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GROWING A SUSTAINABLE CANADA - GETTING IMMIGRATION RIGHT

POGG IMMIGRATION REPORT 1

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INTRODUCTION

When we started this project we had little idea of the number of hours we would spend in research, discussion, debate and writing as we earnestly carried out our mission. The complexity of the subject is almost beyond description. The emotions attached to the subject seem to be almost as many as the ripples and waves on our lakes and rivers and ocean fronts, and just as difficult to control.

Our paper is a primer on many immigration-related issues as seen by a group of Canadians. We offer some analysis and recommendations in the knowledge that there are many other arguably valid views and conclusions that could be included within a paper such as this.

Our goal is to inspire thoughtful discussion and action by governments and citizens. It is the one goal we believe may be achieved to the benefit of all who were born in Canada or have chosen to be a part of Canada, and even those yet to arrive.

We had no budget or staff, but, we were fortunate enough to have the support of knowledgeable and generous people such as the following, who provided invaluable services at no cost as Consultants and Advisors: James (Joe) Bissett and Margret Kopala.

We sincerely thank Colleen Henderson who provided a critique of the final paper and others who, though remaining anonymous, were vital to our deliberations.

Our appreciation is extended to Daniel Stoffman for authoring 'Who Gets In - What's wrong with Canada's immigration program, and how to fix it'. We found it to be an invaluable source of information and informed opinion. Joe Bissett, the prime consultant to our efforts, is a source often quoted in Stoffman's book. 'Joe' also has been interviewed on national television (CTV's 'Duffy Live' and other programs) as well as in the print media and is in demand across Canada as a respected speaker.

The POGG IMMIGRATION PAPER COMMITTEE is composed of concerned Canadians who do not claim any special expertise in immigration and refugee matters but who wished to speak out on what we perceive as a system not operating to the benefit of our families and society nor is it serving well the needs of those who migrate to Canada. Those who met weekly included Gary Chivers; Phil Donnelly; David Foulkes; Prue Packwood; Rod Packwood; Bruce Ricketts; Eric Smith; Harry Weldon and Helen Weldon. Our consultants, advisors, and others attended from time to time.

THE CHALLENGE:

There is no totally correct path to follow regarding immigration policies. The movement of people between regions on this planet goes back to Adam and Eve being driven out of the Garden of Eden for not obeying God's rules¹. People have been moving ever since in search of their personal Eden, only to find people already there, with their own rules. - **It is time for the people of Canada to examine "our own rules"**.

COMMENTS by the POGG Immigration Committee²

'Who gets in to Canada' and when, and the many other issues surrounding immigration, refugees and asylum seekers have properly become a matter of concerned discussion amongst Canadians. This dialogue is fraught with fixed ideological and political and commercial self-serving comments from those who would greatly increase the numbers of entrants and those who would reduce the inflow to a relative trickle. The current backlogged situation inhibits the timely processing of the skilled and other well-educated applicants who would best meet Canada's needs.

The major beneficiaries of the current Immigration and Refugee Protection Act (2001) are unskilled applicants, immigration consultants, legal advisors, employers of low-wage labour, and political players who seek power based on the electoral support of such persons.

As we will show in the attached Paper, 'Growing a Sustainable Canada', the ideologues and far too many politicians, supported by many in the 'immigration industry', criticize a return to the former system of serving Canada's real needs, true humanitarian needs, and the genuine immigrants who require our assistance in becoming successful Canadians.

It is a fact that:

1. Eighty-three percent of Canadians were born in Canada (Ethnic Canadians)³ while only 17% of Canadians were born elsewhere.
2. Immigration is not a solution to the aging of our population.
3. Acceptance of United Nations-recognized refugees, and the speedy and legal processing of those who claim refugee status, upon landing or otherwise entering Canada, will enable Canada to better and more properly fulfill the duty of providing humanitarian service to those truly in need, while still safe-guarding Canadian economic and security needs.
4. Immigration of skilled and well-educated persons⁴ and their immediate dependents will substantially benefit Canada.

The immigration of lesser-skilled and lesser-educated persons, who must take low-wage work to survive, depresses wages. If such persons did not increase competition for the jobs "that Canadians will not take", or that are held by other low-skilled immigrants then the wage rates for

¹ The Book of Genesis

² POGG - an informal association of Canadians living in Ottawa, Ontario who meet monthly to discuss a wide range of public issues. The acronym comes from 'Peace, Order and Good Government'.

³ "Who Gets In - What's wrong with Canada's immigration program, and how to fix it' by Daniel Stoffman, page 37

⁴ There are three classes of immigrants: (1) Independent class immigrants (sometimes called "skilled" or "economic" immigrants) are those selected on the basis of their education and skills; (2) Family class immigrants are accepted because they are related to someone already living in Canada; and, (3) Refugees.

such employment would increase to a point where the jobs would be filled; or, alternatively, employers would automate or eliminate many such jobs and invest in the creation of higher-value jobs. Unfettered increases in immigration profits employers the most; it does not encourage increasing productivity. Canada should not be encouraging a low-wage economy. Canada needs a skilled and knowledgeable labour force⁵ that will enable us to compete successfully in the newer world economy.

6. The cost of providing social supports to the large numbers of immigrants who have entered without the skills needed by Canada, as is done under the present system, is not supportable over time.
7. The present system and the degree of difficulty in removing those who may be a security risk requires review and improvement to strengthen national security and the safety of Canadians, and to maintain business flows across our land borders.

Based on the above, and other factors, we call for a reasoned public debate and for action by our federal government and Parliament.

This Paper also contains specific recommendations including a major redrafting of the objectives of the Immigration & Refugee Protection Act, and the creation of a Certificate of Canadian Values (based on a paper produced by POGG in August 2007) to inform and guide those who wish to enter permanently into Canada.

⁵ The government claims that 60% of immigrants are 'Independent' class who were selected on the basis of their skills and education. After deleting the family members (spouses, children and parents) the number is reduced to less than 25% of the total intake. If there is a backlog of 900,000 accepted applications, only 225,000 would be skilled.

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GROWING A SUSTAINABLE CANADA

OVERVIEW:

POGG first discussed the groundswell of public concern over immigration into Canada in September, 2007 and invited Mr. James (Joe) Bissett to address their November meeting. POGG then decided to produce a paper on immigration to inform and encourage public debate and, in so doing, encourage changes in public policy. From January to April, 2008 a POGG committee considered many of the challenges facing Canada in a world concerned with sustainability and the migrations of people.

The immigration committee quickly realized that the challenges of immigration interact with many areas of vital concern to Canadians and that immigration reform is an urgent first step towards a Sustainable Canada⁶.

THE SECOND STEP: ESTABLISHING A FUTURE CANADA COMMISSION

Immigration impacts Canada's natural and human environments, its productivity and international competitiveness, social services requirements and other infrastructures. Canada must methodically determine how large a population is sustainable nationally and in each of the identifiable land masses e.g. provinces and territories.

Researching areas such as the supply of potential immigrants, environment, food production and sufficiency, energy sources and capacities, human resource development and capabilities, social structures, manufacturing, water resources and requirements, and territorial integrity would constitute part of this Commission's terms of reference.

Such a commission would heed empirical data, studies and analyses in regard to the changes and challenges that occur and evolve over time in such areas as demographics, climate, education needs, labour force needs, security and other international demands and responsibilities, and economic forces.

Recommendation: A Futures Canada Commission should be established by the Government of Canada with the continuing mandate to conduct studies and analyses and to disseminate information on national growth and sustainability.

THE FIRST STEP: GETTING IMMIGRATION RIGHT

Daniel Stoffman, author of the book, WHO GETS IN - What's wrong with Canada's immigration program - and how to fix it,⁷ states:

"Canada is the most immigrant-friendly country in the world, accepting (on a per capita basis) twice as many immigrants as the next most welcoming nation; but, many of those entering Canada are people about whom little is known."

"Canada's immigration program used to be run in the national interest. It has come to belong to those who benefit from it, either politically (most newcomers vote Liberal, therefore, traditionally the Liberal Party has favoured immigration as a tool to strengthen electoral support), or,

⁶ It is proposed to "stabilize the population of the UK at 65 million . . . thus easing growing pressures on health, education and transport services and on our environment as a whole. The British House of Lords Economic Study, March, 2008 Report on Immigration.

⁷ Macfarlane Walter & Ross (an affiliate of McClelland & Stewart Ltd.) Copyright 2002 by Words on Paper Inc.

economically (a whole industry has grown up around immigration, refugee, and multicultural issues⁸).”

Mr. Stoffman points out that our immigration policy is based on two false premises:

- (1) that immigration provides substantial economic benefits, and,
- (2) that we need a huge influx of younger people to offset the aging of our population⁹.

Both assumptions he persuasively refutes. Add political correctness, desirable diversity being used to justify multiculturalism¹⁰, a voting public that has not yet made immigration an election issue you have the most generous, insecure, and bungled immigration system in the world.

The present immigration system is not designed to work in the best interests of Canada. Many factors continue to contribute to a state of near-collapse of immigration policy and practice in Canada. There is a backlog of more than 900,000 immigrant applicants (National Post - March 13, 2008), a too-generous family re-unification program (compared to any other western nation¹¹), an inability to quickly take in and gainfully employ the labour resources that best benefit Canada, and an inability to properly settle the immigrant and refugee.

Until 'Future Canada' studies can more substantially inform the debate on immigration, it is vital that Canada immediately ensure that it maintain appropriate oversight over:

- (a) the immigration powers delegated by agreement to provincial administrations, and,
- (b) other population-to-resources related matters.

There is a time-urgent need to reform the immigration system, including the laws directly and indirectly affecting control over immigration.

'Getting Immigration Right' is an urgent national necessity.

⁸ Ibid Stoffman - page 87, "Legal aid for refugees amounted to more than \$21 million in 2000."

⁹ Sweden has similar demographics as Canada. It is not seeking to re-balance age demographics by immigration, and is still an economic success story.

¹⁰ Especially useful on the subject of multi-culturism are Neil Bissoondath's 'Selling Illusions: The Cult of Multiculturalism in Canada (Penguin, 1994) and 'The Illusion of Difference: Realities of Ethnicity in Canada and the United States, by Jeffrey Reitz and Raymond Breton (C.D. Howe Institute, 1994)

¹¹ Stoffman, "Who Gets In . . ." page 188

RECOMMENDATIONS FOR 'GETTING IMMIGRATION RIGHT'

1. The Evolution of Canada's Immigration Policies (Appendix 'A')

Canada has progressed from the largely agrarian, forestry and mining nation that required thousands of frontier-type pioneers and unskilled labour to build the nation, to full entry into the knowledge society and a larger role in the world beyond our borders. Immigration policies must reflect this - current legislation and policies do not.

(a) Over the years, immigration to Canada has gone from a tool to boost the well-being of the country and its people to a policy of what might be better termed 'social engineering'¹². This strong change of course must be corrected by Parliament and the Government (Appendix B) .

(b) Some provincial governments have taken more than co-control of the policy with the federal government, and the question to be answered by the federal government is "Does this delegation of a federal responsibility, and the allocation of federal immigration funding to the provinces, benefit Canada?"

2. The Immigration & Refugees Protection Act - Reforming the Objectives (Appendix 'B')

The Immigration and Refugee Protection Act must be redrafted so that it is directed to the needs of Canada and its international obligations. To this end Appendix B provides a new draft of the 'objectives'.

3. The Charter of Rights and Freedoms (Appendix 'C')

The Immigration and Refugee system is much too litigious – in large part due to Section 7 of the Charter of Rights and Freedoms and related decisions of The Supreme Court of Canada¹³. This appears to have caused immigration officers to be reluctant to deny entry visas due to a requirement to extensively justify each such decision. Another impact, due to the resulting complicated and time-consuming processes, was the birth of the 'immigration industry' of consultants and lawyers, see page 7.

(a) In the period prior to any reconsideration by Parliament and the Provinces of Section 7 of The Charter of Rights and Freedoms, the Federal Government-of-the-Day must take steps to utilize the 'Notwithstanding' provisions of the Charter to enable

a more effective and fairer administration of immigration and refugee matters and to protect the security and other interests of Canada.

4. A Central Role for Canadian Values (Appendix 'D')

Every immigrant of the full age of 18 years or more must be required to become familiar with and to sign a Certificate of Acknowledgement of Canadian Values (Appendix D).

¹² The Charter Revolution & The Court Party by F. L. Morton & Rainer Knopff, pages 74, 75. "Social engineers take the view that the social evils of this world are caused not by human nature but rather by defective social institutions and systems." To them, cure institutional ills and all will be well. As much of the populace has been 'corrupted' by other views, social engineers believe they have the right to exercise powers to guide and correct the institutions of society. To this end they utilize government legislation, regulations, policies and structures and laws and judicial or quasi-judicial legal systems to promote and enforce their social and socializing agendas. The objective in the current immigration act appear to reflect social engineering concepts.

¹³ David Stoffman, Who Gets In . . . page 85 - the 'Singh decision' by The Supreme Court of Canada.

5. Political Considerations (Appendix 'E')

Parliament has the ultimate responsibility for immigration. Governments and individual Members of Parliament are held responsible by the electorate for their stewardship of the nations' interests and the protection of the nation. Government, by its very nature, lives in a sensitive politicized atmosphere. The challenge is to do what is best for the nation as opposed to what may lose electoral support within one's constituency. It is a difficult challenge to meet. We challenge our government-of-the-day and individual Members of Parliament to rise to the challenge, for good of the nation. To help Parliament to meet this challenge we recommend:

(a) that the House Standing Committee on Immigration membership be balanced between constituencies that contain substantial numbers of immigrants and their relations, and those that do not.

6. Job-Driven Selection and Settlement of New Canadians (Appendix 'F')

We accept that employment, including self-employment, is the key to the distribution of immigrants across Canada. The major cities are where most employment and entrepreneurial opportunities lie. But deliberate recruiting by smaller cities and communities will provide more alternatives. The concern with regard to the largely urban settlement of immigrants can be eased by:

(a) ensuring immigrants are qualified, within their personal knowledge and skill package, to be employed at an early date after arrival. They will settle where the employment is. Every effort must be made to match immigrant-employer needs. This will remove costly financial, infrastructure and social services burdens because early integration into the workplace provides the immigrant the means to pay a fair share through taxes.

(b) We wish to see a greater dispersal of New Canadians throughout our largest cities so that all will participate within the larger Canadian society and not live in enclaves as parallel societies. We believe that this wider dispersal of newer Canadians will occur if certain program innovations occur as per © below:

(c) the development of what we refer to as 'The Road to Human Resources'. It is an innovative concept that would create a three-lane road of options for the recruiting of immigrants. One lane would facilitate direct recruiting by corporations able to do so (e.g. Nortel in Romania and China). A second lane would be for federal government-facilitated cooperative-recruiting of immigrants for smaller and less wealthy companies; the third lane would facilitate recruiting efforts by smaller municipalities and communities (primarily by local governments, hospitals, local industries and professions)

(d) informing immigrants and refugees that they may earn more and live better in smaller communities, as opposed to settling in large cities. e. g. Toronto, Montreal or Vancouver.⁸

7. Qualifications and Absorption (Appendix 'G')

Data⁹ strongly shows that our immigration intake levels of unskilled and little-skilled labour is too high. Labour shortages in lower-skilled tasks must not be allowed to justify high immigrant intakes low-wage jobs, which in turn tend to create urban enclaves and to draw down heavily on municipal social services and infrastructure.

The main areas of concern may be addressed by the following:

⁸ Ottawa Citizen January 26, 2008 - "Immigrants can earn more in small towns, StatsCan says"

⁹ National Post, John Ivison- March 14, 2008 "In 2006 55% were 'economic immigrants', only 18% qualified as skilled. Some 37% of the 55% were spouses and dependents.

- (a) amend the selection criteria to encourage immigrants with the skills and knowledge and other unique qualifications required by Canada in the workplace, research and academia.
- (b) eliminate the current backlog of 900,000 applicants for immigration by a targeted multi-year program; the immediate restriction of new family unification applications to dependent children under 18 years of age and spouses, with the possible addition of sponsored parents.
- (c) setting immigration criteria and targets that take into serious consideration the six million children of 'Baby Boomers' who will soon be into the labour market.
- (d) the redefinition of Family Class immigration to include only one spouse, dependent children under the full age of 18 years at the time of application; OR, the foregoing with provision for sponsorship of parents over the age of sixty. Sponsored parents would have no right to sponsor other members of their families.
- (e) the restriction of the annual landed inflow from any one nation to no more than a reasonable percentage (e.g. 5%) of the total of the previous year's landed immigrants from all sources, to a maximum of 15,000 persons.
- (f) the amendment of the Citizenship Act to provide that citizenship may not be applied for until the applicant is resident in Canada for five consecutive years.

8. Entry, Enforcement and Removals (Appendix 'H')

Security of national borders requires the maintenance of an inventory of authorized non-citizens within Canada by creating a data base of those who have entered and exited Canada and were unable to provide documented proof that they had a legal right to be here.

- (a) those who arrive from the USA or leave for the USA will not be placed in the data base provided they have an acceptable document (usually a Passport) proving their status as a citizen or landed immigrant of the USA or Canada.
- (b) Visas must be used to regulate the entry and document the exit of all non-immigrants to/from Canada. For persons from no-visa-required countries a special document is to be issued at the point of entry into Canada and used to document exit. Those exiting Canada without a VISA or other proper document will not be permitted to re-enter in the future.
- © Persons who are designated refugees by UNHCR shall be permitted to apply for immigration status.
- (d) Persons who arrive in Canada and seek refuge or asylum without UNHCR refugee documents, or do not have any documentation, shall be detained and undergo speedy and legal processing of their claim for refugee status.
- (e) All non-citizens who are convicted of a felony in Canada or become a member of a terrorist organization shall be deported immediately to their country of origin.
- (f) The Immigration and Refugee Review Board should be abolished and replaced by a cadre of professional career Refugee Ombudsman Officers specifically trained in refugee and asylum affairs.
- (g) Persons claiming Refugee status who have entered from a country recognized by Canada as a 'safe' country shall be detained and speedily deported to the 'safe' country from which they entered Canada.

9. Department of Immigration (Appendix 'I')

It is apparent that a dysfunctional immigration act will give birth to a dysfunctional administration. The first step towards an effective government department is an appropriate legislative framework (Appendix A) and effective policies.

The Government must:

- (a) provide more well-trained staffing for immigration services in Canada and abroad.
- (b) ensure that the Department not use non-Canadian staff to issue visas.
- © provide the Department with more resources to carry out its mandate to service applicants and immigrants.
- (d) enable the Department to undertake research into immigration policies and to provide serious input into laws, policies and administrative decisions.
- (e) disband the Immigration and Refugee Review Board of Canada and replace it with neutral government officers.
- (f) create a staff of trained Immigration Ombudsmen to investigate and make recommendations to immigration staff on standing disputes.
- (g) create a staff of In-House legal counsel to advise and represent immigration and refugee applicants where needed.
- (h) deny entry to applicants from 'safe countries'.
- (l) examine the current role of the Department, taking into consideration the recent creation of the Border Security Agency, and other proposed changes in the operations of the Department re the recruiting of immigrants qualified to fill skill and knowledge jobs in Canada.

Attachment: Appendices