

CHANGING CANADA'S IMMIGRATION RULES

Introduction

Focus

In the spring of 2008, the Conservative government changed Canada's immigration rules in order to speed up the application process for skilled workers, expanding the powers of the immigration minister in the process. This *News in Review* story examines the controversy surrounding Prime Minister Harper's plans to change the system.

Further Research

To stay informed about the position of Canada's major political parties on this important issue, consider a visit to their official Web sites: Conservative Party, www.conservative.ca; Liberal Party, www.liberal.ca; New Democratic Party, www.ndp.ca; Bloc Québécois, www.blocquebecois.org; and Green Party, www.greenparty.ca.

Canada's population has grown by over five per cent since 2001, fuelled by the influx of 240 000 immigrants per year. In fact, the massive influx of immigrants is changing the face of Canada, with one in five Canadians coming from visible minority groups, and over six million people living here who were born outside Canada. In many ways, Canada is the immigration capital of the world, with an immigration rate that exceeds all other G8 nations. However, being an immigrant-friendly nation doesn't come without its challenges. Canada seems to be constantly searching for ways to improve the selection and processing of the vast numbers of new Canadians who make the decision to come to our nation. Currently the backlog of immigrants awaiting entry into Canada is over 800 000 people, with a wait time of 10 to 15 years in some cases.

Changing the System

In March 2008, the Harper Conservatives tabled a budget implementation bill (Bill C-50) that included a set of changes to the Immigration and Refugee Protection Act. The main changes would give the Minister of Citizenship and Immigration the power to fast-track applications for candidates to help key sectors of the economy. The current system has immigration officers process applications on a "first come, first served" basis, without consideration for bringing in immigrants to fill jobs that need to be filled. The Conservatives claimed that the changes—along with a cash infusion of \$190-million would give the system the boost it needed to alleviate the backlog. At a glance the changes looked reasonable, but opponents of the changes were quick to voice their concerns.

Conservative Proposals

For their part, the Conservatives believed they were tackling the issue head-on. The system clearly needed some sort of a change, and the Tories claimed they were rising to the challenge. Minister of Citizenship and Immigration Diane Finley told Canadians, "We have to make it easier to get more people here faster" (*Toronto Star*, March 24, 2008). Skilled workers are desperately needed across Canada, particularly in Alberta, and the processing of applications in the order in which they're received is interfering with Canada's economic growth. Prime Minister Stephen Harper put his perspective on the situation when he said, "Frankly, this is becoming a crisis. And, if we do not fix this, the long-term performance of our economy will be affected" (*Toronto Star*, April 19, 2008). Conservatives proposed changes to the system that would allow the immigration minister to direct immigration officers to target skilled workers for priority entrance to Canada for economic sectors that desperately need their expertise.

Backdoor Politics?

While politicians in Ottawa agreed that changes needed to be made to the immigration system, many critics not only disagreed with the Tories' plans, they also didn't like the way Harper was trying to push through his reforms. The opposition parties claimed that the Conservatives were trying to sneak the changes to the immigration system through a procedural back door by tacking the reforms onto the budget implementation bill. In other words, because the changes were brought forward in an omnibus budget bill, the rest of Parliament would not have

Definition

Omnibus bill refers to a proposed law that tries to accomplish many different, often unrelated, things and contains many separate items in one package. Normally, parliamentary bills are focused on one issue.

the opportunity to debate the bill's key provisions before the House of Commons committee that oversees immigration. Instead, MPs with concerns about Bill C-50 would have to appear at the finance committee meeting on the implementation of the budget to voice their concerns. To the opposition parties, the whole process seemed a bit slippery.

The Crucial Vote

Liberal Leader Stéphane Dion claimed that the Conservatives weren't playing fair and that Canadians should be concerned about Harper's apparent "hidden agenda on immigration" (*The Globe and Mail*, April 3, 2008). Backing him up, deputy Liberal leader Michael Ignatieff asserted, "With a stroke of the pen, the minister has written fairness and justice out of the immigration system" (*Toronto Star*, April 4, 2008). Meanwhile, NDP immigration critic Olivia Chow added that the Conservative changes would, at best, not be able to survive a Charter of Rights challenge and, at worst, could destroy the entire immigration system (CBC News, April 9, 2008). Harper countered by making Bill C-50 a confidence motion that, if rejected by the all the opposition

parties, would force a spring election. When the bill was put before the House, the Liberals chose to vote with the Conservatives in favour of Bill C-50, while the NDP voted against it. The Harper minority government lived to govern another day.

What does it all mean?

Immigrant advocacy groups also voiced their concerns. While some applauded Harper's choice to put the economy first, others wondered if humanitarian applications would be ignored in favour of skilled-worker applications. Others wondered if the changes gave too much power to Immigration Minister Diane Finley, who could seemingly accept or reject applications at her whim. Finally, some opponents questioned the fairness of letting skilled workers jump the queue over people who had been waiting in the immigration line—in some cases, for years. It is unclear whether the changes will lead to the economic prosperity promised by Harper or the doom and gloom predicted by his opponents. Only the implementation of the changes will determine whether Canada has hit or missed the mark on immigration.

Questions

1. List the changes to the immigration system proposed by the Conservative government.
2. What did the Conservatives hope to achieve by changing the system?
3. Why were the opposition parties concerned about the changes?
4. What other concerns did people have about the changes to the immigration system?
5. What is your personal response to the suggested changes? Explain fully.

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Video Review

Did you know . . .

Of all the foreign-born persons living in Canada who are eligible to become citizens, 85.1 per cent complete the process. This is the highest percentage of new citizenship in the world.

Watch the video and answer the questions that follow.

1. Who is the Minister of Citizenship and Immigration? _____
2. What new powers do the changes to the immigration system give the Minister of Citizenship and Immigration?

3. Why do some critics think that the changes concentrate too much power in the hands of the Minister of Citizenship and Immigration?

4. a) How many potential immigrants are caught in the backlog of people trying to get into Canada? _____
b) How many new Canadians arrived in 2007? _____
5. What criticisms have political and community opponents of the changes directed toward the government?

6. Describe some of the issues that Standens Limited had to deal with when trying to recruit immigrant labourers.

7. Why is Sima Sahar Zerehi worried that the Conservatives are hijacking the immigration system?

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Activity: Statistical Analysis

Review the following information from the Canadian census of 2006 and complete the activity that follows.

Chart #1: Population by Immigration Status – 2006

Region	Total population	Non-immigrant population	Immigrant population
Canada	31 241 030	24 788 720	6 186 950
Newfoundland and Labrador	500 610	490 855	8 385
Prince Edward Island	134 205	129 150	4 785
Nova Scotia	903 090	854 495	45 190
New Brunswick	719 650	690 695	26 400
Quebec	7 435 900	6 535 430	851 560
Ontario	12 028 895	8 512 020	3 398 725
Manitoba	1 133 510	974 735	151 230
Saskatchewan	953 850	901 080	48 155
Alberta	3 256 355	2 702 225	527 030
British Columbia	4 074 385	2 904 240	1 119 215
Yukon Territory	30 195	26 990	3 005
Northwest Territories	41 055	37 985	2 815
Nunavut	29 325	28 820	455

Chart #2: Percentage Population by Immigration Status – 2006

Region	Non-immigrant population	Immigrant population
Canada	79.3%	19.8%
Newfoundland and Labrador	98.1%	1.7%
Prince Edward Island	96.2%	3.6%
Nova Scotia	94.6%	5.0%
New Brunswick	96.0%	3.7%
Quebec	87.9%	11.5%
Ontario	70.8%	28.3%
Manitoba	86.0%	13.3%
Saskatchewan	94.5%	5.0%
Alberta	83.0%	16.2%
British Columbia	71.3%	27.5%
Yukon Territory	89.4%	10.0%
Northwest Territories	92.5%	6.9%
Nunavut	98.3%	1.6%

Source: Statistics Canada (www12.statcan.ca/english/census06/data/highlights)

Chart #3: Visible Minority Groups in Canada

Region	Total population	Total visible minority population	South Asian	Chinese	Black	Filipino	Latin American	Southeast Asian
Canada	31 241,030	5 068 090	1 262 865	1 216 570	783 795	410 695	304 245	239 935
Newfoundland and Labrador	500 605	5 720	1 590	1 325	905	305	480	120
Prince Edward Island	134 205	1 830	130	250	640	30	215	30
Nova Scotia	903 090	37 680	3 810	4 300	19 230	700	955	815
New Brunswick	719 650	13 345	1 960	2 450	4 455	530	720	440
Quebec	7 435 905	654 355	72 845	79 830	188 070	24 200	89 505	50 455
Ontario	12 028 895	2 745 205	794 170	576 980	473 765	203 220	147 135	110 045
Manitoba	1 133 510	109 095	16 560	13 705	15 660	37 790	6 275	5 665
Saskatchewan	953 845	33 900	5 130	9 505	5 090	3 770	2 520	2 555
Alberta	3 256 355	454 200	103 885	120 275	47 075	51 090	27 265	28 605
British Columbia	4 074 385	1 008 855	262 290	407 225	28 315	88 080	28 960	40 690
Yukon Territory	30 195	1220	195	325	125	210	95	145
Northwest Territories	41 060	2270	210	320	375	690	85	355
Nunavut	29 325	420	80	80	100	75	25	10

Source: Statistics Canada (www12.statcan.ca/english/census06/data/highlights)

Activity

Using three different highlight markers, complete the following task:

1. In one colour, highlight the line for Canada in all three charts. In a few sentences, outline one or two conclusions from the data.
2. In another colour, highlight the statistics for your province in all three charts. In a few sentences draw one or two conclusions from the data related to your province.
3. In a third colour, highlight the province with the largest immigrant population in Chart #1, the two provinces that have the highest immigrant population percentage in Chart #2, and the three provinces with the lowest number of visible minorities in Chart #3.

Based on the highlighted information, answer the following questions:

1. Why do you think the province with the largest immigrant population attracts so many new Canadians? Be specific?
2. Why do you think the two provinces with the highest percentage of immigrants have such large immigrant populations?
3. Why do you think the three provinces you highlighted in Chart #3 have the fewest number of visible minorities? (Hint: Think in geographic terms.)

Extension Activity

Based on the information you have gathered from the three charts, write a 300-400 word report called "The Changing Face of Canada." What trends do you notice? What do you think Canada is going to look like in 50 years as immigration continues and the cultural mosaic develops?

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Immigration Facts

Did you know . . .

As a mark of Canada's increasing multiculturalism, the CBC broadcast a *Hockey Night in Canada* show in Mandarin.

Review the following immigration facts and complete the activity that follows.

- Canada is the fastest growing G8 nation, adding 1.6 million people to its population from 2001 to 2006 (a growth rate of 5.4 per cent). Approximately 1.2 million of those people were immigrants. Experts predict that, by 2030, the only source of population gain for Canada will come from immigration.*
- Of the 1.2 million immigrants who came to Canada between 2001 and 2006, half settled in Southern Ontario, with the rest heading to other urban centres like Montreal, Vancouver, and Calgary.**
- Canada welcomes an average of 240 000 immigrants per year.*
- Immigrants suffer a 30 per cent earning disadvantage compared with Canadian citizens and will only improve their lot by three per cent in their first five years in Canada.**
- Statistics Canada determined that when a wave of immigrants boosts the labour supply by 10 per cent, wages fall across the board by between three and four per cent.***
- The Conference Board of Canada estimates that 350 000 immigrants have taken jobs below their qualifications. By their estimates, this unutilized expertise is costing the Canadian economy between \$3-billion and \$5-billion per year.**
- Statistics Canada determined that the daughters of immigrant parents earn 15 per cent more than their Canadian-born counterparts. Meanwhile the sons of immigrant parents earn 38 per cent less than their Canadian-born counterparts. ^
- The top five places of birth for immigrants arriving in Canada between 2001 and 2006 were: China (155 105), India (129 140), Philippines (77 880), Pakistan (57 630) and the U.S. (38 770).^
- The foreign-born population of Canada is 6.2 million.~
- The number of people waiting to get into Canada is currently over 800 000 people.~~

Sources: *The Globe and Mail*, March 14*, 21**, May 26***, October 30^, December 5^^, December 10, 2007~, March 15, 2008~~

Activity

Choose what you believe are the five most significant points listed above. In your own words, explain the meaning or significance of each of the points you selected.

Example: Statistics Canada determined that when a wave of immigrants boosts the labour supply by 10 per cent, wages fall across the board by between three and four per cent.

Immigrant worker earn less than Canadian-born workers. When an influx of immigrant workers enters the labour force, the average earning level will drop based on the fact that one in 10 workers is earning considerably less money. While this may not be fair, it may be one effect that bringing immigrant workers into the labour force has on the economy.

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Point and Counterpoint

The Conservatives introduced changes to the Immigration and Refugee Protection Act via a budget implementation bill (Bill C-50) tabled in March 2008. Bill C-50 was considered a confidence motion. In other words, the government would fall if the opposition parties teamed up to defeat it, thus forcing an election. The immigration bill passed with Liberal support on April 9, 2008. Read the quotes and complete the activity that follows.

“By 2011, 100 per cent of Canada’s labour force growth will come from immigration. Why does the [immigration] minister believe that shutting the door on immigration is the answer?” — Maurizio Bevilacqua, Liberal immigration critic (Canadian Press, March 13, 2008)

“Instead of allowing families into Canada, the Conservative government seems intent only to bring in massive numbers of temporary foreign workers who are vulnerable to mistreatment and abuse.” — NDP MP Olivia Chow (CBC News, March 14, 2008)

“Immigration should not be just about bringing people to work in Canada. You cannot just treat immigrants as an economic unit and not care about developing citizenship, a sense of commitment, belonging, and ownership among the people we bring into this country.” — Debbie Douglas, Executive Director of the Ontario Council of Agencies Serving Immigrants (*Toronto Star*, March 14, 2008)

“It’s a win-win for everyone. People can come first, live, work, and pay taxes here, and apply to get landed from within Canada later.” — Immigration lawyer

Richard Kurland (*Toronto Star*, March 14, 2008)

“We have to make it easier to get more people here faster. We have a backlog right now that the previous government ballooned from 50 000 to 800 000. It has since grown to 900 000.” — Citizenship and Immigration Minister Diane Finley (*Toronto Star*, March 24, 2008)

“We’ll want to examine what’s in the bill with great care because it seems to generally make our immigration policy less tolerant, less generous, less fair. It also concentrates a huge amount of unilateral power in the hands of the minister.” — Liberal MP Ralph Goodale (*The Globe and Mail*, March 31, 2008)

“It is unfair to immigrants, unfair to Canada. That is why it is a confidence measure. That is why it is a part of the budget, and we appreciate the support of the Liberals to that goal.” — Prime Minister Stephen Harper (*The Globe and Mail*, April 1, 2008)

“Canadians have every right to be concerned about this government’s hidden agenda on immigration. Why is the government attempting to make radical changes to the immigration system through the back door instead of bringing forward independent legislation and being honest with Canadians?” — Liberal leader Stéphane Dion (*The Globe and Mail*, April 3, 2008)

“The community would feel betrayed if the Liberals don’t oppose this bill. They’re going to be complacent or complicit if they permit the bill to be passed.” — Immigration lawyer Amina Sherazee (*Toronto Star*, April 4, 2008)

“The instructions are about making the immigration system more responsive. Our objective is to continue to ensure that families are reunited and that qualified workers get here sooner, while respecting the fundamental principle of fairness.” — Citizenship and Immigration Minister Diane Finley (*Ministry News Release*, April 8, 2008)

“ . . . it’s not a right to come to Canada. It’s a privilege. I think Canadians want an immigration system that gets the people we need here when we need them.” — Citizenship and Immigration Minister Diane Finley (*The Globe and Mail*, April 9, 2008)

“Immigrants are being stripped of their humanity and viewed as strictly economic units—and they can be discarded when they are no longer

useful.” — Sima Sahar Zerehi of the immigration advocacy organization Status Now (*Canadian Press*, April 9, 2008)

“Frankly, this is becoming a crisis. And, if we do not fix this, the long-term performance of our economy will be affected. . . . Without the government’s changes, the backlog will explode to one and half million in the next five years. Wait times will rise to 10 years.”
— Prime Minister Stephen Harper (*Toronto Star*, April 19, 2008)

“We think the government has struck the right balance with these reforms to clear the backlog and prioritize skilled immigrants to Canada.” — Naresh Raghubeer, National Policy Director for the Canada-India Foundation (*Toronto Star*, April 19, 2008)

Activity

Write a 250-word newspaper report that highlights the debate surrounding the issue and the eventual passing of the bill. Use at least three quotes in your report and make sure you comment on the passing of the bill in April 2008.

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Citizenship Test

Each year thousands of immigrants apply for Canadian citizenship. One of the requirements for citizenship is successful completion of the citizenship quiz. The following is a sampling of 20 questions from the citizenship quiz. Take the quiz and see how you do. (See page 25 for answers.)

1. Who are the Aboriginal peoples of Canada?
 - a. First Nations
 - b. Métis
 - c. Inuit
 - d. All of the above
2. What did the government do to make immigration to Western Canada much easier?
 - a. Created delegate team to assist immigrants to the West
 - b. Developed roadway to ease immigrant travel
 - c. Free land given to any who made the journey
 - d. Built the Trans-Canada Railway
3. What year was Confederation?
 - a. 1871
 - b. 1777
 - c. 1967
 - d. 1867
4. Which four provinces first formed Confederation?
 - a. British Columbia, Prince Edward Island, Quebec, Ontario
 - b. Quebec, Ontario, Alberta, Nunavut
 - c. Manitoba, Alberta, Quebec, Nova Scotia
 - d. New Brunswick, Ontario, Quebec, Nova Scotia
5. Who was the first Prime Minister of Canada?
 - a. John Alexander Macdonald
 - b. Charles Tupper
 - c. Pierre Elliott Trudeau
 - d. William Lyon Mackenzie King
6. What part of the Constitution legally protects the basic rights and freedoms of all Canadians?
 - a. Meech Lake Accord
 - b. Canadian Charter of Rights and Freedoms
 - c. Charlottetown Accord
 - d. The Constitution Act, 1867
7. Name two fundamental freedoms protected by the Canadian Charter of Rights and Freedoms.
 - a. freedom of association; freedom of conscience and religion
 - b. freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication; freedom of life, liberty and security
 - c. freedom of peaceful assembly, freedom of livelihood
 - d. freedom of conscience and religion; freedom of residence
8. What are the two official languages of Canada?
 - a. French-English
 - b. Spanish-English
 - c. Mandarin-English
 - d. German-English
9. Which province has the most bilingual Canadians?
 - a. British Columbia
 - b. Quebec
 - c. Nova Scotia
 - d. Ontario
10. Which animal is an official symbol of Canada?
 - a. Moose
 - b. Black bear
 - c. Canadian loon
 - d. Beaver

11. What is the tower in the centre of the Parliament buildings called?
 - a. Maple Leaf Tower
 - b. Peace Tower
 - c. Ottawa Tower
 - d. Canadian Tower
12. What is the capital city of Canada?
 - a. Toronto
 - b. Halifax
 - c. Ottawa
 - d. Montreal
13. Where are the Parliament buildings located?
 - a. Halifax
 - b. Quebec City
 - c. Ottawa
 - d. Vancouver
14. Which province in Canada is the smallest in land size?
 - a. Prince Edward Island
 - b. Quebec City
 - c. Nova Scotia
 - d. British Columbia
15. What country is Canada's largest trading partner?
 - a. China
 - b. United States
 - c. South Africa
 - d. England
16. Who is Canada's Head of State?
 - a. Queen Elizabeth II
 - b. Jean Chrétien
 - c. Michaëlle Jean
 - d. Wayne Gretzky
17. What do you call a law before it is passed?
 - a. Bill
 - b. Ordinance
 - c. Act
 - d. Draft
18. How many electoral districts are there in Canada?
 - a. 101
 - b. 211
 - c. 308
 - d. 176
19. When does an election have to be held according to the Constitution?
 - a. Every two years from previous election day.
 - b. No longer than five years from previous election.
 - c. Within 10 years of obtaining office.
 - d. There is no time limit.
20. Name the Prime Minister of Canada and his party.
 - a. Ralph Klein - Progressive Conservatives
 - b. Stephen Harper - Conservative Party of Canada
 - c. Paul Martin - Liberal
 - d. Stockwell Day - Canadian Alliance

Source: Citizenship and Immigration Canada (www.cic.gc.ca/english/citizenship/cit-test.asp); CBC News In Depth: Immigration www.cbc.ca/news/background/immigration/citizenship-quiz.html)

Your Score: /20

Discuss

Do you think this is a good way to test future Canadian citizens? Explain.

Follow-up

Visit the Ministry of Citizenship and Immigration Web site at www.cic.gc.ca/english/citizenship/index.asp. Review the rules for becoming a Canadian citizen. Did you find the application process to be straightforward and fair or overly difficult? Write your conclusions in a 7-10 sentence paragraph.

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Activity: Assessing the Changes

Further Research

To explore the actions and concerns of the Ministry of Citizenship and Immigration, visit the official Web site at: www.cic.gc.ca.

Your task is to pretend you are part of a parliamentary committee looking at the proposed changes to the immigration system. Your job is to review the changes listed below and discuss them with your fellow committee members. Your goal is to clarify and, if necessary, amend the statements. In the end, you are trying to make the changes work in the best interests of both immigrant applicants and Canadians.

The Process

Form a group of five or six and review the immigration information found in this issue of *News in Review*. Keep the objectives of the Conservatives and the key criticisms of their plans in mind while you review the following information from a news release ("Immigration to be governed by fairness, consultation") delivered by Citizenship and Immigration Minister Diane Finley on April 8, 2008. The text of Bill C-50 is available at <http://www2.parl.gc.ca/HousePublications/Publication.aspx?DocId=3365116&Language=e&Mode=1>.

The Government of Canada is changing the Immigration and Refugee Protection Act in order to:

- Identify priority occupations based on input from provinces and territories, the Bank of Canada, Human Resources and Social Development Canada, employers, and organized labour.
- Ensure fairness by making decisions on cases faster, while meeting immediate labour market needs.
- Respect the goals of the Immigration and Refugee Protection Act, which are to support Canada's economy and competitiveness, support family reunification, and uphold Canada's humanitarian commitments.
- Comply with the Canadian Charter of Rights and Freedoms, which prevents discrimination based on factors such as race, country of origin, and religion.
- Respect commitments to the provinces and territories on the basis of previous federal and provincial agreements.
- Complement commitments made in Advantage Canada, the Government of Canada's economic plan, to align the immigration system with labour market needs.
- Be published in the *Canada Gazette* and Citizenship and Immigration Canada's annual report, which is tabled in Parliament.

Discussion

Review the news release and list the pros and cons for each point. Try to find the rationale behind each point and potential trouble that may arise as a result of some of the changes. Decide whether more consultation is needed with Parliament or immigrant advocacy groups. Practically speaking, how can these reforms be implemented in a reasonable and just fashion? Some points will warrant more discussion and clarification than others.

Final Product

On the basis of your discussions, rewrite the proposed changes into statements that clarify what you and your committee think should be the new immigration rules. Try to clarify some of the statements in an effort to deal with some of the criticisms you observed in your research. Share your revised statements with the class.