

REFUGEES: 10 MYTHS AND FACTS

There are many misunderstandings and much false information about refugees and asylum seekers circulating on the internet. Unfortunately, this situation can undermine support for refugees and Canada's refugee policy. Here we respond to a few of these myths. References are found at the end of this document.



Myth #1 People should seek asylum in Canada at a regular Port of Entry, not by Roxham Road.

The Canadian Government tells people they must seek asylum through the 'proper channels,' but because of the Safe Third Country Agreement (STCA), asylum seekers who apply at Ports of Entry will be returned to the US unless they meet one of four exceptions. Because of the STCA rules, 550 people were returned to the USA during a five-month period in 2017.¹ They are handed over to ICE (Immigration and Customs Enforcement), placed in detention and may be unable to claim asylum.² Separated from their families, in prison-like conditions, some detainees are even subject to solitary confinement. Sexual abuse is widespread in detention and rarely investigated³ and medical care is often negligent.⁴ There is no legal aid for non-citizens and only 14% of detained people get access to a lawyer.⁵ Without a lawyer chances of a successful asylum claim are slim and people with lawyers are 10 times more likely to succeed.⁶ Therefore, asylum seekers are at risk of being returned to a home country where their lives and liberty are threatened. This is not hypothetical. A 2015 study revealed that 83 asylum seekers sent back to El Salvador, Guatemala and Honduras during 21-month period were killed after their return.⁷ Because of the STCA, the only secure channel for seeking asylum at the Canadian border is to cross irregularly.



Myth #2 Roxham Road Refugees are Illegal

The right to seek refuge from danger and persecution is a fundamental right protected under the Universal Declaration of Human Rights.⁸ International law recognises that in order to seek safety, refugees must sometime use false documents or slip across borders.

Although the word 'illegal' is used repeatedly in the media to describe people entering Canada at Roxham Road, it is not correct. Asylum seekers are not illegals and Canadian law confirms this. "There is nothing in the Immigration and Refugee Protection Act (IRPA) that makes crossing the border at an unofficial border area illegal. As long as refugee claimants immediately report to an immigration official they are complying with the law".⁹ Under Article 31 of the 1951 Refugee Convention, Canada has a duty to allow people to enter to seek protection and cannot prosecute

them for the way they arrive.¹⁰ Section 133 of IRPA confirms this obligation, stating that refugee claimants will not be prosecuted for their manner of entry into Canada.¹¹

That is why the Immigration and Refugee Board of Canada and the UN Refugee Agency use the term 'irregular' to describe their entry into Canada. Many, if not most, of the people coming in at Roxham Road (and other sites) came into the US legally, but are now fleeing changes in their status there and are afraid of being sent back to their home country to face danger. Moreover, people crossing irregularly have a right to access fundamental justice here under the Canadian Charter of Rights and Freedoms, as the Supreme Court decided in the Singh decision of 1985.



Myth # 3 People crossing at Roxham Road are bogus refugees who are jumping the queue ahead of people who use the regular channels.

First of all, each refugee claim is treated in order of arrival so no-one is able to jump the queue. Secondly, there are two channels – one for asylum seekers and another for immigrants. An increase in the number of people seeking asylum does not lengthen the time it takes for people trying to immigrate to Canada. They are two distinct procedures. While not everyone entering at Roxham Road is accepted as a refugee, that does not make them 'bogus'. People coming from the USA or other places do not leave their homes, work, schools and loved ones to seek refuge in Canada on a whim. They know it is risky and that they may not succeed; but they feel they must try to find a safe place.

In 2017 the rate of refugee acceptance for people who entered irregularly was 53%, while the rate for all asylum seekers was 63%. While some 'irregular' nationals have low acceptance rates, it's helpful to understand that the definition of a refugee found in the Refugee Convention is quite narrow. For example, though the majority of Haitians are being refused refugee status here, they do have genuine fears of being sent back to Haiti¹² after years of legal residence in the USA (this legal status will be ended in 2019 and may have been terminate in 2019 and appears to have been illegally removed contrary to procedures by the Trump administration).¹³ Other nationalities have very high acceptance rates: Turkey 92% - Eritrea 92% - Yemen 95% - Syria 84% - Sudan 69% - Colombia 55%.¹⁴ Clearly many people crossing irregularly have strong claims for protection in Canada.



Myth # 4 Refugees Are A Security Risk for Canada

Refugees seek safety and protection from persecution. They do not pose a risk to Canada. Once someone claims asylum in Canada or before they are sponsored for resettlement in Canada, they undergo rigorous security screening by RCMP, Canadian Border Services and Canadian Security Intelligence Service. They will be excluded from the refugee process or for resettlement if they present a national security threat or because of serious criminality, organized crime, or human rights violations. Since these measures were introduced very few asylum seekers have been found to be a security threat. Even in urgent refugee situations, like that of Syrians fleeing civil war, only 0.3% were refused because they posed a threat to Canada or had committed a serious crime.¹⁵ Refugees are not statistically more dangerous than native-born Canadians. In fact, a recent study found that new comers are under-represented in prison populations, and that over the long-term, property crime tends to diminish in their vicinity.¹⁶ Refugees and immigrants commit fewer crimes than Canadian-born citizens, although when they do, their crimes seem to receive a disproportionate amount of media coverage.



Myth # 5 Canada Receives More Than Its Fair Share of Refugees and is facing a refugee crisis

Despite all the media hype, this is really not the case. Canada receives a minute percentage (0.26% in 2017) of the world's refugees and asylum seekers. More than 68.5 million people are currently forcibly displaced – inside and outside of their countries - by armed conflicts, persecution, and human rights abuses.¹⁷ 28.5 million of these people are refugees and asylum seekers (displaced outside of their country), and half of them are children. There are more forcibly displaced people than at any other time since the end of world war two. Countries with few resources are hosting 85% of the world's displaced people (e.g. Lebanon, Pakistan, Uganda). As a member of the G7 Canada is one of the 7 wealthiest countries; we have the means to increase our share of the refugee population by taking in more people in need. The total numbers of asylum claims received in 2017 was 50,649 and is likely to be about the same in 2018.¹⁸ While this is higher than in recent years, it is comparable to the 44,695 claims made in 2001. Refugee movements are not predictable and variations in the annual number of claims received are inevitable.

When you consider for example that there are 3.5 million refugees in Turkey 1.4 million in Uganda, 1.4 million in Pakistan and, and that Lebanon has one refugee for every 6 citizens, it puts things in perspective. Increasing our capacity to be able to deal with more asylum seekers does not make this a crisis: it simply means that we are responding appropriately to a humanitarian need and doing our part to meet the world's refugee situation. It is the causes of refugee

movements - persecution and war – that are the real problem the world faces, not refugees themselves.

Quebec

Since 2016 Quebec has received the bulk of asylum seekers crossing irregularly into Canada. Many thousands have or will relocate to other provinces and recently the federal government started a triage system to direct people to other provinces. This situation would change if the Safe Third Country Agreement with the USA was cancelled. This Agreement is driving people to cross at Roxham Road which is a safe place to cross, unlike in Manitoba, where many people have lost digits due to frostbite and one person has died. If the STCA was revoked, people could cross safely and with dignity at any official border crossing in Canada. This would enable an equitable distribution amongst the provinces.



Myth # 6 Refugees Receive More on Welfare than Canadians

Misinformation on this subject has been circulating for some time and has created a false perception that refugees are living the 'high life' in Canada. In actual fact, refugees and asylum seekers do not receive more than Canadians and permanent residents.¹⁹ Asylum seekers ask for asylum at a port of entry or inland. As soon as they are accepted into the refugee process they can apply for a work permit. If they have no means of support, they can apply to the province for welfare while waiting for the work permit. A single refugee claimant able to work would receive a monthly amount of: \$628 in Quebec, \$610 in BC and \$750 in Manitoba, which is the same as citizens of those provinces receive. ²⁰ Extra amounts can be given to people who are temporarily unable to work (a small minority). As of January 2018, in Quebec only 3.6% of people receiving 'last resort special assistance' were refugee claimants.²¹ Quebec government statistics show that after 11 months the number of refugee claimants receiving social assistance decreases greatly. And a study of welfare benefits paid in Canada from 1999-2011 showed that only 2%-4% were paid to refugee claimants depending on the year.²²

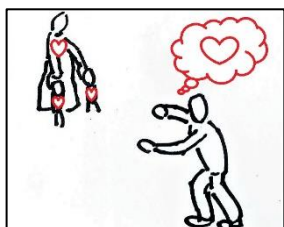
There are several categories of sponsored refugees; these are people who are already recognized as refugees before coming to Canada. Government assisted refugees (GARs) who have no income can receive financial assistance from the federal government through the Resettlement Assistance Program (or its Quebec equivalent) for up to a maximum of one year. These are the same amounts as provincial social assistance rates. Since they have no possessions, they also may receive a resettlement grant to purchase needed household items to set up a home. Most GARs must pay back the cost of their travel and health checks. This can be as much as \$10,000, which puts a heavy burden on a family trying to integrate into a new country. Privately sponsored refugees are helped by small groups of Canadians who support them financially and socially for up to one year. They receive no social assistance at all.



Myth # 7 Refugees are receiving better health care than Canadians

Refugees are not receiving some kind of special 'gold-plated' health care. Under the Interim Federal Health Program (IFHP) – first established in 1957 – refugee claimants and resettled refugees are entitled to health care similar to that given to welfare recipients, but it is paid for by the federal rather than provincial government.²³ IFHP coverage of medical and hospital services is identical to that provided by provincial health insurance plans (e.g., RAMQ). In addition, the IFHP provides coverage of medications as well as limited coverage of certain other services (e.g. eyeglasses). This coverage is comparable to that of many low-income Canadians.

In practice, however, refugee claimants have considerable difficulty accessing health services. Many doctors, pharmacists and other health care providers refuse to provide care or demand payment for services that are supposed to be covered through the IFHP. This is largely due to confusion about the IFHP and the fact that relatively few health care providers choose to register under the IFHP system.²⁴ This means that many refugees who are suffering from serious physical and psychological conditions may not get the help they need. In addition, refugee health care costs are far lower than the average cost for Canadians, largely because refugee claimants are generally fairly young (under 50). Some sources estimate refugee healthcare costs to be only 10% of citizen healthcare costs.



Myth # 8 Once Accepted, Refugees Can Bring in their Entire Families with Few Restrictions

Reuniting families when possible is Canadian immigration policy, both for humanitarian reasons and because how well individuals do in our country depends on support from family and community. However, only a spouse and dependent children under the age of 22 are accepted for family reunification with a recognized refugee.²⁵ Moreover, the process for refugees who claimed asylum from within Canada is much slower than for immigrants.²⁶ It takes an average of 38 months for refugees to reunite with spouses and children left overseas. It can take even longer if family members are in a South Asian or African country. Sponsored refugees have a one-year window of opportunity to sponsor family members but we don't have data on how long it takes for family reunification to occur. Most importantly, refugees must prove they can support their family members financially for long periods of time without any government help.²⁷ In order to sponsor other family members, like parents and grandparents, the requirements are more stringent and take a long time to be approved.²⁸



Myth # 9 *Refugees Take Canadian Jobs*

Not surprisingly the rate of unemployment among refugees is higher than Canadian born workers, especially in the first period after their arrival in Canada. This is partly because they fled their country at short notice and were thus unable to make plans for their future employment and to take diplomas and proof of work experience with them. On top of this their training and diplomas are only recognized in Canada 15% of the time, so for example, an engineer from Syria or Eritrea is not likely to take a job away from a Canadian engineer.²⁹ Due to these circumstances, many well-qualified refugees are employed in jobs with poor working conditions and low pay. These are jobs that many Canadians are refusing: service industry jobs, farm work, slaughterhouse work, taxi driving, etc.



Myth # 10 *Refugees cost Canadians too much money*

Refugees work hard to find employment and to integrate into a new country despite the disadvantages they face: learning a new language and culture, dealing with loss and trauma, difficulties finding a job, family separation etc. As well, the low level of recognition of refugee's qualifications (15%) means that well-qualified refugees are often working at low paid jobs and thus paying lower taxes. On the other hand, many refugees are entrepreneurial and start small businesses, thus creating jobs. A 2016 Canadian study shows that after 4-8 years of residence newcomer rates of business ownership surpass the Canadian born rates.³⁰

Numerous studies have tried to determine their net economic benefit, in other words, whether refugees (and immigrants) cost more than the financial benefit they bring to a country. A now discredited report from the Fraser Institute (which got a great deal of press) claimed that in 2005-06 each newcomer was costing taxpayers over \$6000 annually. This study was flawed by estimates rather than real figures and serious inconsistencies in analysis. A 2013 study found that during the first ten years of residence, refugees and immigrants cost Canada about \$500 per newcomer annually, based on taxes paid compared to services received.³¹ New studies are backing up the widespread conviction that immigration helps host countries economically. For instance, a US study found that over 20 years the average newcomer pays back all the assistance received and makes net contributions.³² Another study states that although first generation immigrants incur small costs to the host country, their children are among the largest net contributors to the country's wealth.³³ This is in part due to the high educational achievements of the children of immigrants and refugees who outperform third generation (or more) Canadians, according to a Stats Can research.³⁴

¹ Access to Information Act request made by the David Asper Centre for Constitutional Right. Response from Canadian Border Services Agency (21-09-2017). We do not have access to statistics for the complete 2017 year.

² Due for example to the One Year Bar which prevents people who have been in the USA more than a year to make an asylum claim, or due to inadequate implementation of procedures around a Credible claim interview, which exclude people with valid claims to protection.

³ Between January 2010 and July 2016, the Dep't of Homeland Security received 33,126 complaints of sexual and physical abuse against its component agencies but only opened investigations into 247 of them (i.e. only .07 per cent). *Community Initiatives for Visiting Immigrants in Confinement, Letter to Thomas Horman, Director of U.S. Immigration and Customs Enforcement et. al Re: Sexual Abuse, Assault, and Harassment in U.S. Immigration Detention Facilities*, 11 April 2017.

http://www.endisolation.org/wp-content/uploads/2017/04/CIVIC_SexualAssault_Complaint.pdf

⁴ "Fatal Neglect: How ICE Ignores Deaths in Detention", American Civil Liberties Union, the Detention Watch Network & the National Immigrant Justice Center, February 2016

<https://www.aclu.org/report/fatal-neglect-how-ice-ignores-death-detention>

⁵ "A National Study of Access to Counsel in Immigration Court", (2015) 164 University of Penn L R 1, page 32. Ingrid Eagly and Steven Shafer.

⁶ American Immigration Lawyers Association, *Due Process Denied: Central Americans Seeking Asylum and Legal Protection in the United States* (16 June 2016), page 15.

⁷ *Relief Not Raids*. Immigrant Legal Resources Centre, January 2016, p.6.

See also: <https://www.theguardian.com/us-news/2015/oct/12/obama-immigration-deportations-central-america>

⁸ "Everyone has the right to seek and to enjoy in other countries asylum from persecution." Article 14, Universal Declaration of Human Rights

⁹ Correspondence with Immigration Lawyer in Toronto.

¹⁰ "The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, 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." Article 31(1), 1951 Convention Relating to the Status of Refugees, United Nations (Canada has ratified this Convention and the 1967 Protocol)

¹¹ "Canada Border Services Agency, the RCMP and their domestic and international partners work together to intercept individuals who enter Canada illegally. No enforcement actions are taken against people seeking asylum as per section 133 of the Immigration and Refugee Protection Act (2001)." <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/asylum-claims.html>

¹² Haiti is a country beset by corruption, human rights abuses, violence against women and ongoing humanitarian crises. See Human Rights Watch Report on Haiti. <https://www.hrw.org/world-report/2018/country-chapters/haiti> This Guardian article outlines how Canada was directly involved in deposing the democratically elected President Aristide in 2003 after his efforts to introduce real reform for his

impoverished nation made him an enemy of local elites and multinational companies based in Haiti. Following this coup d'état, a regime favorable to western powers was installed and since then no government has been able to introduce genuine change for the benefit of the Haitian people.

<https://www.theguardian.com/environment/true-north/2017/aug/29/welcoming-haitian-refugees-to-canada-isnt-about-generosity-but-justice>

(Currently – September 2018 - Canadians are advised not to travel to Haiti, yet the government continues to return refused Haitian asylum seekers back to Haiti.)

¹³ Despite confirmation from the US Department of Homeland Security that there were real dangers of returning Haitians to Haiti, the Trump administration revoked the Temporary Protected Status of Haitians effective in 2019. <https://www.lexisnexis.com/LegalNewsRoom/immigration/b/immigration-law-blog/posts/documents-show-dhs-confirmed-real-dangers-of-returning-haitians-in-us-cancelled-tps-despite-conditions-nipnlg-foia>

¹⁴ See Immigration and Refugee Board on decisions made on Refugee Claims made by irregular crossers by country: <https://irb-cisr.gc.ca/en/statistics/Pages/irregular-border-crossers-countries.aspx>

¹⁵ www.lapresse.ca/actualities/national/201605/18/01-4982780-refugies-syriens-79-demandes-refusees-pour-des-raisons-de-securite.php In an article in La Presse (Montreal) of 18-05- 2016 it was stated that only 79 Syrians who applied to come to Canada as a refugee were refused for security reasons. (link no longer functions)

¹⁶ "Immigration and Crime: Evidence from Canada", Haimin Zhang, Vancouver School of Economics, January 2014.

¹⁷ <http://www.unhcr.org/figures-at-a-glance.html>

¹⁸ Asylum Claims in Canada 2017: <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/asylum-claims-2017.html>

Asylum Claims in Canada 2018: <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/asylum-claims.html>

¹⁹ <http://www.cbc.ca/news/politics/do-government-assisted-refugees-receive-more-money-for-food-than-%20canadians-on-welfare-1.3230503>

²⁰ <http://www.cbc.ca/news/canada/montreal/asylum-seekers-support-housing-1.4252114>

²¹ 'Rapport Statistique sur la clientèle des programmes d'assistance sociale', Janvier 2018, page 6. www.mtess.gouv.qc.ca/publications/pdf/MTESS_stats-AS_2018-01.pdf

²² "Social Assistance Receipt Among Refugee Claimants in Canada". Stats Canada. Yuqian Lu, Marc Frenette and Grant Schellenberg, April 2015.

²³ <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/help-within-canada/health-care.html>

²⁴ "Interim Federal Health Program for Refugees: Looking Back and Moving Forward". University of Ottawa Journal of Medicine, Hamid Abdihalim, Vol. 6 No. 2 (2016)

²⁵ <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/permanent-residence/protected-persons/stage-1-eligibility.html>

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- ²⁶ <http://ccrweb.ca/sites/ccrweb.ca/files/family-reunification-campaign-handout-2017.pdf>
- ²⁷ <http://www.immigration-quebec.gouv.qc.ca/en/immigrate-settle/family-reunification/requirements-sponsor/duration-sponsorship.html>
- ²⁸ <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/family-sponsorship/sponsor-parents-grandparents.html>
- ²⁹ “L’intégration linguistique et professionnelle des immigrants non francophones à Montréal”, Conseil supérieur de la langue française, Septembre 2011 <http://www.cslf.gouv.qc.ca/publications/pubf315/f315.pdf>
- “Recognition of the Foreign Qualifications of Immigrants.” Library of Parliament Background Paper. Sandra Elgersma, revised 2012. <https://lop.parl.ca/Content/LOP/ResearchPublications/2004-29-e.pdf>
- ³⁰ “Immigration, Business Ownership and Employment in Canada.” Stats Canada Report. David Green et al, March 2016. <https://www150.statcan.gc.ca/n1/pub/11f0019m/11f0019m2016375-eng.htm>
- ³¹ “Fiscal Effects of Immigrants in Canada. Mohsen Javdani”, University of B.C.-Okanagan & Krishna Pendakur, Simon Fraser University, May 2013. https://www.sfu.ca/~pendakur/Fiscal%20Effects%20of%20Immigration_V5.pdf
- ³² “The Economic and Social Outcomes of Refugees in the United States: Evidence from the ACS” (NBER Working Paper No. 23498), William N. Evans & Daniel Fitzgerald, June 2017. <http://www.nber.org/digest/aug17/w23498.shtml>
- ³³ *The Economic and Fiscal Consequences of Immigration*. Francine D. Blau and Christopher Mackie, editors, 2017. <https://www.nap.edu/catalog/23550/the-economic-and-fiscal-consequences-of-immigration>
- ³⁴ “Educational and Labour Market Outcomes of Childhood Immigrants by Admission Class”. Stats Canada. Feng Hou & Anita Bonikowska, April 2016. <https://www150.statcan.gc.ca/n1/pub/11f0019m/11f0019m2016377-eng.htm>
<https://www.immigration.ca/immigrant-children-canada-outperform-canadians-audio/>