

From: aislinn clancy [aclancy@ccvt.org]
Sent: April 30, 2010 4:12 PM
To: ~Citizenship & Immigration/Citoyenneté et immigration
Subject: Bill - C11

Dear Immigration Representative,

My name is Aislinn Clancy. I am a very concerned citizen. I wonder if you will consider my concerns along with those of my friends and fellow citizens in relation to bill C11.

I fear that this bill, while developed with some good intentions, is also filled with items filled with subjectivity which can become very harmful to many people seeking asylum in Canada. While I am encouraged to hear of the appeals process that will be implemented as well as new funds to create a system that is adequately resourced, the other elements of the bill that are of great concern.

We have seen in the past that where law gives great power to individuals, without oversight harmful decisions can be made. I am concerned about the development of a list of countries, groups, etc., that are deemed to be ineligible to the appeals process because they are not believed to be in harms way. At present we have seen how because of political relationships with other countries, people who are in harms way have been deported to torture and even death. At times we favour trade and other political and diplomatic relationships over our commitments to CAT and other UN human rights declarations. I feel certain that for example people from Mexico have not been given a fair access to the refugee determination process because our countries are so closely linked politically. This is an example of a country where there is very little order over the violence against women, homosexuals and people persecuted by the drug cartels etc. I fear that a minister will be biased and use this subjective area, where there is little oversight and consultation to put people in harms way in order to maintain relationships with politicians.

Another concern is the replacement IRB judges with bureaucrats or immigration officials. We have seen in my place of work the very partisan, uninformed and biased decisions that have resulted by CBSA officers working with people coming through the United States Border. Not only are these officials at times abusive, but there is little security that people who deal with them get fairly treated. I fear that these officials who are hired by a boss, with obvious opinions about certain ethno-cultural communities, and with no repercussion or legal representation, can be treated unfairly abused and not given proper consideration resulting in injustices and hardship. This happens currently with the CBSA officers working at the border, as they are not tape recorded and people have no right to appeal. If this is spread to the entire refugee determination system, we will see many people suffering unjustly because of systemic bias and intense power given to bureaucrats. I am certain that as a result of this more refugees who are fleeing for their lives will be further victimized and often deported to persecution and death, with no

recourse or oversight.

Another area of concern is the short time given for the “expedited hearings”. Many of the clients I work with as a settlement worker have been raped, tortured or are vulnerable for other reasons like mental health, age or trauma related shock. I fear that these in addition to the barriers of getting documents from countries like Eritrea, will make it extremely difficult for people to be forthcoming about their experiences in their country of origin, as well as get the documentation necessary to prove events and identities.

It seems that there might also be some hardship to children, related to the barriers for the H and C. Many cases need to be viewed according to Canada’s obligations to the UN to investigate the best interests of the child. Many families might experience traumas related to family separation if unable to access this process because of the one year limitation.

Also, there can be many people deported to torture and other extreme hardships if the PRRA process is dismantled.

I urge you to consider these concerns and make amendments so that absolute power does not create horrible human rights violations in the name of “efficiency”.

Sincerely,

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