

Effective Refugee Protection through Asylum and Resettlement

Canada provides tangible support to the world's refugees through its asylum and resettlement programmes. Since 1990, over 550,000 refugees have been granted permanent protection. The federally managed immigration programmes for refugees operate with broad public support.

This contrasts markedly with many countries in Europe where in public discourse 'refugees' – mostly referring to asylum seekers – has almost become a term of derision, synonymous with abuse, fraud and bypassing normal immigration controls. Resettlement does not always receive unqualified endorsement either. Even refugee advocates in some countries --including the UK – sometimes voice concern that, if their country were to enter into more resettlement arrangements, it would further undermine support for asylum. The argument goes that resettlement creates a situation of “good” refugees already accepted through a selection mechanism and “bad” refugees who enter the country in an irregular manner and ask for asylum.

This paper, using public opinion polls and media analysis, attempts to show that the Canadian experience has been quite the reverse: as an unintended consequence, strong support for the resettlement programme has spilled over to bolster support for the country's overall refugee protection, including the asylum system. This paper explains how resettlement in Canada operates, then looks at public support for refugee issues, tries to account for the general support of refugee protection and explores the relationship between asylum and resettlement, including the positive effect that resettlement has on public support for asylum.

What is Resettlement?

The Canadian Refugee and Humanitarian Resettlement Programme is based on a combination of asylum (an unlimited number) and resettlement. The resettlement scheme has a lengthy history, going back many decades. Since the Second World War, diverse, vulnerable groups have been resettled in Canada, including Hungarians in 1956, Czechs in 1968, Ugandan Asians fleeing Amin, Chileans fleeing the Pinochet regime, Indo-Chinese “boat-people”, etc. Given time, most of these groups have established themselves well and are contributing members in mainstream Canadian society.

In general terms, resettlement involves work done by visa officers in Canada's network of missions abroad. These officers work closely with the Office of the United Nations High Commissioner for Refugees (UNHCR) to select refugees --who are still abroad and often in highly vulnerable situations-- to be resettled in Canada. Resettlement offers protection to more refugees than would be the case if Canada only accepted refugees through its asylum system. Asylum determination derives from international obligations for all signatories to the 1951 United Nations *Convention relating to the Status of Refugees*. No country, on the other hand, has an obligation to offer resettlement; it is primarily done for humanitarian reasons and as a contribution to international burden sharing.

Canada's resettlement scheme consists of two main components: the Government sponsored and the privately sponsored programmes. Under the Government sponsored program, the federal government, in cooperation with the provinces, sponsors a number of resettled refugees each year. For the past several years, this number has been set at 7300 annually.¹ Canada relies primarily on the UNHCR to refer cases for consideration. The UNHCR has the international mandate for finding durable solutions for refugees and also has the best practical knowledge of refugee populations. Increasingly, the government sponsored programme focuses on vulnerable refugees. Refugees can be required to demonstrate an ability to establish in Canada (something which is informally assessed by visa officers), but under the Immigration and Refugee Protection Act (IRPA)², refugees considered to be "vulnerable" are explicitly exempt from consideration of their ability to establish. To underline this commitment, special programmes within the broader resettlement scheme for women at risk and urgent protection cases respond actively to special situations.

Since 1978, private sponsors (groups of individuals who offer to support resettled refugees) have also had the opportunity to name individuals for consideration under the resettlement scheme. Canada accepts about 3000 privately sponsored refugees each year. In almost all cases, these individuals are proposed by the sponsoring groups and are often relatives or acquaintances of individuals already in Canada. Resettled refugees become permanent residents on arrival and so have access to the job market, schools and social and medical benefits like any other permanent resident or citizen. But the sponsoring group is fully responsible for the extra help the refugee needs for the first year, including housing and income support. In special needs cases, there is the possibility for private sponsors to partner with the federal government to provide additional support. In particularly needy cases, the private sponsorship involvement can be extended to three years.

Under the Canadian programme, individuals are resettled independently of the number of individuals who are accepted under the asylum scheme. The programmes run in parallel and there is no direct relationship between them. Likewise, privately sponsored refugees are accepted over and above the quota of government sponsored refugees.

Strategic Use of Resettlement

Canada has long been a leader in providing refuge through resettlement. Other countries have been involved, to be sure, but Canada's lead in this area has been and continues to be significant. In 2002, following the UNHCR's Global Consultations on International Protection and the Agenda for Protection, the former High Commissioner for Refugees, Ruud Lubber, launched an initiative, Convention Plus, in part to ensure that protracted refugee situations were addressed. The concept was to reduce the number of refugees in the world, not by acts of deterrence, but rather by looking at some of the root

¹ Levels are set each year in the Minister's annual report to parliament. This report must be tabled by 1 November each year.

² Immigration and Refugee Protection Act (2001, c27)

causes and by trying to solve some of these problems. As part of this initiative, Canada led a multinational group to look at the strategic use of resettlement as one strategy to deal with protracted situations.

The strategic use of resettlement looks for practical means to benefit more than just those people who are being re-settled; it also considers the impact on the broader community. For example, if other countries offer to resettle a certain group, the host country may be prepared or able to be more generous (perhaps through the institution of a proper refugee status determination system or by allowing local integration) to the remaining refugees. Another situation might be when a minority ethnic or religious group in a refugee camp faces continued persecution and is a source of conflict in the camp. By resettling this group, the situation is improved for those being resettled and reduces conflict in the camp.

Strategic resettlement can also involve an international effort to resolve a protracted situation. A couple of famous examples would include the situation in 1956 when Austria provided initial protection to Hungarians on the understanding that other western countries would offer resettlement. Similarly, under the terms of the Comprehensive Plan of Action (CPA) in the early 1980s, the fact that a number of western countries agreed to re-settle Vietnamese refugees persuaded Malaysia and Thailand to offer initial protection.

Canada's leadership in 2004-5 to lead the development of the guidelines on the Strategic Use of Resettlement did not develop particularly new concepts but, with international support and negotiations, it laid down markers for the potential and appropriate mechanisms for running resettlement programmes.³ Canada continues its leadership in refugee issues, for example, being the current chair of the UNHCR's Resettlement Working Group.

Public Perception of Refugee Protection in Canada

It is fair to say that the general public is likely not entirely sure of government programmes and certainly not generally aware of the distinction between resettlement and asylum. However, as shown in the following polling data,⁴ the majority of Canadians are prepared to suggest support for accepting refugees in general: 48 per cent to 59 per cent 'feel that there are too few or about the right number of refugees coming to Canada' (Table 1). The support level is slightly higher for resettled refugees, as 67 per cent to 72 per cent 'feel that there are too few or about the right number of selected [resettled] refugees' (Table 2).

³ UNHCR's *Convention Plus Core Group on the Strategic Use of Resettlement: Multilateral Framework of Understandings on Resettlement* can be found at: www.unhcr.org/protect/PROTECTION/40e409a34.pdf

⁴ The information pertaining to the refugee polling snapshot stems from two commissioned polls by the Department of Citizenship and Immigration Canada: The 2000 National Immigration Survey and CIC's Annual Tracking Survey.

Table 1 In your opinion, do you feel that there are too many, too few or about the right number of refugees coming to Canada?

NATIONAL	Jan-00 (n=1,859)	Nov-04 (n=1,200)	Sept-07 (n=1,200)
Too few	15%	15%	16%
About right	33%	44%	41%
Too many	44%	32%	30%
DK/NR	8%	9%	14%

Table 2 Refugees can come to Canada in different ways. Some of them can live in refugee camps overseas and are selected by the Canadian government to come to Canada. In your opinion, do you feel there are too many, too few or about the right number of THESE SELECTED REFUGEES?

Total	2000 (n=1,859)	Nov-04 (n=1,200)
Too few	24%	25%
About right	43%	47%
Too many	21%	18%
DK/NR	11%	10%

Table 3 Agree/Disagree: The Canadian system for dealing with people claiming refugee is part of Canada's humanitarian tradition.

Total	Nov-04 (n=1,200)
Agree	87%
Neither	1%
Disagree	10%

In general, data point to a strong nucleus of support for Canada's humanitarian role (Table 3) and broad support for the manner in which the government has offered its support to refugees (Annex A). Indeed, this public support is critical to Canada's continued involvement in resettlement. It is understood that refugees are both deserving

of Canadian support and that they in turn can contribute to Canada. There seems to be a fundamental belief that democratic and stable countries such as Canada have an obligation to provide protection to at least some of those who are in need and that the current system reflects traditional Canadian values. This belief is remarkably consistent across all demographic groups although support is slightly higher among younger respondents and more affluent groups.

What accounts for strong public support for refugee protection in Canada?

All of this information begs the question of why the public perception is so generally favourable in Canada and how this differs from other countries. Explaining this is rather speculative, but there may be a number of reasons.

First, attitudes to immigration and multi-culturalism are overwhelmingly positive in Canada. Polling results consistently show a positive view of immigration. For instance, a recent poll found that 82 per cent of Canadians agreed with the statement, “Canada’s multicultural make-up is one of the best things about this country.”⁵ This strong public support for immigration, repeated in many polls, allows a relatively generous approach to refugee protection issues.

Secondly, Canada’s immigration system has many components to it and responds to economic and non-economic objectives. Of the approximately 250,000 permanent residents accepted each year, about 10 per cent are refugees. Arguably, Canadians are prepared to support the non-economic/humanitarian immigrants because they see it as part of a balanced, managed programme which brings in highly skilled people, entrepreneurs, etc. Because immigration brings in strong applicants who will contribute economically, the Canadian public is also prepared to accept that others are selected for humanitarian reasons.

Thirdly, the general public is able to understand the situation in home countries or in refugee camps. Accepting someone directly from a camp or from difficult circumstances – acceptance of the Karen refugees is the most recent high profile example – is understandable and immediate. Press stories contrast the difficult circumstances they leave with the reception and security provided in Canada, and people like to feel that they are assisting people in need.⁶

Fourthly, the private sponsorship programme has also provided an opportunity for community involvement with refugees. Such involvement on an individual basis helps garner support for the programme as a whole. Private sponsorship remains popular and the number of sponsorships submitted is certainly not waning.⁷ Almost all integration

⁵ These polling results are from Ipsos Reid, June, 2007.

⁶ CIC also has a number of success stories posted on its website, including the experiences of many refugees. <http://www.cic.gc.ca/english/department/media/stories/index.asp>

⁷ The private sponsorship programme, however, has altered its focus from un-named, vulnerable people, as was originally intended, to become more a means of entry for family or friends who may be in difficult circumstances and might not otherwise qualify for immigration to Canada.

programmes for government and privately sponsored refugees are administered by community NGO groups, thus further exposing the community to refugees and their experiences.⁸

Finally, evidence shows that many refugees have done well. The largest group is male, younger, less well educated and less likely to speak English or French than other immigrant groups. They are also, therefore, more likely to claim social assistance or unemployment insurance than other immigrants upon arrival. However, the overall trend is positive with claims decreasing significantly over the first few years and general employment success in the longer term.⁹

The Role of News Media on Public Support for Resettlement and Asylum

The public's primary source of information on refugee issues is the news media, which shapes public attitudes on refugees and refugee issues both in Canada and the UK. Media reports tend to be predominately about the specific cases of individuals. It is very rare that an overview of the system is presented. Concerns centre primarily on fair treatment of the individuals or, particularly since 2001, the public safety of Canadians. The reports focussing on individual refugees tend to be overwhelmingly positive and supportive of the individuals concerned. In fact, most criticism of the government argues that the government is not being sufficiently welcoming or else objects to the deportation of individuals who may be contributing to a community.

These 'good news story' reports help Canadians feel that they are assisting people in need. It must be emphasized that Canadians are not unique in wanting to assist. Values of generosity and humanitarianism are common in almost all countries. However, in many countries, including Canada, the public does not see the asylum system as a means to demonstrate these values as the reporting about asylum is negative. The reporting on resettlement, on the other hand, more easily fulfills this need to feel helpful towards those in need.

Over the years, press reports on resettlement in Canada have been consistently positive. Initially, for instance, the government was overwhelmed by the positive response to resettlement of Indo-Chinese refugees in the 1980s. Public support for subsequent resettlement has also been positive, although rarely as consistently high profile as the "boat-people" crisis. In late 2005, *The Hamilton Spectator* ran a 25 chapter series on re-settled Somalis. *The Globe and Mail* did a series in 2004 regarding the 25th anniversary of the Vietnamese resettlement. In 2007, *The Vancouver Sun* ran two pieces on Karen refugees.¹⁰

⁸ There have been considerable efforts to encourage integration of refugees (and indeed all immigrants) into Canadian society. Recently, there has been a significant increase in government money devoted to this activity. Details are available at <http://www.cic.gc.ca/english/department/media/index.asp>

⁹ Soojin Yu, Estelle Ouellet, and Angelyn Warmington, 2007, "Refugee Integration in Canada: A Survey of Empirical Evidence and Existing Services", *Refuge*, 24(2)17-34.

¹⁰ A sampling of stories related to resettlement include:

The following recent press report is typical in the manner in which it portrays resettlement, is presented largely as a human-interest story.

*A Burma refugee family of eight will soon have a new life in Canada thanks to the efforts of the Owen Sound and Vicinity Ministerial Association. Law May, 54, her son Pa Shaw Lu, his wife Say Thaw Paw and their five children, ranging in age from 2 to 14 years, are expected to arrive in Owen Sound in May or June. For the past 12 years the family has lived in a refugee camp in Thailand. Upon hearing about the plight of refugees from Burma last fall, Rev. Claire Miller of St. Thomas Anglican Church in Owen Sound began to explore on behalf of the Ministerial Association ways to help. As a result, for Law May, Pa Shaw Lu and Say Thaw Paw and their children, a long-hoped-for dream of a better life is about to become a reality. For the first four months, Law May, Pa Shaw Lu, Say Thaw Paw and their children will be supported by the federal Citizenship and Immigration department under its Karen Refugee Sponsorship program. The government will provide financial assistance for food, clothing and housing.*¹¹

There are many examples of similar types of reports that contribute to a positive image of resettlement. As a result, Canadians' have a somewhat idealized view of a refugee who has been rescued from persecution and offered protection in Canada.

By contrast, stories about the general process of asylum tend to be negative. For instance, a recent article stated:

*Ontario taxpayers are paying a whopping \$135 million a year to look after 14,600 refugee claimants on welfare and some provincial programs may take a hit due to rising costs, officials warn. The funding for refugee claimants is such a hot topic that Immigration Minister Madeleine Meilleur sent a letter to federal Human Resources Minister Monte Solberg two weeks ago seeking financial help for Toronto, Windsor, Hamilton, Niagara and Peel for dishing out millions in care.*¹²

Asylum seekers may have just as legitimate a reason to seek protection, but have often paid smugglers or been forced to engage in irregular or illegal activities to reach their asylum country. Sometimes they have lived in a country for a few years in which they could have made an asylum claim but then choose to carry on to Canada. Their story often seems less compelling in the world of sound-bites, headlines and short press articles.

A 25 chapter series appeared in *The Hamilton Spectator*, starting 23 November 2005, *Refuge: A Story of Hope and Survival*, by Wade Hemsworth

The London Free Press, 8 March 2008, "When the Euphoria of Safety Fades" by Jennifer O'Brien

The Globe and Mail, 30 June 2007, Sponsorship: A History of Hospitality, by Erin Anderssen

The Vancouver Sun, 23 December 2006, "A brave new world, A family ends its long journey from a refugee camp of Thailand and faces a new life in Canada"

¹¹ Owen Sound Sun Times, 19Feb08 <http://www.owensoundsuntimes.com/ArticleDisplay.aspx?e=907141>

¹²Toronto Sun 14 Feb08

If the Canadian public were fed a steady diet of this sort of article, support for providing protection would likely be undermined. Because such negative stories are tempered by stories about deserving individuals – and most of these stories focus on persons who are resettled rather than landed through the asylum system – public support remains strong. For instance, the Minister of Citizenship and Immigration was recently able to announce an increase to the number of Iraqis to be resettled in Canada as a good news story.¹³ In several other countries, the minister may have taken a defensive posture over such a decision or faced considerable criticism.

The Relationship between Asylum and Resettlement

In the Canadian context, therefore, resettlement has not squeezed out support for asylum. Indeed, the systems work in parallel and positively together. Resettlement tends to be quick, efficient, relatively cheap whereas asylum can be a highly litigious, expensive, slow process (in part out of necessity as the consequences of a wrong decision in an asylum case are much greater because of the risk of refoulement than that for a resettled case where the individual may not be in a pleasant situation, but is unlikely to face refoulement through a negative decision for the resettlement country.) In the Australian context, for instance, the numbers are linked such that the country accepts a total number of refugees, but if there are more asylum seekers, the resettlement numbers drop. As the Canadian minister of Citizenship and Immigration each year presents the immigration plan for the coming year, no such connection is made in Canada. When the number of asylum seekers has periodically increased, there has been no responding decrease in resettlement places. Thus there is no sense that asylum is run at the expense of resettlement or vice versa. Likewise, settlement funds are available regardless of the means by which the person entered the country.

Because of the confusion over the two ways western countries offer protection, drawing a direct link between the favourable view of resettlement with better acceptance of asylum is difficult, but the polling evidence supports this supposition. The general public focuses on the dreadful situation in refugees' home countries or refugee camps. Johanna van Selm speaks of a “knock on” effect, whereby the general public associates refugees with resettlement and the positive work to provide effective protection to these individuals. This positive impression then extends implicitly to those accepted through the asylum stream.¹⁴

Many European countries are showing growing interest in developing or expanding resettlement programmes. Even with this expanded international effort, a growing number of resettlement places will have a negligible impact on asylum numbers. The resettlement programmes increasingly focus on the most vulnerable refugees, and rarely are these the people who have the wherewithal to cross international borders and to

¹³ Diane Finley, Minister of Citizenship and Immigration, Press Release

¹⁴ Johanna van Selm, *The Strategic Use of Resettlement*, Paper presented at the International Seminar “Toward more orderly and managed entry in the EU of persons in need of international protection”, Rome 13-14 October 2003.

claim asylum in a western country. This is not to say that some asylum seekers may not be refugees with strong protection needs; they are rarely, however, the most vulnerable groups such as women at risk, or victims of torture. Because of the costs and difficulties in reaching western countries, they tend overwhelmingly to be young males and sometimes not from the most obvious refugee producing countries. (The highest number of claimants in Canada, for instance, at present is from Mexico, China and Haiti.) Furthermore, there should be no expectation that increased resettlement opportunities will halt --or even significantly diminish-- the activities of smugglers and traffickers. Resettlement places will likely always be relatively small and only a small percentage of the world's refugees will be able to benefit from it. Refugees will continue to seek other means to escape from difficult circumstances.

That being said, policy makers can sometimes be tempted to argue that as they are being generous on the resettlement side, there is greater justification for a tough enforcement programme for failed asylum seekers or a more restrictive application of asylum policy. Linking the two may be a dangerous route, leading to tainting all asylum seekers as illegitimate and a creating an unfounded distinction between "good" and "bad" refugees. In the Canadian experience, this has not happened to any notable extent, but policy makers are alert to this incorrect characterization of asylum.

Conclusion

Resettlement is a major tool of protection. Despite some significant limitations, it is relatively cost effective and can be used strategically. The reasons for the positive acceptance of resettlement in Canada are many, including its long standing comprehensive migration system, strong settlement programmes to encourage integration and a history of community involvement with refugees. Critical of course has been press coverage. Reports about the asylum system are mixed, pointing out the costs, complexity, length and abuse of the asylum system. The overwhelmingly positive press about resettlement in Canada, however, spills over to asylum, bolstering general support for refugee protection.

In Canada, the false distinction between "good" and "bad" refugees has largely been avoided. Refugees and policies to offer permanent protection are viewed positively. Canada's experience cannot be directly replicated in other countries. Its experience, however, does argue for broader consideration of the use of resettlement as an instrument of international protection.¹⁵

¹⁵ The views expressed in this article are those of the author and do not necessarily reflect those of Citizenship and Immigration Canada, the High Commission of Canada in London, or the Government of Canada.