



New Parent and Grandparent program re-opening.

THE PROPOSED CHANGES

Rules for sponsoring parents and grandparents

- The sponsorship period will be increased from 10 years to 20 years.
- Sponsors will need to have a higher income over a longer period before they can sponsor.
- Unmarried children aged 19, 20 or 21 years, are usually still part of the family (economically, socially and psychologically) and need their parents' support. In many societies it is difficult and even dangerous for single young women to live alone.
- Refugees are forced to flee because of persecution, which often puts their young adult children at risk too. Leaving them behind may put their lives at risk.
- Refugees often spend years in flight before they reach safety and during this time their children's lives are disrupted (whether waiting in the home country or also in flight). It would be very difficult for all the family to have to leave the young adult children behind when the parents are finally given a new home in Canada.
- When refugees flee, older siblings are often forced to play the role of surrogate parents to their younger siblings. Leaving the older siblings behind when the family is finally reunited in Canada would represent yet another brutal separation for a family that has already experienced separation.
- Live-in caregivers and people accepted on humanitarian grounds must wait years before they can sponsor their children. It is unfair to exclude children who have recently passed the age of 18 simply because of the length of the immigration process.
- Newcomers can't settle well when they are worried about close family members left abroad, especially when they are in a refugee-like situation. This limits their economic potential.
- Parents forced to leave behind young adult children will instead send money abroad to support their children, at an economic loss to Canada.
- Young adult children who are refugees may be in a refugee camp supported by Canadian humanitarian dollars. It would make better economic sense to bring them to Canada where they can contribute to society.
- The proposed change undermines one of the objectives of the Immigration and Refugee Protection Act, which is to reunite families.



The Regulatory Impact Analysis Statement explains the change by suggesting that we need to select the immigrants that will fare best economically in Canada. However, refugees and family class immigrants are not selected for their economic potential, so this is not an appropriate reason for changing the family definition in these classes.

Canadian society is stronger when families are valued and supported. Happy family life gives energy to work more effectively.

- Case Study: Two case examples are given below to illustrate the above points.
- CAPIC experience: Highlight the particular experiences of your organization and the people you serve.

Reference: Immigration and Refugee Protection Regulations regarding the sponsorship of parents and grandparents, published in the Canada Gazette, Part I, on 18 May 2013.

Reality gaps of this Regulation /Gazette

- The proposed change undermines one of the objectives of the Immigration and Refugee Protection Act, **which is to reunite families.**
- The increased financial requirements will mean that only the wealthy can sponsor their parents. Family reunification should not be a privilege reserved to the wealthy.
- The focus on economic contributions ignores the many other contributions newcomers make to our societies.
- Parents and grandparents often support the members of the family who are earning a salary, **for example by providing childcare.** They make their families stronger.
- Immigrants who are contributing to Canadian economy may leave if they can't bring their parents here.
- Refugees who arrive in Canada as unaccompanied minors do not have the right to family reunification with their parents and siblings. The proposed changes would greatly delay, and likely prevent, their ever being able to sponsor them once they are adults.
- Twenty year sponsorships increase the risk of serious hardships for families, in the case of illness or accident. **Immigrants are paying the same taxes as Canadians: it is not fair that they should be deprived for decades of the services paid for by those taxes. This is against Human Rights principle and equity values.**

Modification recommended: Sponsorship years should be limited to three years only.



Again drawn monetary amount should be reduced to the minimum.

Definition of dependent children

- The maximum age will be reduced to 18 years (from 21 years)
- The existing exception for full-time students will be eliminated

**** If the proposal is accepted, ALL applicants for permanent residence will be affected (refugees, economic immigrants, live-in caregivers, Family Class immigrants, etc). Children over 18 years will no longer be considered part of the family.

Children are the future generation leaders of each and every country. Therefore they cannot be put under stringent immigration rules.

The limitation in terms of civil status (i.e. that the child must not be a spouse or commonlaw partner) and the exception for older dependants unable to be financially selfsupporting due to a physical or mental condition would be retained.

*****This is completely unfair as it is against the family reunification. Younger generation cannot be devoid of family life.

Younger applicants would benefit Canada economically. They could be better able to participate in the labor market and integrate in Canadian society and more likely to support their families.

Change to the age of dependent children: Explanation given back in 2001 and 2002 for increasing the age.

The family regulations address issues that relate to adult children recognizing that some young adults enter new family relationships at a younger age, while others remain with their parents for a longer period of time. Given the importance placed on education, it is not unusual for some children to remain with their nuclear family while pursuing higher education before entering the labour market. The expanded definition of “dependent child” better reflects longer child dependency, in some of these cases; this definition also takes into account that children may have obligations in their country of origin, such as the performance of military duty, which may preclude their being able to immigrate within a specified period of time. **Under current legislation, these cases require review on a case by case basis to determine whether grounds exist to exercise humanitarian and compassionate consideration.** (Canada Gazette, Part I, December 15, 2001 p. 4539)

Canada Gazette, Part II, June 14, 2002 explains:

By allowing in-Canada consideration of some family class cases and broadening the definition of dependent child, these new Regulations demonstrate legislative policy intent that is responsive to current social realities. The new provisions recognize that in some cultures, unmarried children will continue to live with their parents. This in turn eliminates



undue hardship on the family in such situations where, under current legislation, consideration under the discretionary decision-making powers in the current Immigration Act is required. (p. 258)

It seems to me that another argument we can make is that reducing the age to under 19 will mean that visa officers are going to have to consider a lot more H&C applications for young adult children. In the case of families in refugee situations in particular, the arguments may be very compelling, but it will be quite time-consuming for officers to review these.

Socio -Economic **Messages to be further raised**

We can help make it real for people by asking Canadians to think about how they would feel if asked to leave behind their 19 year old child.

We should highlight the economic arguments (e.g. families sending money overseas to support children, or immigrants leaving Canada to be with parents they can't sponsor).

Action at Outreach:

Immigrant communities, Ethnic community organizations, live-in caregiver associations, media (mainstream and ethnic), refugee sponsorship groups, anti-poverty groups, faith communities should be actively engaged with the political leaders for necessary modifications through economic and social arguments for keeping the family together.

Develop case study or stories of families that would be affected by the changed rules.

World Refugee Day: June 20th can be used as the main platform for raising the issues.

Case Study-1

Globalization has broadened the scope of migration and human mobility. People migrate for a change in economic, social and environmental factors. Highly skilled migrants are at times benefiting from the State policies and at times victims of it. In recent years, the number of temporary foreign workers admitted to Canada has more than doubled.

At one front Canada is inviting immigrants through permanent residency program and temporary foreign workers program. Most often immigration policy made in accordance with a situation analysis. By the time any decision made on those applications policies/rules changed and so also occupation list. Eventually a skilled worker takes time to settle himself in the job market. At times it takes number of years to settle down with financial stability. Therefore, how come immigrants will be burdened with so much of financial requirement to sponsor their near and dear ones?

Again, decision on immigration application takes long time that varies from three to five years. In between policy changes and then the immigrant has to face the consequences. It is either loss of money or unemployment in Canada.

If Canada wants stable economy, then stringent immigration policy is not the answer.



Immigration policy should be socio-economic and culture specific.

Case Study 2

Restructuring Refugee Settlement policies

The 1951 Convention relating to the Status of Refugees turned 60 in 2011. What impact has this instrument had on resolving refugee problems and how effective has it been as the principal standard for the international protection of refugees? Although the total refugee and asylum-seeking population have dipped since the early 1990s, over 25 million “persons of concern to the UN High Commissioner for Refugees” can still be counted in the world today. Moreover, debates continue regarding the nature of the protection that refugees should be granted, the role of the international community, and the obligations of receiving countries towards refugees.

Reference to the recent regulation of Canada regarding sponsorship of parents and grandparents and the age restriction on children, how a single refugee woman/widow alone will manage? She can't bring her child along with her due to other restrictions initially. Now, if the child is more than 18 years then, is it justified that she will be staying in Canada all alone throughout her life as she has not enough money to sponsor even her parents or other accompanying family members?

Therefore, need of the hour is Canadian immigration and settlement policy should be taken into consideration the best socio-economic and cultural needs of immigrants and refugees.

Yours Sincerely,

Dory Jade

Dory Jade, RCIC, C.Dir.
National President