



CANADA'S PERIODICAL ON REFUGEES

REFUGEE

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EDITORIAL

The Canadian Council for Refugees recently held its semi-annual meeting in Montreal. This issue reprints an edited version of some of the resolutions passed at the meeting. This issue also endorses the call for an immediate reconsideration of the backlog program, though from a slightly different perspective than that of the Interchurch Committee. We have joined the non-government sector on repeated occasions in their critiques of government refugee policy. What we have not done previously is criticize the NGO sector. It is time to remedy that omission.

There is a risk. I find that it is easier to criticize mandarins and politicians than dedicated volunteers and underpaid workers in the NGO sector. The problem is not the status and role of refugee workers in the private sector. It is the proneness among some to brand a critic as an enemy and sellout to the government position. I find government officials and politicians acculturated to receiving criticism as if it is their destiny in life. I find many individuals in the private sector prone to adopting a sense of immunity to criticism because their stance is so morally correct.

The problem is not that the NGO criticisms are not generally valid. They

usually are. The problem is the strident, self-righteous tone conveying a sense of permanent moral rectitude and total accuracy whereas the government embodies moral cowardice if not wickedness combined with misrepresentation if not downright deceit.

With all the good will, dedicated work, commitment and conviction, indeed of tremendous sacrifice, of the those in the private sector committed to helping refugees, the tone of the diatribe that has evolved now leaves me with a bad taste. The CCR meeting is the only one that I can remember where an individual actually boasted about being paranoid, as if paranoia were no longer a state of irrationality but had become a revered stance to adopt when dealing with government refugee programs and proposals.

The fact is the NGO sector needs to develop a degree of self criticism and not simply continue to play the role of superego to the government.

As a member of the CCR and active in the NGO community, let me try to initiate some of that self-criticism.

Let us take some of the resolutions passed at the CCR meeting and, ignoring for the moment the verbal excesses, attend to the content and the rationale. Let me start with a tough issue that in itself almost demands that we rally and support it - the grilling of survivors of torture by security and intelligence officials. The resolution calls for an end to such practices. Victims of torture immediately demand genuine sympathy and concern. Representatives of spy agencies invite scorn from humanitarians.

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But the problem is far more complex than the simplistic resolution passed at the CCR meeting conveys. The Canadian and Security Intelligence Service is mandated by our parliament, not just our government, to undertake security checks. The Refugee Board is an independent tribunal; it should *not* and must not be concerned with whether a refugee claimant is a security risk. CSIS must have that as its major concern. CSIS cannot be expected to rely on the Refugee Board for such a determination. CSIS must do its own independent checks, including questioning torture victims who might also be security risks, as unpalatable as that may seem. The questioning of torture victims is not intended to test the credibility of those victims - that is a problem for the Refugee

Board. The Board is concerned with whether a refugee claim is credible. CSIS has a different concern - to assess whether the individual is a security risk. CSIS may be faulted for insensitivity, for possibly relying on information supplied by the victim's torturer, etc. But to suggest that CSIS simply accept the credibility of someone because their "credibility" in a very different sense and context has been vouched for by the Refugee Board goes too far.

Family reunification is another issue that immediately appeals for our support. But the effect of the resolution passed by the CCR, as I read it, is to request that the Minister of Immigration admit the members of families (wives, children, parents, brothers and sisters, ?) of individuals who are not refugees but are in Canada illegally.

Let me provide one more example. In the resolution concerned with sponsorship models for the 90's, after beginning with an opening that is at best misleading if not just false ("Members of the Canadian Council for Refugees have consistently supported the principle of private sponsorship" when, in fact, some members openly criticized private sponsorship as an attempt by the

government to dump its responsibilities for refugees onto the private sector), the resolution goes on to make two contradictory requirements. First, "Selection of refugees for whom private sponsorship applications have been submitted should be accepted," and secondly, "NHQ must ensure an accessible, speedy and credible review process for sponsorship refusals." Quite aside from the very questionable request to make sponsorship requests automatically accepted, if the advice were accepted then there would have been no refusals as a basis for a review process. One can't ask for no refusals and a review of refusals at one and the same time.

These criticisms are not just the meandering of a cantankerous old academic more concerned with sound logic than refugees. It is a concern with the process, care and integrity with which the CCR passes resolutions. The passing of a resolution should not simply be an opportunity for the NGO sector to vent understandable frustrations - a real danger. The CCR meetings should provide an apparatus for more carefully composing, debating and voting on such resolutions. *Howard Adelman, Editor*

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Centre for Refugee Studies, York University,
Suite 304, Administrative Studies Building,
4700 Keele Street, North York, Ontario, Canada M3J 1P3
Telephone (416) 736-3663 Fax (416) 736-3837
Electronic Mail via Bitnet Address:
REFUGE@YORKVMI

Editor: Howard Adelman
Assistant to Editor: Ling Xia
Circulation Manager: Helen Gross
Assistant to the Circulation Manager:
Ching Man (C.M.) Wong

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Letter to the Editor:

LIMITED FACTS FROM IRB STATISTICS ON REFUGEE CLAIMS?

Just a note to alert you and the editors of "Refuge" to the fact that the statistics from the Refugee Board are limited and can misrepresent the situation.

When the new law came into effect, the Immigration Department began a new recording procedure which registered as claimants those persons who arrived in Canada, were not admitted any other way and who indicated a wish to make a refugee claim. Previously, the Immigration Department had registered everyone who was reported as an irregular arrival as a "potential refugee claimant". Thus between 1988 and 1989 the number of claims fell for this technical reason alone.

Using the new definition, the

Immigration Department monitors refugee arrivals. The reports are called "Refugee Determination System-Monthly Report" of which we receive tables 1, 2, and 3. No one knows how accurate their figures are because there is no independent assessment. However, the statistics released are plausible. They tell the story before the Refugee Board becomes involved at the first screening hearing and after the Board has finished.

From this perspective, up to October 31, 1990, over 50,000 asylum seekers arrived. The reports shows that almost half the claimants came via the United States. At some major border points automatic return, refoulement, occurs to the United States. You recall the new law provides for return to the