and future needs of so many of the labour-intensive sectors of our economy? Who, moreover, will help to expand the emerging sectors of the knowledge-based economy? Many key sectors are already facing shortages.

Who, indeed, will support our pension system, buy the homes of the retiring boomers and contribute to the costs of increasingly expensive and sought-after health care? There are, of course, many ways to approach these questions. And I do not for a moment claim that higher immigration levels provide the magic answer to them all. As a recent newspaper col-

umn put it, if all you have is a hammer, all problems start to look like nails. I recognize that these are very distinct issues and that there are many distinct policy tools to deal with them.

But, all the same, let's consider for a moment the OECD's projections for Canada. For a range of countries, the OECD tracks the ratio of people aged 65 and over to those aged 15 to 64, as a rough approximation of those retired to those working. In Canada in the year 2010, given current birth rates, life expectancy and patterns of population migration, the ratio of retired to working-age population will be about 20 percent. So for every retired Canadian, roughly five will be working.

But then the boomers start to retire. Just ten years later, in the year 2020, the ratio will have jumped to nearly 30 percent. For every retired Canadian, just over three will be working. The OECD proceeds to ask what it would take to make up that difference – that is, to maintain that ratio of over-65s to those aged 15-65, at the year 2010 rate of 20 percent. To maintain this ratio through to the year 2020, they project that Canada would need a net intake of approximately 8.6 million people over the next 20 years.

Now, as a hypothetical question, we might ask: How could this be achieved? We could all start madly having babies, I suppose. But, hey, don't look at me – I've already done my part there. In fact, if newborns were the answer, we would have needed millions of additional babies already, if they were to have grown to working age in time to offset the boomer retirements that will begin in just ten years' time. And then there is the added cost of raising all of those children. Seriously, if we choose to moderate this projected ratio of retired to working people, it will have to be through immigration and other realistic strategies.

Well, let us do the math: 8.6 million new arrivals over the next 20 years. If the projections are correct, and if immigration is the only policy lever pulled, maintaining a constant ratio of retired to working people would require annual immigration levels of at least 430,000. I say ‘at least’ because this figure assumes all of these new arrivals to be of working age – which, of course, is extremely unlikely owing to family sponsorships and so forth.

I cannot help noting that this figure of 430,000 exceeds the federal government’s long-run target of annual levels of 1 percent of the population. Indeed, it is nearly two-and-a-half times the number of immigrants Canada accepted last year. And remember, if the projections are right, and a constant ratio of retired to working people was our goal, we would require at least this many new arrivals every year. For the next 20 years. And all that just to hold the ratio to what is roughly its current rate.

Now, please don’t interpret this as a revised announcement of Canada’s immigration levels. We have our work cut out for us just to meet our current planning range, which, as you know, still remains well below one percent. And, of course, substantially higher levels would be expected to raise questions about the challenges of settlement and integration of all those new arrivals. One of these concerns the strategies we will have to implement to see that the benefits of immigration are shared more equally across this country.

We need to find ways of attracting new immigrants to all regions of this country. At present, they are drawn primarily to our three largest cities. In Toronto, Vancouver and Montreal, the social, cultural and economic richness that immigration brings is everywhere evident. Now, I can hardly blame new immigrants. I come

from one of those great cities myself. But what many potential immigrants don’t know is that we have great cities and towns across this country. It is unfortunate that, to many parts of the world, this has been kept entirely secret.

People around the world are aware that, for the past six years in a row, the United Nations has ranked us the best country in the world in which to live. That is clearly one reason why so many people want to come to Canada. But many do not see beyond our largest urban centres. Look at it this way: If you are a young software engineer in Karachi who is looking to immigrate to Canada, you are not likely to consider a city of less than one million people. That is likely because, in your experience, only large urban centres have the capacity to offer the basic public and private sector infrastructure that makes a city attractive as a destination.

But what you probably don’t know is that many of this country’s top universities, medical centres, research laboratories and cultural institutions are located in some of our small- and middle-sized cities. Moreover, these smaller cities already have large immigrant communities and multicultural populations to facilitate integration and settlement of newcomers. This is particularly the case across the Canadian west, where so many of our towns and cities were founded by recent immigrants.

Our challenge is to let the world know about Canada’s best-kept secrets. These smaller urban centres offer world-class social, economic and cultural infrastructure, a high standard of living and a lower cost of living than the larger metropolitan areas. If, as the Prime Minister says, Canada is going to be “the place to be for the best and the brightest” in the future, we need to make it clear that this vision includes not just Toronto, Vancouver and Montreal, but Regina,

Winnipeg, St. John's, Halifax, Kingston, Calgary, London, Edmonton, Victoria, Saskatoon, Sudbury, Fredericton, Guelph, Brandon and Sherbrooke. And many, many others.

There are many things we can do to bring our immigration levels up and see that the benefits of immigration are shared across the land. I believe that one percent is the right goal. First and foremost, we can improve client service across the immigration system, and work to process applications faster, better and smarter. By attacking the backlogs and speeding up our processing times, we send a message to the best and brightest of the world that Canada is a welcoming destination for them to pursue their dreams and opportunities.

One of the key initiatives under way to improve client service is our work to explore the viability of central processing in Canada for all overseas applications. Early prospects are very promising. In order to get the word out to the world about our smaller Canadian cities, we may want to consider involving the provinces and the private sector in an overseas marketing campaign, to publicize the virtues of these smaller centres, which have remained such a well-kept secret.

We can also accelerate our work with the provinces to see that foreign credentials are recognized in Canada as quickly as possible. Those who choose to come to Canada need information about qualification recognition of foreign equivalencies. This is information that we should be posting on the Internet for prospective immigrants to consider as they weigh their choices. Indeed, the provinces and regions that disseminate this information first are likely to be more attractive destinations for the many highly-skilled workers that come to Canada each year.

I am also moving ahead with Provincial Nominee Agreements, so that provinces can play a more active role in the selection of immigrants, in order to meet their own specific labour market needs. Manitoba, in particular, has had great success with our nominee agreement and the numbers are increasing substantially for the coming year.

Finally, we will need to dedicate ourselves to the design and implementation of a new and modernized selection system for independent immigrants, one that gives greater emphasis to the flexible and transferable skills that are becoming increasingly important in the emerging knowledge-based economy. Along with more flexible selection criteria, I think we need to take a hard look at the possibility of an in-Canada landing class for spouses, students and certain categories of temporary workers.

I hope and expect that this kind of work will enable us to raise our immigration levels. I want to keep the front door to this country open, but I know that to do so, we've got to make sure that we close the back door. The integrity of our immigration and refugee systems is something I cannot and will not take lightly. This said, it should be obvious to everyone that we cannot hermetically seal our borders and try to shrink-wrap Canada to protect it from the outside world. There will always be those who try to find their way in the back door.

It is really a question of priorities. Let me share with you mine. Foreign nationals convicted of serious crimes. War criminals, terrorists, those posing risks to national security. I want them out of here. They are strictly inadmissible and unwelcome. Beyond these groups, however, I will not allow my priorities to be set by sensational anecdotes. Lawyers like to say

that tough cases make bad law. Well, I am sure that the policy wonks will agree with me when I say that similarly sensational anecdotes make bad policy.

I will not provide ill-conceived ‘quick-fix’ policy solutions for the handful of sensational cases you read about in the papers or see dramatized on television. You should know that, usually, you have not heard the whole story anyway. But the Privacy Act prevents me from discussing the particulars of any case in public, even if it is already in the headlines.

More importantly, however, we must remember that last year over 180,000 people were successfully landed in this country. Theirs are the stories you are not likely to read about. They are quietly pursuing new opportunities and old dreams. They are in the process of building and rebuilding this country – for us, for our children and for future generations. Theirs are the stories that will be the basis for sound public policy decisions. Please don’t take my word for it. I urge you to go yourselves and talk to the deans of our graduate schools, the directors of our research labs and the heads of our high-tech

companies. Ask them about the contributions that immigrants have made, and are currently making, to their work.

Immigration policy is not only about keeping or getting the bad guys out. It is about getting the good ones in, as quickly as possible. Yes, there is a balance to be struck here, one that takes shape in everyday decisions about risk management and resource allocation. I hope that my remarks today have given you a better idea of where my priorities are. As you will have noted, my priorities are not indifferent to demographic projections. It is true that all western industrial democracies that experienced a baby boom are engaging in similar discussions. In formulating a policy response, it is perhaps worth noting that Canada has the distinct advantage of our history. Ours is a country that was built by immigrants and refugees. Our recent history is overwhelmingly one of tolerance and celebration of diversity.

In the years to come, more than ever before, this will be our competitive advantage. It is where we have come from. And it is where we are going. Thank you. *Merci.*

Susan Davis is co-author of *Not Just Numbers*, the report of the federal Immigration Legislative Review Advisory Group. She has been a consultant to the Department of Citizenship and Immigration since 1995 under the Interchange Canada program. Prior to that, Ms. Davis was the National Executive Director of Jewish Immigrant Aid Services of Canada. From 1983 to 1988, she served as a member of the Refugee Status Advisory Committee. Ms. Davis also worked as a Program Officer and a Protection Officer with the United Nations High Commissioner for Refugees from 1979 to 1983.

Ivan Head is Professor of Law and Chair of South-North Studies at the University of British Columbia. He was educated at the University of Alberta and Harvard University. He joined the UBC faculty in 1991 following three terms as President of the International Development Research Centre. From 1968 to 1978, Professor Head served as Special Assistant to the Prime Minister of Canada, Rt. Hon. Pierre Trudeau, for the greater part of that time with special responsibility for foreign policy and international relations. From 1967-68 he was Associate Counsel, Constitution to the federal Minister of Justice. Previously, he had practiced law in Calgary, served as an External Affairs Foreign Service Officer in Ottawa and in Southeast Asia, and was Associate Professor – later Professor – of Law at the University of Alberta.

Barbara McDougall has held a number of senior ministerial posts in the federal government, including Secretary of State for External Affairs, Minister of Employment and Immigration, and Minister of State for Finance. She has been associated with several high-level international consultative and advisory bodies, including the Washington-based Inter-American Dialogue, the International Crisis Group in London, the Council on Foreign Relations in New York and currently the Canadian Institute of International Affairs.

Demetrios Papademetriou directs the Carnegie Endowment's International Migration Policy Program and is also the co-founder and international co-chair of *Metropolis: An International Forum for*

Research and Policy on Migration and Cities. From 1991 to 1996, he served as chair of the Organisation for Economic Co-operation and Development Migration Committee (OECD). He previously served as Director of Immigration Policy and Research at the US Department of Labor and chaired the Secretary of Labor's Immigration Policy Task Force. Mr. Papademetriou has also published extensively on immigration and refugee policies, and their labour market and development repercussions.

Professor **Jeffrey Reitz** is the coordinator of graduate studies for the Centre for Industrial Relations and the director of the collaborative graduate program in ethnic and pluralism studies at the University of Toronto. Professor Reitz continues to examine the employment experiences of immigrant and ethnic populations; his current focus is on their success and experience in the new knowledge-based economies of Canada, the US and Australia. He also recently completed a comparison of the success of migrants in Canada and Germany, and is studying the experiences of immigrant and ethnic members of labour unions in Canada.

Hugh Segal is President and CEO of the Montreal-based Institute for Research on Public Policy, which is a Canadian non-partisan, bilingual public policy think tank. Mr. Segal has held a series of positions in the public and private sector including Associate Secretary of Cabinet for federal-provincial relations in Ontario and Chief of Staff to the Prime Minister of Canada.

T. Sher Singh is a litigation lawyer living in and practicing in Guelph, Ontario. He is also a regular op-ed columnist for The Toronto Star, and writes a weekly column for the Kitchener-Waterloo Record. He is a frequent commentator on radio and television on issues ranging from Law and Justice to Policing and Canadian Identity. He also lectures coast to coast on a wide range of topics. Mr. Singh has served as a member of the Ontario Police Commission for three years and, in 1998, was awarded the degree of Doctor of Laws, *honoris causa*, by Lakehead University.

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The Maytree Foundation is a Canadian charitable foundation established in 1982. Maytree believes that there are three fundamental sets of issues that threaten political and social stability: wealth disparities between and within nations; mass migration of people because of war, oppression and environmental disasters; and the degradation of the environment.

We view our society's toleration of poverty as a fundamental threat to stability both in the world at large and in Canada in particular. Systemic poverty is an unjustifiable burden to millions of people, and bears paralyzing costs to society. It perpetuates a vicious cycle by limiting opportunity and repressing the human spirit. The correlation between poverty and most serious social problems is a stunning indictment of society's continuing tolerance of poverty.

Maytree grants aim to combat poverty by creating opportunities for people to break the poverty cycle. We view migration as an opportunity if we recognize the strengths of the immigrants. We believe that newcomers offer tremendous benefits to the Canadian society and economy.

Therefore, programs that facilitate their settlement enrich Canada. Further, we believe that urbanization is a powerful force. Programs

that support the strengthening of communities are supported by The Maytree Foundation.

The Maytree Foundation's Refugee and Immigrant program focusses its energies on those social problems facing immigrants and refugees where our resources might make the most meaningful impact. We focus on two critical priorities that can either facilitate or hinder the effective settlement of immigrants and refugees. These are:

- the permanent protection in Canada, through landing, for Convention refugees
- opportunities for work, preferably in the field of previous experience and education, for immigrants.

In support of these goals, The Maytree Foundation funds direct service, public education and community capacity building initiatives. The Maytree Foundation supports local, practical solutions to old and new challenges of settlement – with the objective of gaining valuable insights on improvement and innovation that will inform the entire sector. We support broader awareness of the impact of national, provincial and institutional policies on immigrants and refugees while seeking to enhance the capacity of immigrant and refugee communities to take control of their own future.

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Established in 1992, the Caledon Institute of Social Policy is Canada's leading private, non-profit social policy think tank for social policy research and analysis. As an independent and critical voice that does not depend on government funding, Caledon seeks to inform and influence public and expert opinion and to foster public discussion on poverty and social policy. Caledon develops and promotes concrete, practicable proposals for the reform of social programs at all levels of government and of social benefits provided by employers and the voluntary sector.

The Caledon Institute has made significant contributions to the reform of social policy in Canada. Caledon has played an influential role in the reform of child benefits, public pensions, programs for Canadians with disabilities, tax policy and federal social transfer payments to the provinces. With its capacity to write about complex issues in clear and accessible language, Caledon has been instrumental in stimulating public interest in and understanding of social policy. Caledon's innovative *real leaders* and *community stories* series have provided a national voice for community leaders and social entre-

preneurs. Caledon is the Canadian co-representative on the International Social Reform Monitor project (sponsored by Germany's Bertelsmann Foundation) tracking changes in social policy, labour policy and industrial relations in 15 countries. In addition to writing Caledon commentaries and reports, staff deliver papers on various social policy issues to conferences and seminars that are published in journals and books in Canada and abroad.

Caledon is collaborating with the Refugee and Immigrant Program of The Maytree Foundation on a new refugee and immigrant series. The purpose of the series is to highlight the problems and policy issues that affect refugees and immigrants to Canada and to propose practical solutions to these problems. To date we have published *The New Immigration Act: More Questions Than Answers*, *Equal Access to Student Loans for Refugees*, *Immigrants Need Not Apply*, *Protection with a Price Tag: The Head Tax for Refugees and Their Families Must Go*, *What's in a Name?: Identity Documents and Convention Refugees*, and *Refugees in Legal Limbo*.

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The mandate of the Canadian Institute of International Affairs (CIIA) is to promote a deeper understanding of international affairs and of Canada's role in a changing world by providing members with a non-partisan, nation-wide forum for informed discussion, analysis and debate. By bringing together all interested parties – private sector, government, academia, NGO representatives, as well as the concerned public – to examine global issues through a distinctively Canadian lens, the CIIA contributes a unique perspective on Canada's place in the world.

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program of public education. As a nonprofit, charitable organization, the CIIA is committed to building a foreign policy community and international affairs constituency from coast to coast. CIIA activities, publications and speakers programs help interested Canadians acquire the foreign policy and international affairs knowledge and understanding essential for individual, corporate and national success in the world today. The Institute is the only private voluntary organization in Canada concerned with the whole range of global issues and has established close relations with business, government, the media, universities, opinion leaders and like-minded institutions throughout Canada and the world.