

implemented, giving no recourse to those whose claims are denied.

Question

How does this problem affect the Canadian economy and social structure?

Answer

We are maintaining a social and economic system that has created two classes of people - exploited non-status immigrants without social and citizenship rights who suffer great emotional and psychological stress - and the rest of the population. Regularizing people's status would also allow us to tap into unused resources of the non-status immigrants.

Question

What international agreements protect non-status immigrants?

Answer

There are international agreements that require states to treat immigrants, refugees and workers fairly. Although Canada has not signed the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (1990), it has signed the Declaration and Program of Action at the World Conference Against Racism, Xenophobia and Related Intolerances (WCAR) in Durban . The WCAR documents contain many sections dealing with the rights of migrant workers, including their right to be free from workplace discrimination and to be reunited with their families.



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Questions and Answers About Non-Status Canadians

Question

How does one become a non-status immigrant living in Canada?

Answer

"Living without status may mean that an application for status has been made but no decision has been reached. It may mean that an application, or a number of applications, for some kind of status was made but turned down. Living without status may also mean that no application has been made at all, either due to fear, misinformation, or lack of assistance and resources." It may also mean that someone's sponsorship or work permit relationship has broken down.

Question

What is "illegal" about non-status immigrants?

Answer

The question of legality refers to whether or not one has legal permission to remain in Canada . Some non-status immigrants entered Canada with work permits, student visas, or visitor visas and once their documents expired decided to stay, and thus have become "illegal" - meaning in contravention of our immigration statute.

Question

How many non-status immigrants live in Canada?

Answer

It is impossible to provide an accurate estimate. Most of the non-status immigrants are concentrated in Toronto , Montreal and Vancouver . Estimates range anywhere from 20,000 to 200,000 individuals.

Question

Is the issue of regularization of status for non-status immigrants a new one?

Answer

No. In the past, every time there has been an overhaul of our immigration law, the government has brought in programs to regularize the status of those who were caught in the old system. The first time the government introduced a special program to allow a person in Canada to regularize their status was in 1960. Since then there has been many other such programs: in 1972, 1986, 1989, and in 1995.

Question

Does the new immigration law, Immigration and Refugee Protection Act (IRPA), address the issue of non-status immigrants?

Answer

No. IRPA may in fact exacerbate the problem by making it even harder for people to qualify as permanent residents.

Question

Why doesn't the government deport all non-status immigrants?

Answer

Since many sectors of our economy rely on the exploited labour of non-status immigrants, it is not in the best interest of our economic system to deport non-status immigrants. The government cannot possibly deport everyone because there aren't enough resources to do that. Many people have established roots in Canada and have children who were born here. A number of people on deportation lists have no countries to be deported to because of international agreements to which Canada is a signatory.

Question

Why should Canada regularize the status of non-status immigrants?

Answer

This is a human rights issue. Entire families live in a state of constant stress and fear. Workers are being exploited. Children of non-status immigrants, whether Canadian-born or not, are denied the right to education. Children and entire families lack adequate and affordable medical coverage.

Question

In what way have government policies contributed to the creation of this problem?

Answer

Our government supports international agreements that allow the free movement of capital, business and goods across the globe. While businesses are free to move across borders to find thriving economic conditions, these same agreements deny people the same type of free movement. Business relocation has thus created huge areas of poverty and depression around the world giving people no choice but to migrate "illegally" to more prosperous countries in order to save their families and children from poverty.

Canada's international aid programs have been cut back and Canada is less involved in finding solutions to the problems of poverty in the developing world.

Immigration policies do not allow for expanded family reunification so that in many cases siblings are separated and forced to immigrate "illegally." Generally, the immigration system favours the highly educated people who are fluent in English or French and exclude many who could contribute in different ways to this country.

Refugees who need protection find it difficult to travel to Canada, which is one of the few countries that has a refugee determination system and that allows refugees to apply for permanent resident status once their claim is accepted. With the expected implementation of the Safe Third Country Agreement between Canada and the US, refugees will find it more difficult to enter Canada to seek protection. Finally, the refugee appeals process provided in the new immigration law has not been