



CANADA'S PERIODICAL ON REFUGEES

REFUGEE

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On Determination

When Christopher Wren designed his famous cathedral in London, the term "awful" was originally applied to the building. But in the original application, "awful" meant awe inspiring. Tastes changed. What was previously awe inspiring came to mean its opposite, "horrible". Is this the prospect for determination? Will the refugee determination system, developed originally to help and protect refugees, come to mean a system used to deter refugees and protect countries from the influx of spontaneous arrivals?

Determination is an equivocal term. It can refer to an attitude of resolve. It can be used as an adjective to refer to a process by which a decision is made. Unfortunately, a new meaning is starting to be attached to the term — a determined used of procedures to deter. In other words, instead of standing for a process of decision making, it begins to stand for a process which is aimed at deterring others from deciding, specifically deciding to escape their home countries and seek refugee status.

The article in this issue on the Hong Kong Refugee Determination system argues quite forcefully that this has, in fact, become the objective of the new refugee determination system in Hong Kong. The article reviewing the results of the first four months of the Canadian refugee determination system suggests that this has *not* been the result of the Canadian system, even if a case can be made that it may have been, to some degree, the strategy of the civil servants who developed and are still in charge of implementing the legislation. We have approximately the same number of successful refugee claimants as we had prior to the introduction of the new legislation, though we do not know if and how many genuine refugee have

been deterred by the new system. Thus, in both cases we have determination systems designed to deter arrivals, but, in the case of Hong Kong, the arrivals keep coming even though there seems to be a total absence of objective determination in the system, while, in Canada, the arrivals have dropped significantly but the relative objectivity of the process has by and large been established.

Will "determination", when associated with refugees, come to develop a negative connotation associated with deterrence or will it retain a positive connotation associated with fair processing of claims?

Howard Adelman, Editor

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Boat People Returned to Haiti in Record Numbers

In the first four months of 1989 (through April 25) 2,669 Haitians, risking their lives in overcrowded wooden sailboats in attempts to reach the United States, were stopped by the US Coast Guard and returned to Haiti.

The month of March saw the greatest number interdicted since the operation began in 1981: 1,533 Haitians on 16 boats were forcibly repatriated. Twenty-three others drowned off the coast of eastern Cuba

when their 40-foot sailboat, carrying a total of 166 people, capsized in heavy seas. [from *HaitiInsight*, Vol. 1, No. 1 (May 1989), p. 5]

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Immigration and Refugee Board Status of Claims

January 1 — May 25, 1989

Initial Hearing Stage	Québec	Ontario	Prairies	B.C.	National
Claims initiated	1557	1689	114	420	3780
Hearings adjourned/postponed	207	154	4	21	386
Claims withdrawn/abandoned	55	53	6	19	133
Decisions rendered	1295	1482	104	380	3261
<i>Of Decisions rendered</i>					
Claims rejected					
eligibility	0	1	2	1	4
credible basis	63	127	8	38	236
Claims to full hearing	1232	1354	94	341	3021

Initial Claims by Country of Alleged Persecution

Afghanistan	20	Iraq	73
South Africa	6	Jamaica	18
Argentina	38	Lebanon	450
Bangladesh	49	Nicaragua	46
Brazil	14	Pakistan	63
Chile	41	Panama	14
Peoples Republic of China	169	Peru	26
Colombia	12	Philippines	7
Costa Rica	5	Poland	149
El Salvador	276	Portugal	9
Ethiopia	37	Dominican Republic	1
Fiji	6	Somalia	415
Ghana	72	Sri Lanka	610
Guatemala	84	Syria	17
Guyana	11	Trinidad & Tobago	26
Haiti	22	Turkey	3
Honduras	26	Venezuela	8
India	57	Zaire	29
Iran	345	Other	526

Full Hearing Stage	Québec	Ontario	Prairies	B.C.	National
Claims initiated	693	739	47	210	1689
Hearings adjourned/postponed	68	72	0	57	197
Claims withdrawn/abandoned	5	2	0	4	11
Decisions pending	116	155	13	19	303
Decisions rendered	504	510	34	130	1178
<i>Of Decisions rendered</i>					
Claims rejected	53	22	5	6	86
Claims upheld	451	488	29	124	1092