Canada

Since the 1980s, Canada has accepted more immigrants and refugees for permanent settlement in proportion to its population than any other country. In the course of the twentieth century, the country's immigration policy was transformed from a mechanism for keeping people of non-European origin out into a tool for meeting economic, demographic, social and humanitarian goals. Above all, years of careful policy-making have achieved a relatively broad level of acceptance across political parties and among the general public of large-scale immigration and the increasing diversity that comes with it.

In Europe and elsewhere, Canada's immigration policy – or at least its so-called "points system" – is often regarded as a model to be emulated. The country's relative success in integrating a large number of people from a wide range of socio-economic and cultural backgrounds has also been touted. The system certainly has its strengths. The selection criteria are clear, and people accepted as permanent residents enjoy a var-

iety of rights, including unrestricted access to the labour market. Relatively easy access to citizenship has led to high naturalisation rates and, in turn, high levels of immigrant involvement in the country's social and political life.

In recent years, however, observers have warned that mismanagement of the immigration system is creating conditions which are detrimental to immigrants and native-born Canadians alike: selection criteria seem to be increasingly out of touch with the country's labour market needs, those who are admitted are facing greater difficulties in entering the labour market and finding employment that matches their qualifications, and the processing times for applications from many regions of the world have become very long.

As one Canadian researcher has put it, "Canada mainly frames its immigration debate in terms of its self-interest."[1] It is generally accepted that immigration serves this self-interest. Recently, however, observers have been questioning whether Canada's immigration policy serves the country's self-interest and the interests of the people who choose to immigrate to it.

Development of Immigration Policy since the 19th Century

Canada's first Immigration Act was passed in 1869, two years after the country's founding. The law was intended to counteract emigration to the United States and to help settle the country's western territories. It did not place a great num-
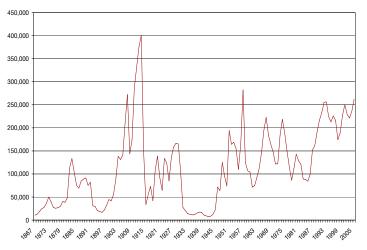
Background information

Capital: Ottawa

Official languages: English and French

Area: 9,984,670 km^2
(for comparison, Germany: 357,027 km^2)

Population (2006): 31,612,897 (census)

Population density: 3.2 inhabitants per km^2

Population growth (2001-2005): +5.4%

Labour force participation rate (2005): 77.8%

Foreign-born population as a percentage of total (2004): 18%

Percentage of foreign-born employees amongst gainfully employed (2001): 20%

Unemployment rate: 6.8% (2005), 7.2% (2004), 7.6% (2003)

Religions (2001): Catholics (44%), Protestants (29%), Christian Orthodox (1.6%), Other Christians (2.6%), Muslims (2%), Jews (1%), Buddhists (1%), Hindus (1%), Sikhs (0.9%), Other (0.3%), no religioius affiliation (16.5%)

ber of controls on the entry of newcomers, although it did give the federal government the power to prevent the entry of poor, sick and disabled persons. However, this relatively *laissez-faire* approach soon gave way to successive laws designed to attract persons deemed suitable for settlement, both in economic and ethnic/racial[2] terms.

Figure 1: Immigration flows to Canada, 1867-2005

Source: Citizenship and Immigration Canada (CIC)

The late nineteenth century saw the introduction of a mass-immigration programme designed to populate Canada's West. To this end, aggressive information and recruitment campaigns were mounted in the United Kingdom, the United States, Germany and other northern European countries. Once it became clear that the traditional source countries – particularly the United Kingdom – would not yield enough would-be immigrants, attention was turned to Central and Eastern Europe. These campaigns resulted in the first large influx of new arrivals from continental Europe, notably Ukrainians,[3] Germans, Italians and Russians.[4] The policy aimed to attract farmers and farm labourers.

Definitions of who was well-suited for settlement were also influenced by the notion that Canada was a "British settler society" and that, as such, only certain national or ethnic groups could be assimilated without altering the fundamental character of the emerging nation. This belief led early on to the introduction of a series of direct and indirect entry restrictions based on ethnicity and race. Entry restrictions designed to minimize cultural, ethnical and ideological diversity were maintained until well after the Second World War. In 1947, Prime Minister Mackenzie King stated that immigration should not be allowed to "make a fundamental alteration in the character of our population."[5] The 1952 Immigration Act gave significant powers to the government to restrict or prevent the admission of persons on the basis of nationality, citizenship, ethnic group, class, geographical area of origin, occupation, lifestyle, unsuitability with regard to Canada's climate and "probable inability to become readily assimilated" into Canadian society.[6] Regulations that went into effect along with the law established a list of preferred countries of origin.

In the 1960s, the focus of Canada's immigration policy shif-

ted from restricting entry to recruiting the skilled workers that were needed in the country's rapidly growing economy. Racist elements of Canada's immigration policy were mostly abandoned[7] in 1962, when a regulation came into force allowing immigrants with the necessary education, skills or other qualifications to enter the country, irrespective of colour, race or national origin. In 1967, the points system was introduced, allowing immigration officers to assign points up to a fixed maximum in categories such as education, language abilities and employment opportunities. Although the categories in which points are awarded as well as the sum needed to pass have changed over the years, this system remains a key component of Canadian immigration policy. The Immigration Act of 1976 set up four basic categories of individuals who could qualify as landed immigrants. It also required the government to set yearly targets for immigration numbers and to consult with the provinces regarding the planning and management of immigration. The Act is considered the cornerstone of present-day immigration policy in Canada.

Immigration to Canada is currently regulated by the 2001 Immigration and Refugee Protection Act (IRPA). Individuals can apply to become permanent residents in one of three so-called "landing classes": the economic class (i.e. skilled workers, business immigrants and their immediate family members), the family class (i.e. spouses, partners, children, parents and grandparents of Canadian citizens or permanent residents, who agree to sponsor them) and the protected persons/refugee class (i.e. government-sponsored refugees, privately sponsored refugees and other protected persons). In addition to these classes, it is possible to be granted permanent residency on humanitarian and compassionate grounds at the discretion of the Minister of Citizenship and Immigration Canada (CIC). Other provisions exist for temporary workers and students.

Only principal applicants in the economic class are subject to selection using the points system, and slightly different criteria and pass marks are applied depending on whether a person is applying as a skilled worker or as a business immigrant (i.e. investor, entrepreneur or self-employed person). In the skilled worker category, applicants are currently as-

Figure 2: Selection criteria for skilled workers

Criteria	Points (maximum)
Education	25
Language ability	
1st official language	16
2nd official language	8
Work experience	21
Age	10
Arranged employment	10
Adaptability	10
Total (maximum)	100
Pass mark	67

Source: CIC

sessed on their level of formal education, knowledge of each official language, age, work experience, whether or not they have arranged employment, and "adaptability"– a broad category that takes into account factors such as the education level of the principal applicant's spouse, whether or not the applicant and/or spouse have studied or worked in Canada, whether the applicant and/or spouse have relatives in Canada, etc. A fixed number of points can be awarded in each category, with the largest share of points being reserved for formal education, language ability and work experience. Altogether, a maximum of 100 points can be awarded, and the current pass mark, or the total needed in order to be considered eligible for immigration, is 67 points (see Figure 2).[8] Once a person has been accepted as a permanent resident, s/he enjoys rights similar to those of citizens, including unlimited access to the labour market and social services.
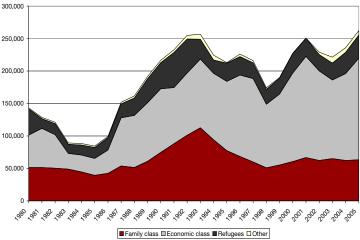
Relatively recently, Canada's provinces and territories[9] have taken on a greater role in managing the immigration process, on the basis on federal-provincial/territorial agreements. The first and most comprehensive of these agreements was signed with Québec[10] in 1991, and most of the other provinces and territories have followed suit since 2000. The most important feature of the agreements, which collectively constitute the Provincial Nominee Program (PNP), is the authority given to provinces/territories to select a limited number of potential immigrants based on their regional or local economic needs. Each province/territory can select applicants according to its own criteria and procedures. For example, Alberta's PNP is employer-driven, meaning that an employer must select an individual with the appropriate education, training and experience for a certain occupation in order for that person to be nominated by the province. Successful nominees are then considered for admission at the federal level by CIC; however, they are not assessed according to the points system. The annual federal quota for permanent immigrants includes targets for provincial/territorial nominees: for 2005, a target of 8,000-10,000 PNP admissions was set as a part of the overall federal admissions target of 220,000-245,000.

Immigration Flows

Since becoming a country in 1867, Canada has welcomed over 16 million immigrants for permanent settlement. The highest number received in a given decade was reached in the 1990s, when 2.2 million immigrants were admitted. Historically, inflows have rarely accounted for more than 1% of the total population per year, with the exception of the years 1911-1913, when they amounted to 5%. The government has been setting annual targets for immigration since the 1976 Immigration Act went into effect. Yearly inflows have been consistently above 200,000 since 1990,[11] accounting for 0.7%-0.9% of the total population each year. The number of permanent immigrants arriving in 2005 (262,236) surpassed the government target set for that year (220,000-245,000). A recent report by Statistics Canada predicts that international migration will be the only source of population growth in Canada from 2030 onwards.

People entering as permanent residents generally do so in one of three admissions categories (economic class, the fami-

Figure 3: Inflow of permanent residents by class, 1980-2005
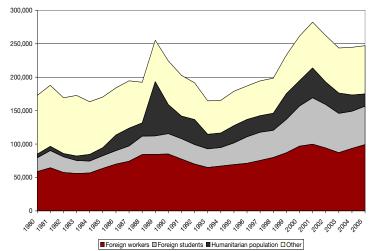

Source: CIC (2006c)

ly class or protected persons/refugee class) and admissions policy aims to "manage the mix" of these three categories. For the past ten years the ratio among the three has been approximately 60-25-15, respectively. A significant number of people also obtain permanent residence in the category of "other immigrants", which includes retirees, persons with deferred removal orders and so-called "humanitarian and compassionate cases" (i.e. persons accepted for permanent residence by the Minister of Citizenship and Immigration Canada for humanitarian or public policy reasons). Figure 3 shows a breakdown of the admissions from 1980 to 2005 by category.

It is important to note that even though approximately 60% of immigrants in 2005 were admitted in the economic class, only 39% of these (or 61,614 persons in total) were the principal applicants and, as such, subject to selection under the points system. The remaining economic class immigrants were the spouses or dependants of the principal applicants and not assessed according to the points system. This means that only 23% of all permanent immigrants arriving in 2005 were selected according to their language skills, level of formal education, age, experience, adaptability and whether or not they had arranged employment.

In addition to the abovementioned inflow of permanent residents, Canada welcomes an almost equally high number of temporary residents each year (see Figure 4). Since 1990, approximately 150,000 to 250,000 temporary residents have been admitted per year, primarily as workers, students or refugee claimants/humanitarian cases. In 2005, 247,143 temporary residents were admitted.

Emigration

While the Canadian media often draws attention to a supposed "brain drain", or emigration of highly skilled individuals, to the United States, analysts have argued that this phenomenon is balanced by the influx of highly-skilled individuals from other parts of the world. According to one report, the number of people entering Canada with master's and doctoral degrees alone each year is equal to the number of university graduates

Figure 4: Inflow of temporary residents by category, 1980-2005

Source: CIC (2006c)

at all levels – including the undergraduate or bachelor level – who leave the country for the United States.[12]

Of more recent concern to researchers has been the question of whether immigration to Canada is indeed as permanent as Canadian immigration policy tends to assume. One report by Statistics Canada[13] on men who immigrated to Canada between 1980 and 2000 and who were aged 25 to 45 at the time of arrival showed that one third left the country again within 20 years of arrival. Many of those who left had been admitted as skilled workers or businessmen, and more than half of those who left did so within one year of arriving in Canada. Interestingly, one in ten persons who left returned to Canada within 10 years of their initial arrival. People arriving in the 1990s, at a time of economic recession, were more likely to leave than those arriving in the 1980s, which suggests that the country's economic situation plays a role in determining whether a skilled immigrant remains in the country. Given the investment the country makes in acquiring and settling people who it assumes will reside there permanently, a continuation of this trend could influence immigration policy making in the future.

The Immigrant Population

For statistical purposes, the immigrant population is defined as people who are, or have ever been, landed immigrants in Canada, i.e. people who have been granted the right to live in Canada permanently by immigration authorities. In 2001, 18% of the country's population was foreign-born and thus classified as belonging to the immigrant population.[14]

In geographical terms, the immigrant population is distributed unevenly across Canada. According to the 2001 census, 56% of the immigrant population lives in Ontario, 20% in British Columbia and 13% in Quebec. The provinces with the highest number of immigrants in

relation to their populations are Ontario (27%), British Columbia (26%) and Alberta (15%). Less than 7% of the population in each of the remaining provinces and territories was born outside Canada. The metropolitan areas of Toronto, Vancouver and Montreal have disproportionately large immigrant populations. The 2001 census reveals that the foreign-born account for 45% of the population of Toronto, 38% of the population of Vancouver and 18% of the population of Montreal. Also, according to the census, nearly one in five school-age children in Toronto and Vancouver were new arrivals as of 2001.

In the past 40 years, new immigration policies and international events related to the movement of migrants have resulted in a marked shift in the immigrant population's countries of origin. Whereas before 1961 the vast majority (90%) of the immigrant population was of European origin, Asian countries are now the most important sources of immigrants. Approximately 40% of immigrants who arrived during the 1990s were born in (in descending order of frequency) the People's Republic of China, India, the Philippines, the Special Administrative Region (SAR) of Hong Kong, Sri Lanka, Pakistan and Taiwan. A further 11% of people who immigrated in the 1990s were born in the Caribbean, Central or South America, with Jamaica being the leading country of origin. A total of 8% were born in Africa, mainly in Somalia, Algeria and the Republic of South Africa. The top ten source countries of immigrants who arrived in 2005 were (in descending order): The People's Republic of China, India, the Philippines, Pakistan, the United States, Colombia, the United Kingdom, South Korea, Iran and France.

In terms of their language profiles, over 14% of immigrants who arrived in 2005 reported Mandarin Chinese as their mother tongue, a share that has remained steady since 2000. The next most common native language was English, followed by Arabic, Spanish and Punjabi. In contrast to English, the latter three have been on the rise in the past 25 years. As can be seen in Figure 5, immigrants often arrive without knowledge of one of the
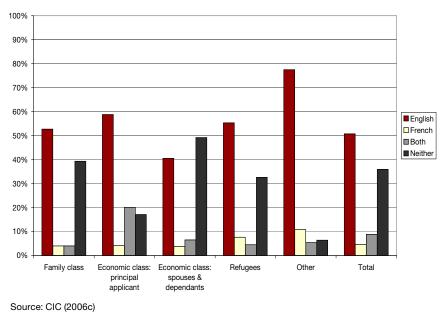
Figure 5: Language ability by admissions class in 2005

Source: CIC (2006c)

official languages: among arrivals in 2005, this was true of over 30% of people in each category, other than the principal applicants in the economic class.

Ethnic Origins

Information on the ethnic origins of the entire population – immigrant and non-immigrant – has been collected in the Canadian census since 1901. As it is up to individuals to assign themselves to one or more ethnic groups[15], there is a great degree of subjectivity involved in ethnic reporting. The census form allows respondents to create their own ethnic categories, although examples are provided based on the most frequent responses from the previous census. In 2001, more than 200 different ethnic origins were reported. The top ten were (in descending order): Canadian, English, French, Scottish, Irish, German, Italian, Chinese, Ukrainian and North American Indian.
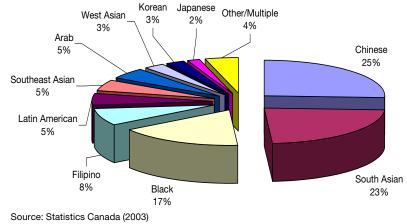
One interesting phenomenon in ethnic origin reporting is the rise of the "Canadian response." In the 1991 census only 3% of the population reported it as their sole ethnic origin. This proportion rose to 19% and 39% in the 1996 and 2001 censuses respectively. According to one study[16], Most of those who identified themselves as Canadian in 2001 had English or French as their mother tongue, were born in Canada to parents who had also been born in Canada, and most likely had identified themselves as English or French in previous censuses. Thus the "Canadian response" can be seen as a tool that is increasingly used by well-established European groups to distinguish themselves from more recent arrivals from Asia, Africa and Latin America.

Visible Minority Population

The 1996 Employment Equity Act defined visible minorities as "persons, other than Aboriginal peoples, who are non-Caucasian[17] in race or non-white in colour", and the 1996 census was the first to obtain counts of visible minorities across the entire population. According to the note on the census questionnaire, such information is collected "to support programs which promote equal opportunity for everyone to share in the social, cultural and economic life of Canada."[18] The 2001 census showed that 3,983,845 people, or 13% of Canada's population, identified themselves as belonging to a visible minority, up significantly from an estimated 1% in 1971. It is expected that visible minorities will account for 20% of Canada's population by 2017. The census showed that the majority of visible minorities are also immigrants, with only 29.4% having been born in Canada. Figure 6 shows the proportional representation of specific groups within the visible minority population.

The visible minority population – like the immigrant population – is well represented in Toronto, Vancouver, Montreal and their suburbs. In 2001, 36.8% of Toronto's population identified themselves as belonging to a visible minority, as did 36.9% and 13.4% of Vancouver's and Montreal's populations respectively. In some suburbs, the proportions can be even higher. For example, in the Vancouver suburb of Richmond

Figure 6: Selected visible minority groups in proportion to total visible minority population, 2001

Source: Statistics Canada (2003)

59% of the population belongs to a visible minority, as does 56% of the population in the Toronto suburb of Markham.

Citizenship

Canada encourages landed immigrants to adopt Canadian citizenship, and naturalization is regarded by the government as "a significant step in the integration process for newcomers because it signifies full participation in Canadian life."[19] As a result, the country has one of the highest naturalisation rates in the world. In 2001, 70% of the entire immigrant population were naturalised citizens. In 2003, 112,978 people were naturalised; in 2004 the total was 146,919. In recent years, immigrants from China and India have had the highest naturalisation rates. Other countries in the top ten include Pakistan, the Philippines, South Korea and Sri Lanka.

In order to become a naturalised citizen, a person must be a permanent resident of Canada (i.e. must have been granted permission to reside permanently in Canada by immigration authorities), must have lived in Canada for at least three out of the four years prior to application, must be able to communicate in English or French, and must demonstrate knowledge of Canada and the rights and responsibilities of citizenship. Individuals can be denied citizenship under certain circumstances, such as: for having been charged with or convicted of an indictable offence, a war crime or crime against humanity; for being under a removal order; or for having been in prison, on parole or on probation for more than one of the four years prior to application.

Applicants between the ages of 18 and 54 are required to pass a citizenship test. The test is comprised of multiple-choice questions on such topics as the electoral process, the country's main historical and geographical features, the rights and responsibilities of citizenship, the structure of Canadian government and the region in which the applicant lives. Most of the information needed to pass the test is provided to applicants in a study guide.

Maintaining dual citizenship has been possible for Canadian citizens since 1977. Statistics Canada estimates that approximately 557,000 Canadians, or 1.8% of the population, are

dual citizens. According to law, dual citizens are subject entirely to the laws and obligations (e.g. military service) of their other country of citizenship while they are in that country.

Dual citizenship became a contentious issue in the Canadian media following the evacuation of 15,000 Canadian citizens from Lebanon during the conflict between Israel and Hezbollah fighters in summer 2006. As some of the people evacuated at a cost of millions of dollars were dual Canadian-Lebanese citizens residing in Lebanon, some people claimed that dual citizenship is too easily "abused" by people who reside for extended periods of time in their other countries of citizenship, using their Canadian citizenship only as "a port in the storm." This image was fuelled by reports in the media that almost half of those evacuated had subsequently returned to Lebanon. The Canadian government has started a review of the dual citizenship policy; however, there is a strong belief among analysts that a significant policy change is unlikely.

Integration Policy

As mentioned above, facilitating access to citizenship is regarded as one of the most important components of Canada's integration policy. Beyond that, the federal government funds settlement services for permanent immigrants, which are carried out by hundreds of immigrant-serving organisations across the country.[20] It also publishes booklets explaining aspects of everyday life, such as public transportation, banking, housing and health services. In the period from April 2005 to March 2006 Citizenship and Immigration Canada (CIC) spent C$445 million on its integration programme. In May 2006, CIC announced that it would raise immigration settlement funding by a further C$307 million over two years.[21]

CIC administers three core settlement programmes. Under the Immigrant Settlement and Adaptation Program (ISAP), immigrant-serving organisations receive funding to deliver a range of services, including general information on life in Canada, translation and interpretation, referral to community resources, counselling and basic employment-related guidance. The ISAP programme also encompasses the Canadian Orientation Abroad (COA) Initiative, which provides an orientation for newcomers in their countries of origin. In 2005-2006, 13,116 people received COA training in 35 countries.

The Language Instruction for Newcomers to Canada (LINC) Program provides basic language training in English or French on a full- or part-time basis, free of charge, to adult newcomers. In 2005-2006, more than 20,000 people completed such courses.

Finally, the Host Program matches immigrants with Canadian volunteers, who help the newcomers learn about community services, practise their English or French, participate in community activities and find job contacts in their fields. In addition to assisting newcomers, the Host Program is designed to improve cross-cultural understanding and promote inclusion and diversity.[22]

Given Canada's long-time commitment to mass immigration as a means of fuelling economic growth, it is interesting that its immigration policy, designed to admit large numbers of highly skilled workers, has lacked complementary labour market integration policies.[23] Until recently, successive governments assumed that the skills and education immigrants brought with them would allow them to integrate seamlessly into the emerging knowledge-based economy. The problems currently associated with this approach, such as the increasing inability of highly skilled immigrants to find work that matches their qualifications, will be discussed in a later section.

In recent years, the social and labour market integration of visible minorities has been of particular concern to researchers. According to one recent report, the social integration of visible minorities is slower than it is for immigrants of European origins, even among the second generation. This has been attributed, at least partly, to discrimination. Although researchers are divided over the significance of discrimination in the integration process, an analysis of Statistics Canada's 2002 Ethnic Diversity Survey (EDS) showed that 35.9% of visible minority respondents reported personal experiences of discrimination.[24] This suggests that efforts to combat racism, which form a significant part of Canada's multiculturalism policy, may not be adequate.

Multiculturalism

When Canada adopted its official policy of multiculturalism in 1971, it was the first country in the world to do so. At the time, the policy was conceived mainly as a complement to the policy of bilingualism that made English and French Canada's official languages in 1969. It is thus referred to as a policy of "multiculturalism within a bilingual framework." The multiculturalism policy aims to affirm the "dignity of all Canadians", regardless of race, ethnicity, cultural heritage, religion, ancestry and place of origin; it invites individuals to keep their identities and take pride in their ancestry while "encouraging them to integrate into their society and take an active part in its social, cultural, economic and political affairs."[25] Both the bilingualism and multiculturalism policies were initially designed to counter rising Québec nationalism and to ease tensions between the French and English majority and the "other Europeans" who had arrived in the course of the twentieth century. The policy itself and recent events make it clear that Canadian multiculturalism exists within the framework of the democratic norms laid out in the Canadian Charter of Rights and Freedoms. For example, in 2005 the province of Ontario rejected a proposal to allow the use of *Sharia*-based law to settle Muslim family disputes over issues such as divorce and child custody.

In 1988, the Canadian Multiculturalism Act was passed, giving the federal government the mandate to, among other things, "recognize and promote the understanding that multiculturalism is a fundamental characteristic of the Canadian heritage and identity and that it provides an invaluable resource in the shaping of Canada's future." Currently, the Multiculturalism Program run by the Department of Canadian Heritage is the primary means by which the federal government pursues its multiculturalism policy. The four current priority areas of the Multiculturalism Program are as follows: fostering cross-cultural understanding, combating racism and discrimination, civic participation and making Canadian institutions more reflective of Canadian diversity.[26] In 2004-2005, Canadian Heritage

provided more than C$8.6 million in grants and contribution funding to 125 projects, working with not-for-profit organisations, other levels of government and federal departments, public institutions, researchers, professional and trade organisations, so-called "ethnocultural groups" and international organisations to advance the four priority areas. In some cases, projects produced measurable outcomes, as is the case with one initiative to improve statistics on hate-motivated crime or one to increase the number of voters in certain ethnic communities. The effects of others, such as Asian Heritage Month and the Mathieu Da Costa Challenge,[27] are certainly more subtle and difficult to measure in real terms. Indeed, the very broad objectives of the multiculturalism policy in general have made it difficult to evaluate in terms of explicit policy outcomes.[28]

It is often argued that the value of multiculturalism policy lies mainly in its symbolic recognition of cultural diversity, and not necessarily in the individual programmes resulting from the policy. Through the promotion of multiculturalism in schools, public broadcasting, social services, museums, etc., a generation of Canadians has grown up with the message that diversity is a part of Canadian identity.[29] This, so the argument goes, has fostered active citizenship on the part of immigrants as well as a discourse on immigration and integration issues that tends to be more constructive and less populist than in many other countries of immigration.[30]

Irregular Migration

It is estimated that between 100,000 and 300,000 people are living in Canada without authorisation to do so, although 200,000 is the number most often cited in the media. Based on information on deportees, the majority of undocumented residents seem to enter the country as visitors, students or temporary workers and then remain in the country after their visas expire. Others tend to be refugee claimants whose applications have been rejected.

The issue of undocumented residents and workers was quite prominent in the Canadian media in 2006, following a number of high-profile deportations. Much attention was given to the removal of approximately two dozen Portuguese citizens, many of whom had been working illegally for years in the construction industry in Toronto. According to some reports, many other undocumented construction workers in Ontario come from Latin America, especially from Costa Rica, Argentina and El Salvador. They tend to be trained and experienced stonemasons, bricklayers, house framers, etc., all of which are in short supply in the Canadian construction industry.

In the ensuing debates, politicians, trade unions and ethnic community leaders argued that the immigration system was to blame for this situation, for two reasons. First, it favours white-collar professionals and makes entry difficult for qualified tradespeople. This means that booming industries such as construction have few legal means of addressing their labour needs. Second, people applying for permanent immigration often face long waiting periods of several years before gaining the right to residence, a situation that may lead individuals to live and work in the country without authorisation. More often than not, reactions in the media to the Portuguese construction workers were sympathetic. The deportation of people seen as hard-working, generally law-abiding individuals whose skills are needed by the Canadian economy was perceived as both unfair to the individuals affected and disadvantageous for the country as a whole.

In October 2006, the Minister of Citizenship and Immigration ruled out an amnesty[31] for undocumented workers, stating that the better approach was to correct faults in the immigration system and force people to enter through the legal channels provided in that system. The decision was taken despite lobbying efforts by Portuguese and Hispanic groups, home-builder associations and unions in Ontario to get the government to award undocumented workers in the construction industry legal residency status.

Refuge and Asylum

Although Canada signed the 1951 Geneva Convention Relating to Refugees and its 1967 Protocol in 1969, the Immigration Act of 1976 was the first law to regulate refugee determination procedure in the country. Prior to that, refugee policy functioned on an ad-hoc basis in direct response to particular events around the world. For example, special programs with relaxed immigrant selection criteria were set up to admit people from Hong Kong in 1962 (the first time that Canada opened its doors to non-European refugees), from Czechoslovakia in 1968 and from Uganda in 1972.

Refuge and asylum are now regulated under the 2001 Immigration and Refugee Protection Act (IRPA). Under the IRPA, there are two main components to the refugee system: the Refugee and Humanitarian Resettlement Program and Asylum in Canada.

Under the resettlement program, refugees abroad (e.g. in a refugee camp) are sponsored to settle in Canada, either by the government or by private groups, organizations or individuals. The Canadian government relies on the United Nations High Commissioner for Refugees (UNHCR), referral organisations and private sponsoring groups to identify refugees to be sponsored. Persons thus identified are then evaluated by a Canadian visa office[32] to determine whether they are eligible for refugee status and whether they pass certain medical, security and criminal checks.
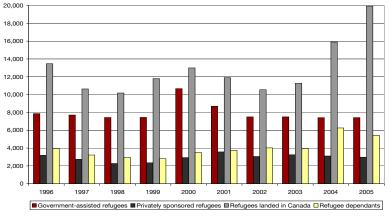
In addition to the resettlement program, it is possible to apply for asylum, as a Convention refugee or other person in need of protection, from within Canada. In this case, asylum can be claimed at a port of entry or at a CIC office in Canada. If a CIC officer decides that a claimant is eligible, the case is sent to the Immigration and Refugee Board (IRB) for a decision. In 2005, 44% of the claims brought before the IRB were accepted.

An evaluation by CIC[33] of refugees who made a claim from within Canada between 1995 and 2004 showed that the top ten countries of alleged persecution, accounting for 46% of applications during that time period, were China, Colombia, the Democratic Republic of Congo, Hungary, India, Iran, Mexico, Nigeria, Pakistan and Sri Lanka. Between 2002 and 2004, Mexico and Colombia became the most important source countries of claimants. In terms of gender, male principal applicants outnumbered female principal applicants by a ratio of

approximately 2:1. The main destinations for refugee claimants in Canada were the same ones chosen by immigrants: Ontario (55%), Quebec (32%) and British Columbia (9%).

Controversial aspects of Canada's refugee policy

As Figure 7 shows, refugees who apply for protection from within Canada have constituted the largest category of refugees awarded permanent residence in recent years. As Canada is relatively difficult and often expensive to reach from most of the refugee-producing regions of the world, some critics say that those who manage to reach the country are unlikely to be those most in need of assistance. A 1997 immigration legislative review[34] commissioned by the government went so far as to imply that the system does little to discourage the lucrative people-smuggling business and provides a loophole for immigrants wishing to circumvent the (often long) immigration process.

Figure 7: New permanent residents in the refugee class by category, 1996-2005

Source: CIC (2006c)

The process for reviewing refugee claims made within Canada has also been a source of controversy in recent years. First, as the Minister of Citizenship and Immigration admitted in 2006, the determination process tends to be "complex, slow, costly and inefficient."[35] Second, since 2002, cases brought before the IRB are decided by a single board member, without any possibility of an appeal based on the merits of the case.[36] The IRPA was supposed to create a Refugee Appeal Division (RAD); however, when the government implemented the law in 2002, it did not implement the sections of the act related to the RAD. Both the Canadian Council for Refugees and UNHCR have criticised the Canadian government for its continuing refusal to introduce the RAD, but the government insists its refugee policy "meets the requirements set out in the Charter of Rights and Freedoms and international legal obligations, even without an appeal on merit."[37]

Refugee organisations strongly disapprove also of Canada's safe third country agreement with the United States, which came into effect in December 2004. This disapproval is based on the organisations' perceptions of the human rights situation in the United States, especially with regard to its record of compliance with the UN Convention Against Torture.

Finally, the long processing times for refugee claims and the resulting backlogs of applications have drawn much criticism. The processing times for privately-sponsored refugees routinely reach two to three years, with the longest delays occurring at visa offices in Africa and the Middle East. Between 2000 and 2005, an average of 2,300 cases a year were left unprocessed, amounting to a total backlog of 13,938 cases in that time period.[38] Despite these backlogs, Canada failed to meet the quota it set for privately-sponsored refugees in 2004 and 2005.

Current Issues

While there are a number of problems resulting from Canada's current immigration policy, only three will be touched on here: the failure of the policy to meet labour market needs, the underutilisation of immigrants' skills due to difficulties with the recognition of foreign credentials and the inability of the immigration system to process the high volume of applications it receives within a reasonable period of time.

Failure to meet labour market needs

The immigration system in general and the points system in particular place the skilled tradespeople and unskilled workers who are needed in the construction and other industries at a significant disadvantage, while favouring highly-skilled, white-collar professionals. One indicator that the system is out of tune with changing labour market needs is the characteristics of people entering the country through complementary programmes such as the Provincial Nominee Program (PNP) and the Temporary Foreign Worker Program. For example, the majority of temporary workers admitted in 2005 were classified in the following skill levels: intermediate or clerical (34.6%), elemental and labourers (23.6%) or skilled and technical (15.2%); in contrast, the majority of permanent immigrants admitted in the same year were classified as professionals (64.6%). A look at the occupations taken up by PNP immigrants in 2005 shows that welders and truck drivers were among the most common occupations.

Underutilisation of immigrants' skills

Recently economists have observed that immigrants' employment levels and earnings have been declining, despite rising levels of qualification and consistent language abilities. This has led some to conclude that immigrants' skills are not being accepted and utilised on the Canadian labour market.[39] According to an analysis of the 2001 census, one in four recent immigrants with university degrees who were employed between 1991 and 2001 were in jobs that required no more than a high school education.[40]

The underutilisation of immigrants' skills is primarily attributed to problems in recognising education and training received outside Canada. As previously mentioned, Canada's immigration system has generally concentrated on providing a steady supply of workers whose qualifications and level of formal education theoretically meet the long-term needs of the country's

economy, but who do not necessarily have a concrete job offer when they enter the country. This means that employers in Canada have to assess the value of immigrants' foreign credentials and work experience themselves. The emergence of a post-industrial, knowledge-based economy, and the corresponding emphasis placed on education-based skills, has made this task more difficult for employers, who are often not familiar with the content or quality of degree programmes abroad. At the same time, highly skilled immigrants face strong competition from a growing number of young, Canadian-born and Canadian-educated labour market entrants, especially in the urban centres where most immigrants choose to settle.[41]

In the case of professions regulated by government bodies, such as medicine, pharmacy and education, the process of assessing and supplementing foreign training can take years and lead to immigrants having to redo parts of their education in Canada. Faced with such large hurdles and a need for income, highly qualified immigrants in these and other fields often end up taking on jobs that are outside their fields and/or below their level of qualification.

The consequences of this situation are grave for immigrants and the rest of the population alike. On the one hand, highly skilled immigrants, who often leave well-paying and prestigious careers to come to Canada, suffer a loss of income and status. On the other hand, Canada is left with the labour shortages in many skilled professions, from medicine to engineering, which these immigrants were supposed to fill. In the worst-case scenario, Canada not only has to cover the costs of integrating a high number of immigrants each year, it also loses the economic potential these immigrants bring to the country. Economists have estimated the monetary value of that lost economic potential to be approximately C$2 billion annually.[42]

Processing times

In recent years, Canada has lacked the bureaucratic infrastructure to manage the high volume of applications it receives within a reasonable period of time. According to CIC's own calculations, it is currently facing a backlog of 800,000 applications from would-be permanent immigrants alone, not including applications for temporary stay or refugee status. This backlog has resulted in ever-longer waiting times, particularly in China and India, two of Canada's main immigrant source countries. According to one report, the waiting time for an interview in Beijing and Delhi is currently five to six years.[43] The decline in the number of applications from these countries in recent years has been attributed to these waiting times, as frustrated applicants head for the United States or Europe instead.

Future Challenges

The Canadian government has set its immigration target for 2007 at 240,000-265,000 permanent residents, the highest level in 25 years. This large-scale immigration is widely supported across political parties and among the general public. However, a failure to address some key issues might seriously undermine this consensus in the future.

One of the biggest challenges lies in facilitating the labour market transition for permanent immigrants. CIC has earmarked

C$18 million for the creation of an agency for foreign credentials assessment and recognition. It has also launched the Internationally Trained Workers Initiative, which, beyond credentials recognition, will focus on the following areas: enhanced language training, bridge-to-work initiatives, discrimination in the workplace and improving labour market information. If swift action is not taken, Canada risks alienating newcomers, who arrive with the belief that they will find a brighter future, and undermining public support for mass immigration, as immigrants will be increasingly perceived as contributing less and less to the economic life of the country.

Another challenge lies in finding a way to streamline the application review process across all admissions categories. CIC has made this a priority for 2007. Already waiting times of several years in important source countries such and India and China have resulted in a decline in the number of applications for permanent residence from those countries. In addition to deterring applicants altogether, it has been suggested that long processing times encourage people to enter and/or work in the country without waiting for the proper authorisation.

More consideration will also have to be given to how immigration policy can better serve labour market needs. Current trends point to a need to facilitate the entry of skilled tradespeople and labourers, instead of focusing on white-collar professionals. Improving complementary programs for Provincial Nominees and temporary workers is a good way of compensating for policy oversights in the short-term. In the long term, however, it seems necessary to reconsider how the main tool for recruiting workers – the points system – should be calibrated.

Finally, the issue of integration, especially among visible minorities, will continue to pose a social and political challenge. In international comparison, Canada's integration and multiculturalism policies are quite advanced. They have fostered a relatively high degree of intercultural openness in the public sphere. However, racism and discrimination are still believed to play a significant role in slowing the social and economic integration of visible minority immigrants and their Canadian-born children. As the proportion of visible minorities among the immigrant population continues to rise, policymakers will need to take care that a serious ethnic divide does not emerge in what many observers consider to be a model immigration country.

Endnotes

1 See Li (2003).

2 At this time the term "race" referred to biological differences between groups of people. At present, the term is used by researchers in English-speaking countries – if at all – as a social construct in the discourse surrounding the phenomenon of "racism." In Canada, the term "race" is also still used in official definitions of "visible minorities" as found in the Canadian Census Dictionary and the Employment Equity Act.

3 'Ukrainian' was the collective name applied to Slavs from regions of the Russian and Austro-Hungarian empires in Eastern and Southern Europe. See Citizenship and Immigration Canada (2000).

4 The Russians arriving during this time were primarily Doukhobors, members of a peasant sect marked by pacifism and a communal lifestyle which had been persecuted under the czarist regime in Russia.

5 Quoted in Kelley and Trebilcock (1998).

6 See Kelley and Trebilcock (1998).

7 Immigrants from Europe and the Americas were still permitted to sponsor a wider range of relatives. This, too, was abandoned in 1967. See Citizenship and Immigration Canada (2000).

8 It is possible to assess oneself prior to application, using the self-assessment tool provided by Citizenship and Immigration Canada (http://www.cic.gc.ca/english/skilled/assess/index.html).

9 Canada is a federation in which governmental powers are divided between the federal government and the 10 provincial governments. In addition to the 10 provinces, there are three territories. The territories are not sovereign units but get their powers from the federal parliament.

10 Québec is the only province which has complete authority to manage its immigration. It sets its own annual immigration targets and is solely responsible for selecting its immigrants (with the exception of those in the family class and refugees, whose status is determined at the federal level). It also has full responsibility for providing orientation courses and integration services. See Citizenship and Immigration Canada (2006a).

11 This is with the exception of the years 1997 and 1998, when the total was slightly below that mark.

12 See Statistics Canada (2000).

13 See Aydemir and Robinson (2006).

14 In census data released by Statistics Canada, the terms "immigrant population" and "foreign-born" population are used synonymously.

15 In the 2001 Census, respondents were asked to specify as many groups as applicable, and four write-in spaces were provided. The following instructions were provided: "This question refers to the ethnic or cultural origins of a person's ancestors. An ancestor is someone from whom a person is descended and is usually more distant than a grandparent […] Ancestry should not be confused with citizenship or nationality."

16 See Thomas (2005).

17 "Caucasian" is generally used as a synonym for "white." A more precise dictionary definition is as follows: "Of or relating to a racial group having white skin, especially one of European origin; white." See "Caucasian" in The American Heritage Dictionary of the English Language, 4th edition, 2004. http://dictionary.reference.com/browse/Caucasian

18 See Statistics Canada (2001).

19 Quoted in Citizenship and Immigration Canada (2006a).

20 In Québec, each region has a local office of the Ministère de l'Immigration et des Communautés culturelles, called a Carrefour d'intégration, which works with immigrant-serving organizations to settle newcomers.

21 See Citizenship and Immigration Canada (2006b).

22 For details on these programmes, see Citizenship and Immigration Canada (2006a) or the Citizenship and Immigration Canada website (http://www.cic.gc.ca/english/newcomer/guide/section-04.html).

23 See Triadafilopolous (2006).

24 See Reitz and Banerjee (2007).

25 See the Canadian Heritage website: http://www.canadianheritage.g.ca/progs/multic/inclusive_e.cfm?nav=2

26 See Canadian Heritage (2006).

27 Established in 1996, the Challenge invites students aged 9 to 18 to submit short stories, poems or artwork dedicated to specific individuals of Aboriginal, African or "other ethnocultural backgrounds" and their contributions to the building of Canada. Prizes are awarded by the Minister of State for Multiculturalism. See Canadian Heritage (2006).

28 See Reitz and Banerjee (2007).

29 See Triadafilopoulos (2006).

30 See Triadafilopoulos (2006).

31 Partial or de facto amnesties have been offered before (for example in 1973 and 1986), usually as a response to large backlogs in applications, especially for refugee status.

32 Under the Canada-Québec Accord, Québec is responsible for selecting refugees abroad for resettlement; the federal government is responsible for ensuring that people selected by Quebec are eligible for refugee status.

33 See Citizenship and Immigration (2006d).

34 See Government of Canada (1997).

35 Quotation taken from the "Note for an Address by the Honourable Monte Solberg Minister of Citizenship and Immigration to the 10th Biennial Conference of the International Association for the Study of Forced Migrations and the International Refugee Rights Conference of the Canadian Council for Refugees, Toronto, Canada, June 18, 2006." This statement is available at http://www.cic.gc.ca/english/press/speech-2006/iasfm.html.

36 There are some avenues an applicant can take if his/her claim is refused. However, none of these involves a review of the initial decision. A person whose claim is refused by the IRB can apply for a judicial review by the Federal Court. However, the Court refuses to hear nine out of ten applications. A rejected refugee claimant can also apply for a Pre-Removal Risk Assessment (PRRA); however, applicants can only offer new evidence, not have the initial determination reviewed. Finally, an application can be submitted for leave to remain in the country on humanitarian and compassionate (H&C) grounds. This measure is at the discretion of the Minister of Citizenship and Immigration, and an applicant can be deported before a decision has been made. See Canadian Council for Refugees (www.web.net/~ccr/).

37 See "Refugee Appeal Division – Backgrounder" on the CIC website (http://www.cic.gc.ca/english/refugees/rad-backgrounder.html).

38 See Canadian Council for Refugees (www.web.net/~ccr/).

39 See Reitz (2005).

40 Galarneau, D. and Morissette, R. (2004): "Immigrants: Settling for Less?" Perspectives on Labour and Income 5(6): 5-16. Quoted in Reitz (2005).

41 See Reitz and Banerjee (2007).

42 See Reitz (2005).

43 See Jimenez (2006).

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About the author:
Jennifer Elrick is a researcher in the Migration Research Group (MRG) at the Hamburg Institute of International Economics (HWWI) in Germany. Since 2005 she has been a member of the editorial staff of the information service "focus Migration" and editor-in-chief of the service's country profiles and policy briefs.
E-mail: elrick@hwwi.org