

Access to permanent status: the key to equality and human rights
Presentation to the Standing Committee on Citizenship and Immigration
Hearings on the topic of undocumented and temporary foreign workers
April 8, 2008 – Toronto

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Tanya:

The Mennonite New Life Centre is deeply concerned by the recently tabled changes to the *Immigration and Refugee Protection Act* (IRPA) as part of the federal budget (Bill C-50). These changes limit access to permanent residence status. As we understand it, the Minister would have the power to establish categories of applications, the order in which they are processed, and numerical limits. As a result, some eligible applications would not even be processed. Further restricting access to permanent residence can be expected to increase the growing number of undocumented persons in Canada.

We are also gravely concerned with projected increases in the number of temporary work permits to be processed relative to applications granting permanent status. Temporary status places workers at increased risk of exploitation and abuse at the hands of their employers. Furthermore, they lack voice and vote in our political system. We believe that Canada should welcome newcomers as fully equal participants in society. Access to permanent status is key to ensuring such equality.

At this time, I would like to invite you to listen to the story of Mariela. Mariela is a committed and talented intern at the New Life Centre who knows first hand the struggles of being without full permanent status in Canada.

Mariela:

My name is Mariela. I believe everyone who comes to Canada has a story to tell. This is mine.

I was about seventeen years old when my family and I received a removal order. The year was 1998, exactly 8 years since we came to Canada. At the time I was finishing secondary school, grade 11 to be exact. My sister had just passed grade five and my parents were working in their own business which been open for about two years. It did not feel fair to be removed when all these years we had conformed and contributed to Canada. We had nothing to go back to – my younger sister didn't even speak Spanish. The deportation order was already in progress, so we had no choice other than to go underground, fleeing from our everyday life. This meant that even the house we lived in had to be abandoned with all our belongings. All those years of hard work were lost in a matter of hours. The business my parents owned was left with the person who we had co-signed our lease. We had lost a part of our identity. We were no longer part of Canada, the country we had called home.

There were nights where I spend hours thinking of this concept of being "illegal" without any status. It seemed to me that I had lost everything that mattered to me. We were close to despair. Our only option was to look for hideaways, as if we were criminals. With nowhere to go, with no one to help us, we trusted unreliable immigration paralegals who did nothing for our cause, other than rob us of our hard earned savings. In our fear, we were taken advantage of, not only by immigration consultants but also by unscrupulous employers. My parents had no choice other than to work under the table, making half the minimum wage, only to have enough for us to eat. Sometimes they even worked 18 hours a day, while my sister and I waited and prayed each day that they would come home safely.

As refugee claimants waiting on an answer, we managed to get by without any social assistance, even opening a small business. We were part of many multicultural events held in Toronto, and we did everything possible to integrate into Canadian society. This country felt like our home. We were as proud of it as any Canadian, with the only difference that we never knew how long they were going to let us stay. I was taught by my parents and our schools that education was important, but after we received the deportation order, even finishing secondary school was questionable. My whole future seemed in the hands of immigration. My dreams were put on hold.

No legal status meant living in anguish in horrific conditions. No one wanted to rent to us because we did not have proper identification. No legal status meant losing all my friends because of the fear of being reported to immigration. School was hard – the thought of being caught made it difficult to concentrate and enjoy learning. Our fears put our health at risk, and also prevented us from going to the hospital. The hardest part was the feeling of betrayal from the country I loved most. I believe we crossed many barriers, and were important to the Canadian society, but being denied of just about everything from one day to another felt like we were being punished for trying to live like any good citizen would.

Tanya:

As you have heard from Mariela's story, living without full permanent status means exploitation at work, fear in accessing basic services, and unnecessary suffering while waiting for the processing of applications for permanent status.

Recommendations from the Mennonite New Life Centre

1. Expand eligibility criteria for Humanitarian and Compassionate applications and / or introduce a Regularization process for persons without status. Protect applicants against deportation while their application is being processed.
2. Expand eligibility criteria for federally funded settlement services so that all newcomers can access services without fear, including assistance with regularization of their immigration status.
3. Prioritize access to permanent immigration over temporary labour programs. If there is an identified labour shortage, workers should be allowed to enter the country with landed status.

Thank you for the opportunity to share our concerns and recommendations. We look forward to your questions.