

The Maytree Foundation

presents

Who Should Get In? Rethinking Immigration Priorities

Wednesday, February 28, 2001
2:00 PM – 4:00 PM
Glenn Gould Studio, CBC Building
250 Front Street West, Toronto, Ontario

Welcome

The Maytree Foundation is pleased to welcome you to today's forum:

“Who Should Get In? Rethinking Immigration Priorities”

Today's forum addresses a number of key questions:

- Do we see immigration as being primarily about filling short-term labour market gaps, or long-term economic strategies?
- Is it about reunifying families or supplying enough young workers to the labour pool? Or is immigration first of all about building a vibrant, diverse, healthy society?
- Are we looking for only the wealthiest, best educated and most skilled, or for anyone who truly wants to adopt this country as their home and has the skills and the ability to land on their feet?
- Where do our humanitarian commitments fit into the scheme, and should they be subject to quotas?
- What are our priorities as a nation, and what role does immigration play in meeting those priorities?

It is our objective to bring new and fresh thinking to immigration and refugee policy questions in Canada by bringing people together to engage in substantive dialogue and debate. By putting forward and exchanging new ideas, by bringing new stakeholders to the table, and by developing new leadership in the process, we hope to enhance public discourse.

Thank you for joining us today.

Sincerely,



Ratna Omidvar
Executive Director

Speakers

Donna Dasko, Senior Vice President, Environics Research Group

Donna Dasko is one of Canada's best known pollsters and social survey researchers. As Senior Vice President of Environics Research Group, Donna is a senior manager of the company and directs custom research assignments in the public and private sector. She is also a senior consultant to Environics syndicated public opinion report, The FOCUS CANADA Report and as director of that report between 1984 and 1999 developed it to be Canada's largest public opinion survey. She has directed hundreds of research projects during her career including qualitative projects and quantitative surveys, in the area of public policy, corporate image and communications testing. Donna is active in the community as director of the Council for Canadian Unity and the Statistics Canada Advisory Committee on Social Conditions. She is past president of St. Stephen's Community House and a former director of the United Way of Greater Toronto. Donna holds a B.A. (Honours) from the University of Manitoba, an M.A. and a Ph.D. from the University of Toronto.

Amy Go, Executive Director, Yee Hong Centre for Geriatric Care

Amy Go is the executive director of the Yee Hong Centre for Geriatric Care where she oversees a 156 bed long term care facility and is participating in the development of a new 200-bed geriatric care centre. From 1993 to 1999, Amy was the Director of Community Support Services at Woodgreen Community Centre where she managed 16 programs and supervised over 100 staff. From 1991 to 1993, Amy served as the President of the Chinese Canadian National Council, and from 1995 to 1997 she was the National Secretary for the National Action Committee on the Status of Women. Amy is the past chair of the Ontario Community Support Association, Toronto Chapter and has been a past board member of the Community Social Planning Council of Toronto. Amy holds a B.A. (Honours) from the University of Waterloo and an M.S.W. from the University of Toronto.

Richard Gwyn, Columnist, The Toronto Star

Richard Gwyn is one of Canada's best-known and most highly regarded political commentators. The author of several best-selling books and the recipient of awards for both newspaper and magazine writing, his articles are syndicated from coast to coast and he is a frequent commentator on both TV and radio. Richard has been a journalist for 36 years and has worked for many media organizations, from Time Magazine to the Toronto Star and the CBC. In 1973, Richard joined the Toronto Star as its Ottawa-based columnist and in 1985 was appointed The Star's International Affairs columnist based in London. In 1992, he returned to Canada to write the column "Home and Away" in the Star. Richard comments weekly on international affairs for TV Ontario's daily public affairs program, Studio 2 and Diplomatic Immunity. During his career, he has won two National Newspaper Awards and a National Magazine Award. Richard is the author of several political books, including *The Unlikely Revolutionary* and *The Northern Magus*. In 1995, Richard published his most recent book, *Nationalism Without Walls: The Unbearable Lightness of Being Canadian*.

Haroon Siddiqui, Editorial Page Editor Emeritus, The Toronto Star

Haroon Siddiqui is Editorial Page Editor Emeritus of The Toronto Star. He writes a twice-weekly column that explores, among other things, post-modern Canada's role in the global village. Over the past 30 years he has worked for a broader definition of Canadian collectivity, inclusive not only of the aspirations of First-Canadians and French-Canadians but also of newer immigrants. From 1985 to 1990, Haroon was The Toronto Star's National Editor in-charge of coverage of federal and provincial affairs, including the historic debates on Meech Lake and Charlottetown accords and Free Trade. Earlier he was News Editor (1982-85) and Foreign Affairs Analyst (1979-82), specializing in the Middle East, West and South Asia. From 1990 to 1998, Haroon was The Star's Editorial Page Editor. Having traveled to nearly 40 countries and working in Western Canada for a decade, he advocates a pan-Canadian view that crosses regions, religions, races, ethnicities and cultures.

Canada's stated immigration and refugee protection objectives

Section 3, “Objectives”, of the current *Immigration Act* begins as follows: “It is hereby declared that Canadian immigration policy and the rules and regulations made under this Act shall be designed and administered in such a manner as to promote the domestic and international interests of Canada recognizing the need...” This is followed by a list of 10 such needs, ranging from demographic goals and health and safety and good order to family reunification, non-discrimination, refugee protection and keeping out criminals.

In contrast, the proposed new *Immigration and Refugee Protection Act* has two separate sets of objectives, one pertaining to immigration and one pertaining to refugee protection. Section 3(1) (immigration objectives) lists as the first objective (a) “to permit Canada to pursue the maximum social, cultural and economic benefits of immigration.” This is followed by 8 further objectives, many similar to those in the old Act. Section 3(2) (refugee protection objectives) begins with the objective (a) “to recognize that the refugee program is in the first instance about saving lives and offering protection to the displaced and persecuted.” The next seven objectives range from (b) fulfilling international obligations regarding refugees to (f) supporting self-sufficiency and social and economic well-being of refugees, (g) protecting health and safety of Canadians and (h) keeping out serious criminals and security risks.

Canada's legal obligations re immigrants and refugees

Canada's immigration and refugee program is subject to certain Constitutional and international legal obligations. Foremost among these are:

- **The Charter of Rights and Freedoms:** R v. Singh (Supreme Court of Canada) ruled that the Charter's guarantee of fundamental justice applies not just to those with recognized legal status in Canada (such as citizens, permanent residents, Convention refugees) but also to those claiming refugee status.
- **The 1951 Convention relating to the Status of Refugees:** As a party to this convention, Canada is obliged to provide protection to those who have a "well-founded fear of persecution" on certain enumerated grounds, and is prohibited from returning individuals to their country of origin if they will be persecuted there ("non-refoulement"). The convention obliges signatories to grant a range of civil rights to refugees, and to provide them with travel and identity documents if they do not have them from their country of origin. (Canada is in violation of this requirement.) Article 31 prohibits countries from imposing "penalties, on account of illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened...enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence."
- Other important human rights instruments with a direct bearing on Canadian immigration and refugee law and policy are the: **Convention on the Rights of the Child** (which requires, among other things, that the best interest of the child be a primary consideration in immigration policies and decisions, and guarantees children the right to be reunited with their families); the **Convention Against Torture** (which prohibits the return of anyone to a place where they face a real risk of torture, among other provisions). Also directly relevant are the **International Covenant on Civil and Political Rights**, the **International Covenant on Economic, Social and Cultural Rights** and the **American Convention on Human Rights**.
- Canada is also a signatory or has ratified the **Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region** ("the Lisbon Convention") and the **Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the European Region**.

Immigration by class, 1997-2000 and planned for 2001-2002

	1997	1998	1999	2000	<i>2001 plan</i>	<i>2002 plan</i>
Family class immigrants (27-29%)	59,953	50,880	55,216	60,426	<i>57,000</i> <i>- 61,000</i>	<i>59,800</i> <i>- 63,700</i>
Economic immigrants (55-59%)	125,465	94,967	105,404	133,201	<i>116,900</i> <i>- 130,700</i>	<i>123,000</i> <i>- 136,700</i>
Other immigrants*	6,174	5,415	4,767	3,244	<i>4,000</i>	<i>4,200</i>
TOTAL immigrants	191,592	151,262	165,387	196,871	<i>177,900</i> <i>- 195,700</i>	<i>187,000</i> <i>- 204,600</i>
Government assisted refugees	7,671	7,397	7,442	7,367	<i>7,300</i>	<i>7,500</i>
Privately sponsored refugees	2,612	2,169	2,331	2,905	<i>2,800</i> <i>- 4,000</i>	<i>2,900</i> <i>- 4,200</i>
Refugees landed in Canada (+ dependents overseas)	10,626 (+3,221)	10,178 (+2,956)	11,790 (+2,804)	12,955 (+3,481)	<i>10,000</i> <i>-15,000</i> <i>(+ 2,000</i> <i>- 3,000)</i>	<i>10,500</i> <i>- 15,600</i> <i>(+2,100</i> <i>- 3,100)</i>
TOTAL refugees (11-13%)	24,130	22,700	24,367	26,708 (+ 3258 Kosovars**)	<i>22,100</i> <i>- 29,300</i>	<i>23,000</i> <i>- 30,400</i>
TOTAL Immigrants and refugees	216,014	174,159	189,816	226,837	<i>200,000</i> <i>-225,000</i>	<i>210,000</i> <i>-235,000</i>

Includes live-in caregivers, provincial nominees, and "Special Categories."

**The Kosovar refugees were part of a special movement.

SOURCE: Citizenship and Immigration Canada (Facts and Figures 1999; News Release 2001-01)

Top 10 source countries (all classes) in 2000

Country	2000
China	36,664
India	26,004
Pakistan	14,163
Philippines	10,063
South Korea	7,602
Sri Lanka	5,832
USA	5,806
Iran	5,598
Yugoslavia	4,699
Great Britain	4,644

SOURCE: Citizenship and Immigration Canada (News Release 2001-01)

In-Canada Convention refugee determination: 1991 – 2000

Year	Claims referred to CRDD	Positive decisions	Negative decisions	Total claims finalized	Rate of positive decisions
2000	34,253	13,990	10,134	25,809	54.2%
1999	29,391	12,954	9,378	27,929	46.4%
1998	23,897	12,925	10,251	29,407	44.0%
1997	22,706	10,039	9,052	24,841	40.4%
1996	26,098	9,628	7,091	21,976	43.8%
1995	26,414	9,697	4,054	17,154	56.5%
1994	22,376	15,306	6,650	25,643	59.7%
1993	35,701	14,200	11,651	30,744	46.2%
1992	31,701	17,608	9,985	29,454	59.8%
1991	31,342	19,913	7,602	28,909	68.9%

SOURCE: Convention Refugee Determination Division of the Immigration and Refugee Board.

Immigration categories

Economic immigrants

There are 2 main categories of “economic” immigrants: independent immigrants, or “skilled workers”, and business immigrants.

Independent immigrants (skilled workers)

The Independent Class is by far the largest category of immigrants, making up more than half the total number of immigrants and refugees landed in Canada in recent years (118,307 in 2000). The class is designed to meet Canada’s longer-term economic and labour market needs and goals. Most independent

immigrants are skilled workers, who are expected to have the skills, education, work experience, language ability and other qualities needed to participate in the Canadian labour market. The selection criteria, known as the "point" system, focus on occupation, education and training, experience, age, and knowledge of English and/or French. Bonus points are given if relatives in Canada are Canadian citizens or permanent residents.

The federal government's Occupations List details the number of points awarded for each occupation and the required training. The number of points awarded to various occupations is intended to reflect demand in the Canadian labour market. However, in recent years the list has been severely criticized for being static and perennially out of date (the current list was published in 1997) and thus not reflective of the fast changing Canadian economy. Another problem with the list is that because it awards immigrants points for their occupation and training, it gives them the impression that they will be able to practice their occupations in Canada. Unfortunately, this is all-too-often a false impression. Particularly in the regulated professions and trades, immigrants face sometimes insurmountable barriers to recognition of the very education and occupational training for which they were selected for immigration to Canada. Some critics have labeled this a policy of "seduction and abandonment."

As part of its overhaul of immigration legislation and policy (see page12), Citizenship and Immigration is developing a new skilled worker selection system. There are a number of models under consideration at this time, but all are geared to moving away from occupation-based selection to selection based on "flexible and transferable skills." The new model will assign greater weight to education and to knowledge of English or French.

Business immigrants

The business class is relatively small (13,645 in 2000) and is geared to those who can invest in or establish businesses in Canada. Business immigrants include investors, entrepreneurs and self-employed immigrants. Selection criteria vary for each category. Investors must invest a minimum amount (\$400,000) in approved projects in Canada and have a minimum net worth of \$800,000. Entrepreneurs must establish or buy a business in Canada that contributes to the Canadian economy and creates one or more jobs in Canada in addition to the jobs created for the entrepreneur and family. Self-employed applicants must be able to establish or buy a business in Canada, which will provide employment for themselves and will make an economic or cultural contribution to Canada.

Family class

Currently, a permanent resident or citizen may sponsor a close relative to immigrate to Canada as a member of the family class. Sponsors must agree to support the family member and accompanying dependents for 10 years, to help them settle in Canada. Last year, 60,426 immigrants came to Canada in this class. The federal government is considering expanding the family class somewhat by increasing the maximum age of a "dependent child" from 19 to 22, and including spouses, common-law and same-sex partners.

Refugees

As a signatory of the United Nations' 1951 *Geneva Convention Relating to the Status of Refugees* and its 1967 Protocol, Canada has undertaken to provide protection to Convention refugees, defined as persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group. Each year, Canada accepts between 20,000 and 30,000 Convention refugees and other displaced persons. Roughly half of these refugees are selected abroad for resettlement in Canada, with the assistance of either the federal government or private sponsors; the others are successful refugee claimants, who arrived in Canada seeking protection and had their claims to Convention refugee status accepted by the Immigration and Refugee Board.

Destinations in Canada

About 70 percent of immigrants to Canada settle in Canada's 3 largest cities of Toronto, Vancouver and Montreal, nearly one-half (44%) going to Toronto alone.

Level of education*: all categories of refugees and immigrants

The overall rate of university graduates among *all* categories of immigrants, including refugees, family class immigrants and economic immigrants is substantially higher than that for the Canadian-born in the same age group.

- 36% of immigrant men have a university degree, compared to 18% of Canadian-born men.
- 31% of recent immigrant women have a university degree, compared with 20% of Canadian-born women.

SOURCE: StatsCan, based on 1996 data.

Level of education*: economic class (skilled workers)

- About 72% of the principal applicants in the skilled worker class have at least one university degree.
- Factoring in their dependents 15 years of age or over, the rate is 59.6%.

SOURCE: StatsCan, based on 1997 data.

*Note: there is some debate about the comparability of university degrees between countries.

Labour market gaps

While hard data is very difficult to obtain, it is well known that some sectors of the Canadian economy are experiencing significant labour shortages. While the most talked-about is the health sector (it is widely agreed that Ontario is short by about 1000 doctors today, including 500 family doctors), shortages are also observed in such sectors as education (primarily post-secondary), industrial tool and die makers, the information technology field, and construction.

Top 10 regulated professions among new immigrants to Ontario: 1994-1998

Rank	Profession	Landing Year					
		1994	1995	1996	1997	1998	Total 1994-98
1	Engineers	2,546	3,513	5,031	6,028	5,268	22,566
2	Engineering technicians & technologists	1,949	2,391	2,951	3,085	1,601	11,977
3	Accountants	579	809	1,304	1,606	700	4,998
4	Teachers	411	328	367	285	212	1,603
5	Medical Lab Technologists	203	270	345	390	161	1,369
6	Nurses and Practical Nurses	422	307	210	194	88	1,221
7	Pharmacists	155	223	221	258	162	1,019
8	Architects	106	126	154	172	111	669
9	Physicians or Surgeons	148	123	148	119	77	615
10	Land Surveyors	49	63	67	67	28	294

Top 10 regulated trades among new immigrants to Ontario: 1994-1998

Rank	Trade	Landing Year					
		1994	1995	1996	1997	1998	Total 1994-98
1	Cooks/Bakers	924	849	954	1,003	671	4,401
2	Industrial Millwrights	186	259	356	406	258	1,465
3	Automotive Service Technicians	261	212	276	208	78	1,035
4	Hairstylists and Barbers	239	251	225	203	70	988
5	Machinists	186	141	149	115	66	657
6	Tool and Die Makers	117	127	126	140	111	621
7	Electricians	88	96	83	92	64	423
8	Autobody Repairer and Painters	45	41	30	23	26	165
9	Refrigeration/Air Condition Mechanics	35	29	41	25	19	149
10	Plumber/Steamfitters	39	36	27	26	13	161

Source: Citizenship and Immigration Canada, the Ontario Ministry of Training, Colleges and Universities, APT Unit. Based on immigrants aged 18-64; based on the Canadian Classification Dictionary of Occupations (CCDO)

Note: These numbers are intended occupations as self-reported on landing documents for immigration purposes. They therefore represent only the professions of principal applicants, and not those of other family members or dependents on the same application. Actual numbers of immigrants in any of these professions may therefore be significantly higher. Note also that these statistics are likely skewed towards male-dominated professions, as primary applicants tend to be males.

The role of provinces in selection: Provincial Nominees

The federal government has negotiated agreements with several provinces which allow provinces to nominate a number (100-200 per year) of immigrants, based on provincial labour market needs. This is still in the piloting stage. Last year, 1,249 skilled workers immigrated to Canada as provincial nominees.

The proposed Immigration and Refugee Protection Act

On February 21, 2001, Immigration Minister Elinor Caplan tabled new legislation to replace the current tangle of legislation and regulations governing immigration and refugee protection. This new bill is in large measure the same as Bill C-31, which was introduced last spring but died on the order paper when the election was called. However, some important changes have been made to address some of the concerns expressed by critics. The new bill is available in summary and in full on the Department of Citizenship and Immigration's website: www.cic.gc.ca. (For Maytree's observations on the predecessor, Bill C-31, see "The New Immigration Act: More Questions than Answers" and "Don't Slam the Door", available on the Maytree website (www.maytree.com) under publications).

Access to professions and trades: a quick summary

- Fewer than a quarter of immigrant professionals in Ontario are actually employed in their professions of training.
- The first job a foreign-trained professional takes in Ontario has a significant impact on their current job. Among those who arrived in Ontario in 1994 and 1995, those whose first job was in their field stood an 83%-89% likelihood of still working in their field in 1999. In contrast, those whose first job was not in their field of expertise had only a 39%-43% chance of being employed in their field by 1999.

SOURCE: The Facts Are In! Ontario Ministry of Training, Colleges and Universities, 2000

Barriers:

- pre-immigration information • licensure • Canadian experience • systemic discrimination

Stakeholders:

- immigrants and refugees • employers • Federal government (CIC, HRDC)
- Provinces (responsible for occupational regulation; direct role in trades licensure; immigrant settlement)
- independent Occupational Regulatory Bodies (ORBs) (gatekeepers to professional practice, authority delegated from the provinces)
- academic credential assessment services • post-secondary educational institutions
community agencies

What's being done/proposed

- The Department of Citizenship and Immigration Canada is developing a new immigrant selection model that may reduce expectations among immigrants that they will be able to enter a regulated occupation in Canada.

- Ontario has a new academic credential assessment service (World Education Service). Several other provinces have such services in place.
- Ottawa and the provinces have a joint working group on APT focused on information-sharing and harmonization of provincial credential assessments.
- There is a growing trend among regulators to move away from credential-based assessment to a system geared more directly to assessing occupational competency.
- The interprovincial Agreement on Internal Trade and the Social Union Framework Agreement require provincial regulators to work towards mutual recognition of occupational licensure from province to province. This model of cross-jurisdictional qualification recognition and the momentum created by the Agreement may encourage regulators to look at more effective and fair ways to assess qualifications not just from other provinces but from foreign jurisdictions as well.
- Canada is a signatory to European agreements on educational credential recognition between signatory states.

Racism, poverty and unemployment in Toronto

A number of reports have been published over the past year exposing the correlation between visible minority status, recent immigrant status, unemployment and poverty. These reports show a growing poverty and unemployment gap between recent immigrants and visible minorities on the one hand and Canadian-born persons of European descent on the other. Among these are:

- Michael Ornstein. "Ethno-Racial Inequality in the City of Toronto: An Analysis of the 1996 Census." Prepared for the Access and Equity Unit, Strategic and Corporate Policy Division, Chief Administrator's Office, City of Toronto. May 2000.
- Jean Lock Kunz, Anne Milan and Sylvain Schetagne. "Unequal Access: A Canadian Profile of Racial Differences in Education, Employment and Income." Prepared for the Canadian Race Relations Foundation by the Canadian Council on Social Development 2000.