The background of the cover is a black and white photograph. It shows a woman and a child in silhouette, standing behind a chain-link fence. The woman is on the left, and the child is on the right. They appear to be holding hands or the child is reaching out. The fence is in the foreground, and the background shows a landscape with hills and a sky with birds. The overall mood is somber and evocative.

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# The History of Refugees in Canada: From Past to Present

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Jack Jedwab

# **POST-WAR DISPLACEMENT, CANADA, THE US AND THE EMERGENCE OF THE GENEVA CONVENTION: A BRIEF HISTORY**

Jack Jedwab

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## **INTRODUCTION**

Understanding the global movement of refugees and displaced persons in the second half of the twentieth century requires knowledge of the decisions taken by world leaders in the aftermath of the Second World War. It also entails some comprehension of the post-war migration of survivors of the Holocaust as their circumstances contributed to considerable reflection amongst international agencies tasked with the resettlement of displaced persons. That which follows will examine how the displacement of persons in the post-war period informed the articulation and ratification of migrant's rights leading up to the adoption of the 1951 Geneva Convention on Refugees.

## **DISPLACED PERSONS**

By the close of the Second World War there were millions of persons that had been removed from their homelands and brought to Germany by the Nazi regime. While some six million people returned to their native countries after the War there remained an estimated 1.5 to 2 million that did not do so. Amongst them, some one quarter of a million were survivors of the Holocaust largely from Central and Eastern Europe. Although liberation from the death camps brought freedom to those persecuted and imprisoned by the Nazis, it was also a time of confusion and difficulty. For the most part, the Holocaust survivors felt they had little motivation to return home, and no one to return to, as with very few exceptions they lost their friends, families and communities. Also, a return to what were once their 'home' towns risked encounters with hostile local populations.

By consequence, many of the Holocaust survivors were designated as displaced persons, (DP's) and resided in camps that were run by the United Nations Relief and Rehabilitation agency (UNRRA) and the IRO (International Refugee Organization). These DP camps were intended to provide temporary accommodations aimed at caring for survivors by offering shelter and food and this included others that were uprooted by the war.

Initially, all DP's (which included military personnel, concentration camp survivors, prisoners of war and slave laborers) were grouped together in the camps according to nationality. This meant that some Jewish survivors found themselves in camps alongside their former oppressors, simply because they both happened to be from the same country.

United States President Harry Truman appointed Earl Harrison, to inquire into the conditions and needs of persons in the DP camps with particular attention directed at the Jewish refugees that might be stateless or non-repatriable. The Harrison Report (1945) pointed out that many Jewish DP's were living under guard behind barbed-wire fences in what were formerly some of the most notorious concentration camps. Too often they had no clothing other than their concentration camp garb. Harrison regarded the treatment of the Jews as appalling. The report recommended the creation of separate camps for Jewish DPs to address their specific needs (in December 1945, the British zone of Germany also created separate camps for Jewish DPs, recognizing their special needs as a result of their traumatic experiences).

## **DISPLACED PERSONS: THE RESPONSE OF THE UNITED STATES AND CANADA**

### **I. UNITED STATES**

At the end of World War II, Jews comprised two percent of Germany's "displaced persons". By 1947, however, some 20% of DPs were Jewish. Nasaw (2020) points out that the world was finding work permits and resident status for Europe's refugees but many of the Holocaust survivors constituted an exception. In 1948, then United States President Harry Truman and the American Congress adopted the Displaced Persons Act. The legislation enabled European refugees to enter the US as permanent residents – unless they arrived to a DP camp after December 1945. The latter provision effectively prohibited nearly all Holocaust survivors from coming to the United States. Truman recognized the inherent biases underlying Congress' supposedly generous act. In an address to the American people regarding the legislation, Truman denounced its blatant discrimination and xenophobic undertones. Nasaw (2020) described it as a "...shameful moment in our [America's] history".

## II. CANADA

In 1939, some 907 Jewish refugees aboard the MS St. Louis were denied entry to Canada and had to return to Europe, where many later died in the Holocaust. This was viewed by some historians as an indicator of our lack of readiness to accept refugees. But others have argued that the more likely cause was deep-rooted anti-Semitism (Government of Canada, 2016). In the post war period this antipathy persisted and during the middle of 1946 given the negative state of public opinion towards immigration, the possibility of DP's emigrating to Canada seemed remote.

Still, the early post war reticence to admit the DP's gave way owing to a rapidly growing demand for workers in the post-War period. Thus, in spite of considerable domestic opposition, the country's Prime Minister Mackenzie King issued emergency orders to bring DP's to Canada. In March 1947 two Canadian resettlement teams were present in the DP camps and the first DP's sailed for Canada in the following month. Canada eventually became one of the major countries receiving DP's and by the end of 1951 an estimated 157 000 settled in the country.

### **INTERNATIONAL ENGAGEMENT ON DISPLACED PERSONS**

While the United States and Canada ended up amongst the two largest recipients of Europe's displaced persons, it became apparent that a broader international strategy was required to address issues of displacement and statelessness. The issue of statelessness arose from modifications to national citizenship legislation that emerged during the Second World War.

The problem of statelessness after World War II was especially acute and demanded international attention. An amendment to Germany's citizenship law that in 1941 deprived all Jews who had taken residence abroad—several hundred thousand—of their citizenship. This occurred regardless of whether they had been forced out of the country by deportation or had chosen to leave voluntarily. By 1948, some 3 percent, or some 10,000 out of 280,000 displaced persons living in Germany, were stateless. Until a law concerning the legal status as homeless foreigners was passed in April 1951, these DPs were defined as stateless foreigners under the auspices of the United Nations High Commissioner of Refugees.

### **A CANADIAN CHAMPION FOR THE RIGHTS OF MIGRANTS**

The Universal Declaration of Human Rights clearly states that “everyone has the right to a nationality” and that “no-one shall be arbitrarily deprived of his nationality.”

As the first Director of the United Nations Division of Human Rights, Canadian John P. Humphrey was responsible for drafting the 1948 UN's Universal Declaration of Human Rights. In his memoirs, Humphrey (1983) observed that: "...no article in the Declaration has been more criticized than Article 14, which says that everyone has the right 'to seek and to enjoy' asylum from persecution. This gives no right to asylum but only a right to enjoy it once it has been granted. It was probably too much to expect that governments would give up their discretionary power under international law to refuse to allow foreigners to enter their territories." Ultimately Humphrey admittedly sidetracked the issue saying merely that 'every state shall have the right to grant asylum to political refugees,' a right which was already recognized by international law.

## **THE 1951 CONVENTION ON THE STATUS OF REFUGEES**

At the universal level, the most comprehensive legally binding international instrument, defining standards for the treatment of refugees, is the United Nations Convention relating to the Status of Refugees adopted in July 1951. This Convention was adopted at a time when the refugee problems confronting the international community were mainly those of refugees of European origin. It was for this reason that the Convention contained a deadline which limited its application to the then known groups of refugees, i.e. persons who had become refugees as a result of events occurring before 1st January 1951. Humphrey (1983) notes that the 1951 Convention on the Status of Refugees say that persons entitled to seek asylum are not to be rejected at the frontier, expelled to or made to return to the countries from which they have fled, if this would have exposed them to persecution.

At the time of its creation, the 1951 Refugee Convention was the most comprehensive codification of the international rights of refugees. The 1951 Refugee Convention legally recognized—for the first time—refugees in the region based on their experience of displacement, rather than their country of origin. However, the Convention was originally limited in scope to persons fleeing persecution in Europe. The Convention is no longer the only international protection regime for refugees, but it established an important moral and legal precedent in global refugee response. It also continues to serve as a reference point for refugee rights agreements around the world.

## **CONCLUSION**

In his book "DP's: Europe's Displaced Persons, 1945-1951" Mark Wyman (1998) notes that the sweep of postwar refugee flows began with East Europeans' refusal to return to their 'former 'home' countries.

He maintains that displaced persons of the post-World War II years were caught up inextricably in politics. Despite the horrific tragedy that many displaced persons experienced during the second World War, many democracies remained reticent to admit them into their countries and this despite growing awareness in the post-War period of what the victims endured. This was also true for Canada. Nonetheless, the arrival of displaced persons in the late 1940's ended up constituting the largest group of twentieth century refugees to come to the country. Their arrival helped sensitize many Canadians to the plight of stateless peoples and ultimately marked a notable chapter in the nation's immigration history.

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# WORLD REFUGEE YEAR: THE CANADIAN RESPONSE

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In late 1958 the United Nations General Assembly declared that 1959-60 would be recognized as World Refugee Year (WRY). While this came a decade after the height of the 'influx' of the post-Second World War movement of refugees and displaced persons, it was initiated to deal with a lingering population of refugees in Europe, and new crises of displacement emerging in Asia, the Middle East, and North Africa. During the years 1947 through 1962, Canada admitted a quarter of a million refugees and displaced persons, half of which arrived between 1946 and 1951. Yet, Canada's responsibility to contribute to a global crisis was not over.

The Canadian Committee for World Refugee Year (CCWRY) was established in 1959 and directed by Muriel Jacobson, a woman with extensive international experience related to refugees and displaced persons. The objectives of the Committee were public education – "to focus attention on the refugee problem and to promote among the people of Canada a sympathetic interest in the plight of refugees throughout the world" – and to raise funds to support the work of the United Nations High Commissioner for Refugees (UNHCR) to clear the remaining refugee camps of Europe, and to support the integration or resettlement of those refugees as well as many more in other parts of the world.

There is limited public awareness of the special Year, other than Canada's decision to admit 300 refugees with tuberculosis, an illness that at the time prohibited admission, as well as 526 family members. The conversation among Canadians about World Refugee Year reveals a reluctant federal government, a broadly democratic national endeavor directed, in essence, by one woman, and a grassroots movement of civil society actors committed to improve the lot of the world's stateless and homeless.

The CCWRY consisted of forty-five sponsoring organizations, including faith groups, ethnic associations, a diverse array of women's groups, student groups, labour unions, and a range of NGOs. These groups cut across ideological lines and represented a notable collective of actors coming together in a common cause. What is remarkable about World Refugee Year in Canada is its

role as a forerunner for civil society engagement in refugee issues, including private sponsorship, a phenomenon that tends to be highlighted for the late 1970s and beyond.

As part of its publicity efforts, the CCWRY called on people to “Remember” that there remained homeless and desperate refugees in Europe. Its appeal was poetic and emotional, as was much of the rhetoric around World Refugee Year generally. The effort appealed to the charitable guilt – or to induce that guilt – of Canadians who were beginning to experience a postwar prosperity that allowed for the purchase of homes, modern household appliances, and vacations. Indeed, an editorial in the *Globe and Mail* proposed that “As one of the wealthiest and most respected nations in the world, Canada has a heavy obligation to take a leading part in this great humanitarian enterprise.” The educational component of WRY in Canada also included material demonstrating that “New Citizens are New Assets” and offered stories of famous Canadians who were refugees.

In the spirit of identifying with the plight of refugees and to generate empathy, the CCWRY declared April 24-30, 1960 as “Austerity Week.” Canadians were encouraged to “Deny yourself something this week, and give what you save to WORLD REFUGEE YEAR... We can all do a LOT if we all do a LITTLE.” Citizens were encouraged to put a collection box in “a prominent position” in their home during Austerity Week for all “positive acts of self-denial,” suggesting that “cigarettes, liquor, cinema and theatre tickets, dances and other entertainments, hairdresser and barbers, cream, sugar, chocolate” would provide the “principal opportunities for self-denial.”

Along with education, fundraising was a significant aspect of WRY. One success that received international attention – called “Operation Eskimo” – was an auction of Inuit clothing, a harpoon, and soapstone carvings in Toronto on May 5, 1960 that generated 5,000 dollars. Peter Casson, the UNHCR representative in Canada, visited the “Eskimos” of Frobisher Bay Rehabilitation Centre in April 1960. Casson, who posed for photos with Inuit artists and children in traditional dress, said he was “sick of begging across Canada” and felt that “An Arctic setting...would give a sense of colour and urgency to the plight of thousands of men, women, and children still rotting in camps.” Representing the Inuit, Abe Okpik said that the Eskimos “knew what it was to be in need of food and shelter for they had lacked them many times in the past.”

The irony that First Nations also struggled with inadequate housing, healthcare, and education, and lacked food security, while being asked to help refugees, was not part of the news stories. Media coverage concluded that, “If the Eskimos, who live in a region devoid of any comforts as we know them, can take of their potential meager income to help the refugees, surely all Canadians in the south cannot afford to do less!” The Inuit were described with condescension yet lauded for empathizing with refugees when other Canadians were falling short.

Other fundraising initiatives included 'Border Crossing Pennies,' whereby donation boxes were placed at Canada-US borders during the tourist season, so that travelers could understand the privilege of free borders. The sale of jar opening devices, as well as theatre productions and dinners – organized mainly by women – generated small amounts of money for the cause. Many Canadians sent in one to five dollars in order to “do something” to help the homeless in the world. The donation of meal sales by Chinese restaurants in Toronto was another initiative that echoes present-day localized efforts on behalf of Ukrainian refugees.

A third important outcome, along with education and fundraising, though not initially part of the CCWRY's mandate, was the private sponsorship of refugees, representing a fundamental willingness on the part of some citizens, to open Canada's doors. Residents of the Orchard Heights neighbourhood of Port Credit, Ontario became the first private sponsor of a European refugee family of five from Yugoslavia. Led by TV personality Fred Davis and his wife Jo Davis, Orchard Heights was willing to sponsor a refugee family regardless of “occupation, religion, or nationality,” and stepped up with schoolchildren collecting vitamins and kitchen gadgets, a local physician and dentist offering free services, and food donated by the neighbourhood grocery store. There were many bureaucratic delays in the process, prompting writer Pierre Berton to point out that the Orchard Heights group would take “any family” but that restrictive government regulations forced them to make choices about family size, occupation, and religious affiliation. In the end, the Orchard Heights example of community action spread until thirteen groups across Canada had sponsored seventeen families comprising seventy persons.

Although critique of government policy was not an expressed purpose of WYR, this did emerge. For example, the *Globe and Mail* offered a strong statement as WYR neared its end, saying, “As a nation, we are not accustomed to basing our national policies on humanitarian principles. Canada's immigration policy, like nearly all immigration policies, is heavy on discrimination and light on considerations for social justice. It was formed solely to serve Canada's immediate benefit. It was certainly not designed to help solve the refugee problem.” The admission of a large number of Hungarian refugees in 1956, it was argued, was done mainly to capitalize on a wave of anti-Communist feeling than genuine interest in helping refugees. What was needed, the writer suggested, was “a completely new policy based upon humanitarian values.”

Was World Refugee Year a success in Canada? The financial impact was not substantial. Yet, while opinion polls of the late 1950s showed 64 percent of Canadians were against increased immigration, by March 1960, 61 percent approved the admission of certain 'hard core' refugees. Educational initiatives around WRY may have begun to drive a wedge into the racism that existed amongst Canadians towards non-white immigrants. Our understanding of the points system introduced to Canadian immigration regulations in the early 1960s – often lauded as a progressive end to

race-based approaches – should be nuanced by our understanding of these years just prior. 1960 was described as “the year Canada opened heart,” while less than two years later the press announced Canada’s largescale postwar immigration as officially over.

In her final report, Jacobson said “The first objective of the CCWRY – to create a favourable climate of public opinion on behalf of refugees – has been fulfilled in generous measure.” While the small deeds of individuals in remote Canadian locales might seem as paltry as the government’s efforts on behalf of refugees, one shouldn’t underestimate the power, over the long term, of collective enthusiasm and action for a cause. Much of the collective good that emerged during WRY paved the way for broader civil society engagement in years to come. We can’t quite measure the direct impact of WRY in Canada’s future response to refugees, but it does provide a glimpse into a highly concentrated moment when Canadians were galvanized to think and act locally to support a global need.

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# A PERSPECTIVE ON JEWISH REFUGEES IN CANADA

Ira Robinson

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To properly understand the impact of refugees on the Jewish communities of Canada, we must begin by understanding what the term signifies. The United Nations Refugee Agency defines refugees as “people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country.” We begin, therefore, by observing that a decided majority of Jewish Canadians today, though they have not themselves immigrated to Canada, are descended from immigrants who were “pushed” out of their country of birth by combinations of religious, racial, and economic discrimination on the part of their home country, and were hoping to achieve legal and social equality, as well as economic opportunity, in Canada. This was especially true for Jews originating in the pre-1917 Russian Empire, who faced legal discrimination, state-condoned violence, and much else. They were “refugees,” though they were not described with this term at the time of their arrival in Canada. It was this wave of Jewish immigrants at the turn of the twentieth century that gave the Canadian Jewish community its religious and cultural flavor as well as its historical memory.

Refugees as we now understand them only became an issue facing Canada and the rest of the international community with the imposition of passport and visa regulations during World War I, followed by restrictions of immigration in the post-World War I period in the United States, Canada, and elsewhere. All refugees from the upheavals of World War I and its chaotic aftermath in Eastern Europe seeking to come to Canada became a political problem for the Canadian government in several ways: French Canadian political leaders feared the diminution of their political power in the Dominion through increased immigration, which would only strengthen the demographic dominance of Anglo-Canada. Canadian workers feared that immigrants would compete for their jobs. Jewish refugees wishing to settle in Canada faced, on top of the previous factors, endemic antisemitic prejudices in both French and English Canada that portrayed Jews as liable to utilize all means to destroy Canada’s established (Christian) values and institutions through, for instance, their alleged prominence in the communist movement.

All these factors combined to make Canadian immigration authorities deaf, for the most part, to the incessant pleas of German Jews seeking to flee Nazi oppression in the 1930s to enter Canada. This governmental policy was summarized by the director of Canada's Immigration Branch, Frederick Blair, who, when asked how many Jews should be allowed to immigrate, responded "none is too many." This policy was strictly maintained despite intensive lobbying on the part of the Canadian Jewish community, represented by the Canadian Jewish Congress, seeking to open Canada's doors to increasingly desperate Jews. These included hundreds of passengers on the German ship St. Louis, whose entry into Canada was denied, for which Prime Minister Justin Trudeau formally apologized on behalf of Canada in 2018. Ironically, however, during World War II large numbers of German-Jewish refugees in England were incarcerated as enemy aliens and transported to Canadian prison camps, from which many of them were ultimately freed to make their home in Canada.

In the immediate post-World War II period, immigration of Jewish refugee survivors of the Holocaust to Canada turned out to be almost as strictly regulated as in the pre-war period. Those Jewish survivors who would or could not repatriate to their prewar homes, as Allied refugee policy initially dictated, remained in limbo as "Displaced Persons" in the Allied zones of Germany and Austria, since no country was willing to receive them in large numbers. This "limbo" lasted until after 1948, which not coincidentally marked the establishment of the State of Israel that accorded all Jews free immigration rights. Only at that point did the United States, Canada, and other countries begin to modify their immigration policies in order to allow a significant migration of Jews. At that point, Canada, which still hesitated to declare itself open in principle to the entry of European Jewish refugees, nonetheless began to admit significant numbers of Jews under programs like the "tailor project" which succeeded in bringing several thousand Jewish immigrants to Canada, ostensibly to fill job openings in the Canadian garment industry. The reception of approximately 40,000 survivors of the Holocaust by a Canadian Jewish community that had not seen significant Jewish immigration for over two decades left much to be desired. Survivors quickly learned that there was little effort to understand their experience among Jews who had not undergone that experience. On the other hand, the influx of thousands of Holocaust survivors in Canada in the postwar period necessarily spurred the development of the major Canadian Jewish communities, particularly Montreal. Survivors and their issues also challenged the agencies of the Jewish community in Canada, especially the Canadian Jewish Congress and the Jewish Immigrant Aid Society, to work with greater effectiveness. This stood the community in good stead when new waves of Jewish refugees sought immigration to Canada. Jewish community organizations learned to work with the Canadian government with great effectiveness in order to deal with extremely sensitive issues relative to Jewish refugees and their complex and vulnerable situations.

The several thousand Jewish refugees who came to Canada after the Soviet suppression of the Hungarian Revolution in 1956–57 marked the beginnings of a shift in the Canadian government's perspective on its refugee policy. The government ceased regulating immigration through orders-in-council, which had characterized the pre-World War II period. New parliamentary legislation, like the 1976 Immigration Act marked Canada's new openness to immigration on a wider scale and from non-European countries.

Beyond the Hungarian Jewish refugees, the late 1950s and 1960s also saw major cohorts of Jewish immigrants to Canada fleeing the Arab world because of its violent reaction to the establishment of the State of Israel. This reaction in the Arab world undermined the security and the confidence of Jewish communities in the Middle East and North Africa, and Jews began arriving in Canada from countries like Iraq and Morocco. While these Jews did not enter Canada as refugees in any formal sense, their experience was similar to that of other refugees of the era. Indeed, many of the Jewish immigrants from Arab countries to Canada came to consider themselves as refugees and the Canadian government, under Prime Minister Stephen Harper, ultimately granted them recognition as refugees in 2014. Social and political developments in South Africa contributed as well to the arrival of a significant number of South African Jews in Canada.

In 1982, scholars Irving Abella and Harold Troper published an influential book on Canada's treatment of Jews seeking to immigrate to Canada in the 1930s and 40s entitled *None Is Too Many: Canada and the Jews of Europe, 1933-1948*. What is remarkable is that this was a scholarly book whose influence went far beyond the academic world and became a factor of some importance in Canadian discussions of policies toward refugees as well as in the actual formulation of government policy. The phrase "none is too many" became a symbol of a wrongheaded Canadian policy and, according to Abella, constituted "an ethical yardstick against which contemporaneous government policies are gauged."

Jews from the Former Soviet Union began arriving in Canada in large numbers in the 1990s. Their arrival in Canada was an extremely complicated process because the Soviet Union had formally agreed to the "repatriation" of these Jews to Israel, and not to other countries. Israel for its part was not happy with the reality that a significant number of Jewish emigrants from the Former Soviet Union preferred living somewhere other than the State of Israel. This Israeli sensitivity was further aroused by the fact that hundreds of Jews from the Former Soviet Union, who had lived in Israel for a time but were not considered "Jewish" according to Israeli law, claimed refugee status in Canada on the grounds of persecution in Israel as "non-Jews." Their argument before Canadian refugee tribunals was successful in a number of cases, particularly in Quebec, and was the subject of a diplomatic exchange between Israel and Canada, in which Israel objected to its designation as a "refugee-producing country."

It is clear that immigration of Jewish refugees to Canada is an important part of the multifaceted Canadian Jewish story. This immigration reflects as well the evolution of Canadian immigration and refugee policy in the past century. Finally, we must understand that the arrival of multiple waves of Jewish refugees in Canada significantly influenced the way that the Jewish communities of Canada understand themselves and their world.

\*This article was enriched through conversations with Rivka Augenfeld and Sean Remz. Any errors in this article remain my responsibility.

# “HONK IF YOU HATE GYPSIES” AND BOGUS REFUGEES: THE UNWELCOME HISTORY OF ROMA REFUGEES FROM EUROPE WHO SOUGHT ASYLUM IN CANADA BETWEEN 1990 AND 2013

Gina Csanyi-Robah

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*“The blatant and pervasive injustices stemming from the top echelon of Canada’s government toward the European Roma refugees was counterbalanced by an equally huge dose of Canadian love that manifested in countless ways. It was this support that ultimately sustained my struggle to help thousands of people from my community.”*

***Gina Csanyi-Robah***

Gina Csanyi-Robah is the Executive Director of the Canadian Romani Alliance and teacher for the Vancouver School Board. A Canadian born granddaughter of Roma refugees from Hungary who fled during the 1956 Hungarian Revolution, she began her work as an educator and a Romani rights activist 20 years ago. In 2012, Gina was the Executive Director of the Roma Community Centre in Toronto when she testified in Ottawa to both a Canadian Parliamentary Committee and the Canadian Senate Committee Social Affairs, Science, and Technology regarding the systemic discrimination experienced by Roma Refugee Claimants in Canada, as well as the prejudicial reforms to national immigration policy that directly impacted Roma refugees from Europe. Her dedicated work on behalf of her community earned her the Queen Elizabeth Diamond Jubilee Medal in 2012 , as well as the Canadian Association of Refugee Lawyers 2012 Advocacy Award. Also, in 2012, she designed a public education program called “Hate Can Kill’ which earned an award nomination from the Canadian Race Relations Foundation. In 2013, Gina was invited to join the Canadian delegation to the International Holocaust Remembrance Alliance to serve on the Committee of the Roma Genocide. The following year, Gina was invited by the Office of the Human Rights Commissioner to

speak at the United Nations in Geneva, Switzerland on April 8, 2014, in honour of the UN's first International Roma Day commemoration. In August 2020, after many years of advocacy and public education by the Canadian Romani community, the Government of Canada officially recognized the Roma Genocide during the Holocaust of WWII. Gina has been a contributor to anthologies, books, and articles.

It has been a long, hard, challenging road for the Romani diaspora originating in Northwestern India beginning in the 11th century. Those roads, often a result of forced migration, brought us Roma people through the Silk Road through Persia, the Middle East and North Africa before entering Europe through either Turkey or Spain in the 14th century. We are currently the largest minority on the European continent with approximately 12 million people. Our history in Europe includes many atrocities including centuries of enslavement and genocide, most recently during the Holocaust when at least a million Roma perished.

Despite widespread documentation of serious human rights abuses, the Roma people from Europe who sought asylum in Canada between the years 1990 – 2013, experienced tremendous hardship resulting from racism and discrimination by individuals, socially, and the Canadian institutions. Thankfully, there is now general knowledge about the endemic discrimination experienced by Roma people in Europe, as reflected in the 2021 high acceptance rates for Roma refugee claimants at the Canadian Immigration and Refugee Board (Czech Republic 75%; Hungary 91%; Romania 72%; and Slovakia 100%) at the Immigration Refugee Board of Canada. Fortunately, it is quite clear that Canadian immigration officials are aware and willing to acknowledge the endemic discrimination toward the Roma minority in Europe, including in Hungary. Recent NGO reports from Europe have continued to document the prevalence of systemic discrimination. According to a 2021 report, Roma in Hungary: The Challenges of Discrimination, “research in recent years has shown that Roma in Hungary suffer substantial disadvantages in all areas of their daily life”.

## **THE HISTORICAL IMPACT OF CANADIAN IMMIGRATION POLICIES ON THE ROMA REFUGEE CLAIMANTS**

In his book “DP’s: Europe’s Displaced Persons, 1945-1951” Mark Wyman (1998) notes that the sweep of postwar refugee flows began with East Europeans’ refusal to return to their ‘former ‘home’ countries.

## CANADIAN POLITICIAN INCITES ANTI-ROMA RACISM

The Canadian federal government has had a long history of institutionalized discrimination against the Roma community. Shortly after the fall of the Iron Curtain in 1989, which signaled the end of Soviet occupation in Hungary and much of Central Europe, Hungarian Romani refugee claimants in the post-Soviet period arrived in Canada, with approximately 9,500 refugee claims made between 1998 and 2002. At first, recognition rates in these cases were very high: around 70% of the approximately 200 Hungarian refugee claims.

In 1992, there was an appalling article in the Toronto Star which shared a very negative perception of the 'Gypsies' coming from Europe.

A Toronto area politician, Gordon Chong, had been quoted in the tabloid Toronto Sun as stating that when he was growing up in Toronto he saw "Gypsies running brothels, where the men would stand outside calling in men to have sex with their wives and daughters." Ronald Lee, co-founder of the Roma Community Centre in Toronto, approached the then Toronto Mayor, Barbara Hall, and she called a Council meeting, demanding that Alderman Chong apologize or resign. After three calls for an apology, or a vote for his dismissal, he apologized. Ronald Lee called the Toronto Sun asking for a retraction, explaining that what Chong had described were fortune-telling establishments. The newspaper refused. The negative perception of 'Gypsies' inevitably caused damage at the Immigration Refugee Board and acceptance rates plummeted.

Later, a group of local skinheads demonstrated in front of the Lido Motel in Toronto where Czech-Roma refugees were temporarily housed. They carried signs stating: "Canada is not a trash can" and "Honk if you hate Gypsies." The local Roma community in Toronto, with the support of Bernie Farber, the Canadian Jewish Congress CEO, held these hate mongers responsible for making criminal, hate crime reports that successfully brought the neo-Nazi skinheads to court.

By 1998, thousands of Roma people were again coming from Hungary and the Czech Republic to seek asylum in Canada and most had successful claims until the Canadian government directly intervened into the independent decision making process of the Immigration Refugee Board. In 1998, the IRB accepted an overwhelming majority of Roma claimants. The next year, however, less than 10 percent of the Hungarian Roma cases were approved due to the discriminatory action of the government that took place in late 1998 when senior IRB officials took the unprecedented step of crafting a lead case decision based on the claims of only four Hungarian Roma refugee claimants.

At some point it was decided to conduct a "test case" to examine the overall situation of Roma in Hungary, which would then be used in deciding other Hungarian Roma cases.

From the testimonies of these “experts” establishing the “lead case” the adjudicators concluded that while discrimination is common, actual persecution of Roma in Hungary is rare, and that the situation is steadily improving. The inevitably negative decision led to an immediate and dramatic decrease in positive decisions. The Hungarian Roma acceptance rate of 70%, in 1998, plummeted to 16% for the whole of 1999, and to just 8% in the two quarters that followed the Lead Case decision.

## ROMA DECLARED “BOGUS REFUGEES”: SYSTEMIC DISCRIMINATION PART 2

Beginning in 2007, as the Canadian government was working toward solidifying the Canada-Europe Free Trade Agreement (CETA), the Immigration Policy toward Hungary changed, and once again the travel visa was no longer required for people from Hungary and the Czech Republic. The EU had made it clear that for CETA to be ratified, there could be no travel restrictions for EU member states.

Beginning in 2009, approximately 13,000 Hungarian Roma sought refuge in Canada until the federal government created a very unwelcoming environment and eventually changed their federal immigration and refugee policy in 2012. In 2007 and 2008, thousands of Czech Roma once again sought asylum in Canada when there was a huge resurgence of neo-Nazi violence toward Roma in the Czech Republic. The acceptance rate at the Immigration Refugee Board was 80%! Once political interference into the Immigration Refugee Board began, and Hungarian Roma asylum seekers were unjustly labeled as "bogus refugees" by the then Canadian Immigration Minister, Jason Kenney, the acceptance rate quickly fell sharply to zero. It remained at zero for 4 straight months, and then slowly began to climb back up to 12% where it remained for the next few years as the Canadian public was bombarded by negative messages about the Roma refugees.

According to Kenney, Roma refugee claimants came to Canada to commit crime, collect welfare, and receive free healthcare. He fanned the flames of negative Gypsy stereotypes and the plan worked very well. Hungarian Roma found themselves in such an unwelcoming, discriminatory climate in society and in institutions. Being labelled as bogus claimants, or fraudsters, wanting to take advantage of Canada, resulted in many people of Roma ethnicity becoming subjects of suspicion in their neighbourhoods, workplaces, schools, and when accessing social services or medical care. Many told me directly that they felt that they were receiving the same hatred that they were fleeing from in Hungary. Canada became a frightening place for these refugees. Many of them became so disheartened, by the discrimination from the Canadian Federal Government, as well as by the serious negligent legal representation that thousands received, that they gave up on their asylum claims.

Then former Minister of Immigration, Jason Kenney, continued to insist that Roma were “bogus refugees”. He made an impromptu attendance at a roundtable discussion at the Roma Community Centre on October 29, 2011 while I was the Executive Director. The meeting I organized was held at the request of local officials of Citizenship and Immigration Canada. At the meeting, Minister Kenney had the opportunity to hear first hand testimony from Hungarian Roma refugee claimants who shared stories of the torment and attacks they experienced in their village by neo-Nazi extremists in Hungary, and the horror that they had endured prior to coming to Canada. Disappointingly, despite these heart wrenching stories he heard, Minister Kenney ended the meeting still insisting that Roma were “bogus refugees”.

The fanning of negative “Gypsy” stereotypes became commonplace by the Immigration Minister. Kenney continued to very publicly iterate that Hungarian Romani refugee claimants were criminals and were coming to Canada to take advantage of social programs. According to Minister Kenney, Hungarian claimants come to Canada not because they “need our protection” but rather “to benefit from the generosity of Canada’s social welfare system.” He also told a Senate Committee that Hungarian refugee claimants come to Canada because of programs such as the GST rebate, the Child Tax Benefit, welfare, public housing, and health care. As he put it, “There is a wide series of benefits that people can obtain, which appears to be a significant factor in that migration.”

The largest number of deportations of Roma refugees was in 2012. The experience of 2011 and 2012 was devastating to the Roma community in Canada. The mass deportations of Roma seeking asylum in this country tore the fabric of the community. They had fled harsh treatment in Hungary, and now did not have the protection of the rule of law in Canada.

In April 2012, at a time when there was a UN Universal Periodic Review of Canada, I wrote a submission to the United Nations High Commission for Human Rights about the unfair treatment Roma refugees were receiving from the Immigration Minister, Jason Kenney. It was entitled “Delegitimizing Roma Refugees in Canada”. I wrote extensively about the discrimination experienced by Roma asylum seekers. The Canadian government not only characterized them as ‘bogus refugees’ for all Canadians, but Minister Kenney went as far as to appear on Hungarian public television in an interview where I heard and watched him reassure Hungarians that he knew that Hungary was a good, safe country. Rather than acknowledge the plethora of well-documented evidence pointing to abuse of Roma in Hungary by the State, Kenney went on to state that he fully supports the Hungarian government and is aware that these are “bogus refugee” claims.

Moreover, Immigration Minister Kenney took his prejudiced views and discriminatory actions toward Hungarian Roma refugees to the next level by erecting Canadian billboards in one of the main cities in Hungary that many of the refugee claimants came from. The clear message is that you will be deported! This was an unprecedented move by Canadian immigration officials.

The Canadian Civil Liberties Association rang alarm bells. In a 2012 Toronto Star article entitled, “Roma Refugees: Canadian Billboards in Hungary Warn of Deportation” stated, “Since last week, the Canadian government has erected six billboards in Hungary’s fourth largest city, proclaiming: ‘Those people who make a claim without sound reasons will be processed faster and removed faster.’”

As well, the Citizenship Immigration Minister encouraged overt racism with Canada Border Services Agency officers at Toronto’s Pearson Airport where most of the Hungarian Refugee Claims were made. CBSA depicted the Roma people in such a negative, racist view. It described the Hungarian refugee claimants as criminals and fraudsters. “Not only did government officials assert that Hungarian Romani refugee claimants were fraudsters who came to Canada to abuse welfare and other social programs, they also issued warnings about risks of criminality.”

## DESIGNATED “SAFE COUNTRIES” - CHANGING CANADA’S IMMIGRATION REFUGEE SYSTEM: SYSTEMIC DISCRIMINATION PART 3

In 2012, Citizenship and Immigration Canada reformed the refugee determination system in Canada to deter Roma refugees from coming to Canada. It would become a two-tier system with a list of designated “safe countries”. The refugees from the “safe designated countries of origin (DCO)” would have differential treatment resulting in a more challenging time to obtain a successful asylum claim. “Ultimately, the measure selected by the government to, among other things, deter the arrival of Hungarian Romani refugee claimants was to reform Canada’s refugee determination system. The new system, which came into effect in December 2012, purportedly aims to discourage unfounded refugee claims by speeding up the process and by limiting the procedural and substantive rights.”

In response to this differential treatment, I wrote to the United Nations, did countless public talks, and raised the issue in the media. In a Toronto Star article, “Why the Roma are Fleeing Hungary and Why Canada is Shunning Them”, I was quoted as saying, “Would-be refugees from those countries would have only 15 days to file a personal information form outlining their claim instead of the current 30 days. And they would have to prepare for a hearing in 30 days, instead of the several months they now have. It’s setting people up for failure right from the get-go. There’s just no way. . . you can get supporting documentation like medical and police reports in that time. You must order these from these countries. Try to get it from the U.S. and it’ll take you more than six weeks. Now you want it in less than 15 days from Hungary? Come on. Do you think these people are going to get any co-operation from Hungary, where people say Roma are giving their country a bad name?”

As a final remedy for this institutional discrimination toward my community, I went to the federal government. In May and June of 2012, I was the first Canadian Romani to testify in front of a Parliamentary Committee, and the Canadian Senate, regarding Romani asylum seekers and the unfair treatment they were receiving from the Immigration Minister Jason Kenney, particularly in the forthcoming changes to immigration policy that would establish a list of “designated safe” countries and a two-tier asylum system.

## INTERDICTION – ROMA BEING PREVENTED TO BOARD PLANES TO CANADA - SYSTEMIC DISCRIMINATION PART 5

Since 2013, since the inception of the Electronic Travel Authorization (ETA), which is required to enter Canada, I have received at least 100 reports of Hungarian and Czech Roma not being allowed to board airplanes to Canada. This interception at airports when boarding planes is a clear example of racial profiling, is yet another example of discrimination from the Canadian government toward Roma people.

In a 2017 Toronto Star article, “Roma Say They’re Being Barred from Flights to Canada”, a Toronto immigration and settlement worker, Paul St. Clair, who has helped the Roma refugee community for over 20 years, said, “The interdiction is happening everywhere. I have had 50 Roma families in Toronto coming to us in the last six months, asking me what to do about it, how they can help their relatives come to visit. While advocates including St. Clair agree that many Roma, who were once known as Gypsies, may intend to come to Canada for asylum, they say Canada cannot stop legitimate refugees from travelling and accessing its asylum system if they have the proper documentation to visit the country and solid grounds to support their need for Canada’s protection.

A CBC news report, “Roma Refugees Victims of Systemic Discrimination in Canada” shared that Canada still has some distance to go to fully embrace respect for the human rights of those seeking refuge from hatred, racism and xenophobia. “The country must do better.”

Hopefully, the Roma community will be able to live without the shadow of negative “Gypsy” stereotypes and systemic discrimination continuing to plague us. It impacts all of us Canadians when this one seemingly acceptable form of racism continues to linger and exemplifies the injustice that we collectively seek to eliminate.

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# HOW OPERATION SYRIAN REFUGEES INFORMS CANADA'S RESPONSES TO CURRENT AND FUTURE REFUGEE CRISES

Leah K. Hamilton, Luisa Veronis and Margaret Walton-Roberts

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In a record-breaking 118 days – between November 3, 2015 and February 29, 2016 – Immigration, Refugees and Citizenship Canada (IRCC), in coordination with other federal ministries (Kiziltan, 2020) led the resettlement of 26,172 Syrian refugees (Government of Canada, 2017b). This number grew to over 40,000 by January 2017 (Government of Canada, 2021). Known as Operation Syrian Refugees (OSR; Government of Canada, 2017), this initiative was the result of one of Prime Minister Justin Trudeau's primary election promises. In this short piece, we discuss several lessons from this large resettlement effort that can inform our response to current refugee crises. Moreover, we question Canada's focus on 'signal' refugee movements – events of forcible displacement that garner international media attention – rather than endemic situations.

Canada has an established history of accepting refugees (Hamilton et al., 2020; as this special issue underlines), including large cohorts. But the only previous event comparable to OSR was in 1979-1980, with the arrival of 60,000 Indo-Chinese refugees (Alboim, 2016; Beiser, 1999; Molloy et al., 2017). Since the 1990s, Canada was resettling approximately 11,000 to 13,000 refugees annually, thus the arrival of Syrians marked a significant turn in its international commitment to supporting refugees.

In addition to the speed of this resettlement effort, this cohort of refugees differed from other groups in several important ways. About 55% of Syrians arrived as Government-Assisted Refugees (GARs), with 36% as Privately Sponsored Refugees (PSRs) and nearly 10% as Blended Visa Office-Referred Refugees (BVORs; Government of Canada, 2017a). Syrian refugees had significantly larger family sizes (especially among GARs) and nearly half were minors under the age of 18 (IRCC, 2019). Generally, this cohort tended to have less formal education and was not as familiar with Canada's official languages (IRCC, 2019). Finally, many Syrian refugees had significant health needs owing to the considerable pressures on the health system in Syria and major refugee hosting countries in the region. All these characteristics had implications for the resettlement ecosystem, including housing, the education and healthcare systems, and language training among others (Walton-Roberts, Veronis, & Hamilton, 2020).

During OSR, the Social Sciences and Humanities Research Council of Canada (SSHRC, 2016) partnered with IRCC to award 27 rapid response targeted grants examining different dimensions of the Syrian refugee arrival, resettlement and integration experience. Inspired by the recording of earlier resettlement events in important collections – such as *Strangers at the Gate* (Beiser, 1999) and *Running on Empty* (Molloy et al., 2017) –, we edited a multidisciplinary book featuring 13 of these projects. *A National Project: Syrian Refugee Resettlement in Canada* (2020) has three main objectives: (1) to document Canada’s experience with OSR; (2) to provide a systems approach to highlight how the dynamic interplay between processes, structures and actors shape refugee resettlement; and (3) to assess what worked, what did not and why. Drawing on the third objective of our edited collection, OSR provided key lessons that can inform Canada’s response to current refugee crises, specifically in Afghanistan and Ukraine.

Since the collapse of the Government of Afghanistan in August of 2021, 22,915 Afghan refugees have arrived in Canada under three streams: 1) the existing permanent residence pathways, specifically for extended family members of former interpreters; 2) “Special Immigration Measures” program for Afghan nationals who assisted the Canadian government’s efforts in Afghanistan; and 3) existing humanitarian programs as GARs and PSRs (Government of Canada, 2022a). Of note, IRCC has tried to streamline the PSR process by enabling groups of five and community sponsors to sponsor Afghan refugees who do not have a refugee status determination (RSD) document. This temporary exemption from the typical private sponsorship regulations was granted in recognition of the significant and timely barriers refugees often face in obtaining an RSD document from UNHCR or a third country. Compared to OSR – which required the mobilization and coordination of no less than 12 different federal ministries, departments and services, the resettlement plan and process for Afghans was faster and more streamlined. This speaks to the strengths of Canada’s refugee resettlement initiatives and the robust expertise it has acquired over the years, enabling it to deploy responses more rapidly. OSR tested and strengthened Canada’s unique, intersectoral approach to newcomer settlement. This contributed to better collaboration and communication between providers, communities and other stakeholders, as well as the emergence of new organizations and the development of innovative programs and approaches to resettlement (including indirect services; Veronis et al., 2020). Ultimately the investments and infrastructure expansion made before and during OSR paid off (see Walton-Roberts et al., 2019 for details on how Local Immigration Partnerships factor into this). In turn, Canada’s response to the situation in Afghanistan showed its readiness to rapidly support a new cohort of refugees.

Since Russia invaded Ukraine in February 2022, the Government of Canada has created several special programs to support those fleeing Ukraine. In particular, the Canada-Ukraine Authorization for Emergency Travel (CUAET) is “a special, accelerated temporary residence pathway for Ukrainians seeking safe haven in Canada while the war in their home country continues” (Government of Canada, 2022b). Technically this is not a refugee program;

it uses an existing temporary resident visa process to bring as many Ukrainians as possible to Canada very quickly. To date IRCC has received 628,492 applications – 312,318 applications have been approved and 105,651 Ukrainian nationals have arrived in Canada (Government of Canada, 2022c). Ukrainian nationals can apply for an open work permit when they submit their application, and they receive a one-time payment of \$3,000 per adult and \$1,500 per child under the age of 17. Some immigration scholars (e.g., Garnier et al., 2022) have argued this may be a new era in refugee policy. This program differs from Canada’s previous resettlement efforts in several notable ways, including that it only offers temporary protection (Garnier et al., 2022). While this ensures Ukrainians can get to Canada quickly, it is not a permanent solution, rather it reflects the failure of current refugee policy (where it often takes over 2 years to bring people to Canada) to meet the needs of those facing conflict. This program continues to evolve (e.g., Ukrainians arriving under this program are now eligible for language training) and its long-term effects – for this and future cohorts of refugees – remain to be seen.

For both Afghan and Ukrainian Refugees, it will be important for IRCC to implement a robust performance measurement plan to evaluate resettlement outcomes. In its OSR evaluation (IRCC, 2019), IRCC illustrated its commitment to better data collection and dissemination. A similar evaluation strategy ought to be implemented for refugees from Afghanistan and Ukraine. For the latter cohort, it will be particularly important to examine which factors (e.g., housing, labour market integration, education, healthcare) may influence return and/or onward migration decisions. Potentially, this new model may represent a promising approach to assist future temporarily displaced populations so that they are supported and prepared when the time may come to return home.

CUAET leverages some key learnings from OSR, notably that it is possible to resettle large cohorts of temporary residents/refugees relatively quickly. This can be critically important when people need to be rapidly evacuated. Nevertheless, as learned in OSR, rushed processes lead to resettlement problems (e.g., information gaps, housing issues), and place pressure on resettlement stakeholders and the system. Since OSR, the settlement sector and IRCC policymakers have quickly responded to crises in Afghanistan and then Ukraine; it is important to note that these efforts came during the COVID-19 pandemic (2020-2022), exacerbating challenges for the immigration system and socio-economic conditions at large (e.g., housing, healthcare, inflation, and cost of living). This pace surely cannot be sustained in the medium and longer term.

One of the critical lessons from OSR was that resettling large cohorts of refugees creates inequities (both real and perceived) within and between refugee groups, and between refugees and other equity-deserving groups in Canada (Veronis, Hamilton, & Walton-Roberts, 2020).

Since OSR, Canada moved quickly to resettle cohorts of Afghan refugees followed by Ukrainians, both of which were ‘signal’ refugee movements that received extant media coverage and captured Canadians’ attention and support. Meanwhile, there are other protracted, endemic refugee crises that deserve our attention, including in North and East Africa, and throughout Central and South America. For instance, little attention has been paid to refugees living in Kakuma refugee camp in Kenya which was established in 1992 to host mainly unaccompanied children and youth fleeing the war in Sudan. It was still open in June of 2022, hosting over 160,000 refugees, many of whom have lived in Kakuma for their entire lives. In *A National Project*, we argue that policymakers need to be mindful of the moral and ethical implications of using policy to select certain cohorts of refugees over others. As we continue to see record levels of forced displacement year over year, there will be challenges with trying to balance resettlement needs resulting from crises with those from endemic situations. As we saw with Trudeau’s election promise leading to OSR, political goals ultimately tend to determine Canada’s response to global resettlement needs.

Between 1980 and 2015, Canada was resettling relatively low numbers of refugees each year. This changed at the end of 2015 when OSR led to the resettlement of over 26,000 Syrian refugees in 118 days. Building on this experience, Canada has quickly resettled cohorts of Afghan refugees and Ukrainians using a variety of temporary policies and programs. It is too early to speak to the durability of these policies, and the resettlement outcomes for these cohorts. It is clear, however, that in the last 7 years we have witnessed significant changes in Canada’s refugee policies, whether it has the potential to shape a new era of humanitarian assistance remains to be seen.

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# A BRIEF HISTORY OF AFGHAN REFUGEES IN CANADA

Lori Wilkinson, Jihad (Rosty) Othman, Nikol Veisman, Kezia Wong and Sally Ogoe

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## OVERVIEW

Afghanistan's long history of violence and political insecurity has resulted in a large proportion of its population being displaced. Starting in the late 1970s, the Soviet occupation of Afghanistan prompted many Afghans to flee their country (Přivara & Přivarová, 2019). Through the 1970s and 80s, approximately 3 to 5 million Afghan refugees escaped the war in Afghanistan and sought refuge, mainly in Iran and Pakistan (United Nations High Commissioner for Refugees [UNHCR], 2023a), where the majority remained in refugee camps. Political conflicts and power shifts between the Taliban and the Afghan government have been ongoing throughout the decades (Goodson, 2001; Rubin, 2006). The most recent conflict left many behind. During the recent conflict, an estimated 2.6 million Afghans made it out of their country while another 3.5 million became Internally Displaced Peoples (IDP). According to the UNHCR (2022), after four decades of conflict and war, nearly 24 million Afghans require help and support and one in four Afghans is or was previously a refugee (National Geographic, 2011).

Canada has welcomed 1,088,015 refugees since 1980 (UNHCR, 2023b). According to the 2016 Census, 482,610 Afghans were living in Canada (Statistics Canada 2017). The refugee population in Canada is comprised of a variety of nationalities and ethnicities, highlighting the diversity of the refugees. During the most recent conflict in Afghanistan in 2021, the Taliban assumed power once more, endangering ethnic minorities and the rights of women (Cultural Orientation Resource Exchange [CORE], 2021). In response to the conflict, the federal government promised to bring 20,000 Afghan refugees to Canada. Following an election in 2021, the federal government promised to increase the number of Afghan refugees to 40,000 (Marchand, 2022). At this time, more than 28,870 Afghan refugees have arrived in Canada, the majority (52%) settling in Toronto and Calgary (Begin et al., 2023).

## **AFGHAN REFUGEES IN CANADA**

Canada has a long and complicated history of both providing and denying refuge to those in need, beginning in the late 18th century (Canadian Council for Refugees [CCR], n.d.; Dench, 2000; Government of Canada, 2021). People from all over the world sought and continue to seek refuge in Canada. When Canada began to record migration movements, 25% of all immigrants in Canada were refugees (CCR, n.d.; Dench, 2000; Government of Canada, 2021). Immigration, Refugee, and Citizenship Canada (IRCC) records refugee admissions in Canada; Between 1980 and 2016, admission numbers fluctuated between 14,000 and 55,000 per year. Because of the dangerous and unlivable conditions in refugee camps, many refugees seek to secondarily migrate to another country (Barfield, 2012). Many Afghans who seek better living conditions arrive in Canada.

Prior to the 1980s, there was little research into refugees in Canada, and even less research into Afghans in Canada. Afghans began to arrive in Canada in large numbers at the turn of the 21st century. Throughout the 2000s through today, the number of Afghans arriving in Canada annually remains between 1000-3000 per year (Immigration, Refugees and Citizenship Canada, 2016). When the Taliban came to power in 2001 (Barfield, 2012), many more Afghans fled the country. In Canada, the number of Afghan refugees in 2001 rose to 4,067 (IRCC, 2016). Throughout the last five years, the number of Afghans arriving in Canada continuously increased due to various natural or political conflicts and hardships in the country (Přívvara & Přívarová, 2019). Over time, the number of Afghan refugees that have been admitted to Canada has also increased, rising from 6,000 in 2019 to 20,000 by the end of 2022 (IRCC, 2022). During the past few years, the Canadian government has published more detailed research on the demographics of Afghans in Canada. At present, the provinces with the largest Afghan population are Ontario, followed by Alberta (Government of Canada, 2023).

## **REFUGEE RESETTLEMENT IN CANADA SINCE 2020**

Canada continues to be one of the major countries for the permanent resettlement of refugees (Esipova et al., 2020). The country faced challenges when it came to bringing in and resettling newcomers in the country when the pandemic started, and new challenges evolved (Esses et al., 2021). Similar to other countries across the world, with the onset of the COVID-19 pandemic, Canada closed its borders to non-essential travel in early 2020 to curb the spread of the virus and the death toll. As a result, the federal government implemented different policies, one of which focused on factors for immigration decisions, and which immigrants could be admitted into the country.

Refugees are among the many newcomers who face economic and social challenges (Alrob & Shields 2022), and these challenges were amplified by the pandemic and its related restrictions. Afghan refugees were among the largest group of refugees who arrived in Canada amidst the COVID-19 pandemic. The added health protocols including quarantine and vaccination requirements resulted in additional delays in resettling and integration after their arrival. The measures to curb the pandemic also increased hardships in the process of finding housing, finding employment and language barriers, accessing some settlement programs and services among others.

As with most refugee plights, the world's attention span is short. International attention has recently shifted away from Afghanistan towards other conflicts. The 2022 war between Russia and Ukraine shifted to provide immediate aid for Ukrainian refugees to integrate into Canadian cities. While Afghan refugees have been welcomed in Canada, Canadians are less likely to have knowledge of the conflict in Afghanistan, despite the fact it has been ongoing for over 40 years. As a result, the wait to enter Canada becomes longer and the slower pace of arrivals lengthens the time they spend in displacement and delays their integration into Canada.

## **WHAT IS COMING NEXT? WHAT CAN BE DONE TO HELP THE UPCOMING AFGHANS?**

With Canada still short of its target to bring 40,000 Afghan refugees to Canada, many Afghans are expected to arrive in Canada in the next months (Government of Canada, 2023). Our recent research with the Association for Canadian Studies reveals that among the Afghans who made it to Canada since 2021, the most pressing integration issues they have reported have to do with finding affordable rent/living accommodations, connecting with family, finding community, employment, and learning English and/or French (see Wilkinson et al., 2023 for more details). While the English and French language programs are oversubscribed and the waitlists to enroll are long, finding affordable and permanent accommodations, finding a job and developing social connections are the most pressing issues Afghan refugees report in their initial resettlement.

## **CONCLUSIONS AND POLICY RECOMMENDATIONS?**

In conclusion, it is important to have more resources and information available for settlement and newcomer services, and for the general public to learn more about the history of Afghanistan in Canada, and the turbulent history of Afghanistan leading many to come to Canada. While Canada has welcomed many refugees over the years, it has also denied many entries, and many refugees require more support to settle and adapt to their new residence. Further research into interprovincial migration can also contribute to understanding the resources Afghan refugees might need upon arrival and most importantly, aid with affordable housing and sustainable employment, and the reasons that lead them to leave their original destination. Policy should also focus on prioritizing family reunification and simplifying the process of arrival for Afghan refugees to help with their integration.

## **ACKNOWLEDGEMENTS**

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# REFUGEE ADMISSION IN CANADA AND THE UNITED STATES: EVOLVING NUMBERS AND CHANGING RELATIONS

Jack Jedwab

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## INTRODUCTION

In 2016 President Donald Trump took office on what several observers described as an anti-immigrant agenda. The year 2018 saw Canada resettling more refugees than the United States, thus marking the first time that the US did not lead the world in this regard. The Trump administration's anti-immigrant rhetoric raised legitimate concerns on the part of Canadians about the treatment of refugees south of the border.

On December 5, 2002, Canada and the United States signed an agreement whose stated purpose was to "facilitate the management of refugee claims" made in either country by citizens of other countries. The agreement which came into force on December 29, 2004 and was called The Safe Third Country Agreement or STCA required that persons who intend to seek asylum in Canada or the United States make their refugee claim in the first country of the two in which they arrive. In effect, persons fleeing their countries of origin who arrive either to the United States or Canada would be eligible to seek protection solely in that country.

From the outset, the STCA has been the object of some controversy arising in particular from concerns expressed by rights groups in Canada about the treatment of refugees south of the border. That which follows will look at the recent evolution in the numbers and source countries of refugees admitted in the United States and Canada. We will also look at the debate over the STCA and what it might be implying by way of cooperation between the two countries when it comes to refugee admission(s).

## **THE NUMBER OF REFUGEES ADMITTED INTO THE TWO COUNTRIES**

In the United States, the number of refugees admitted for resettlement is set by the President. In 2018 the Trump administration established a considerably lower cap on the number of refugees allowed into the country than in previous years. The following year yet another cut was implemented, greatly dimming the United States' role in accepting refugees from most parts of the world (Shear and Kanno-Youngs, 2019 ). The administration said it would accept 18,000 refugees during the next 12 months, down from the current limit of 30,000 and a fraction of the 110,000 President Barack Obama said should be allowed into the United States in 2016, his final year in office.

The Trump administration contended that the safety and security of the American people justified the reducing the numbers, adding that “the current burdens on the U.S. immigration system must be alleviated before it is again possible to resettle large number of refugees,” the State Department said in a news release (see Allyn, 2019).

Elected in 2020, the Biden administration aimed at reversing the immigration policies set by former President Donald Trump. In 2021 it established the cap for refugee admissions at 62,500. Yet, as observed in Table 1, the Administration admitted 11,454 refugees. Undoubtedly, the pandemic curtailed refugee admissions (which explains the reduction in refugee admissions in Canada in the previous year also observed in Table 1).

In 2022, the Biden administration further raised the cap on refugee admissions to 125,000. Just over 25 000 refugees were admitted in 2022, representing more than double that of the two previous fiscal years. Still, according to an analysis conducted by the Migration Policy Institute, at one-fifth of the total cap, the gap between the actual numbers admitted and the cap was the largest it's been in 20 years.

By contrast in Canada, the number of refugees stayed quite consistent since the start of the twenty-first century with the decline emerging with the onset of the pandemic as reflected in 2020 and to a lesser degree in 2021. For the year 2022, Canada welcomed 43 515 refugees (that's not including the month of December 2022). Once again, Canada will take in a considerably greater number of refugees for the year and the difference is the largest seen between the two countries over the course of the twenty-first century (keeping in mind that this is in real numbers and not per capita, a basis upon which Canada would vastly exceed the United States).

**Table 1**

Annual Numbers of Refugees Admitted to the United States and Canada respectively, 2000-2022

Annual Refugee Admission	United States	Canada
2000	72,165	30,095
2001	68,920	27,919
2002	26,785	25,118
2003	28,286	25,993
2004	52,840	32,695
2005	53,738	35,776
2006	41,094	32,501
2007	48,218	27,955
2008	60,107	21,86
2009	74,602	22,855
2010	73,293	24,699
2011	56,384	27,873
2012	58,179	23,092
2013	69,909	24,129
2014	69,975	24,068
2015	69,920	32,111
2016	84,989	37,308
2017	53,691	26,590
2018	22,405	27,790
2019	29,916	30,055
2020	11,840	9,235
2021	11,454	20,405

Sources: Immigration, Refugees and Citizenship Canada “Immigration of Permanent Residents by Immigration Category”, 2000-2022 and United States, Department of Homeland Security “Immigration Statistics”, 2000-2022

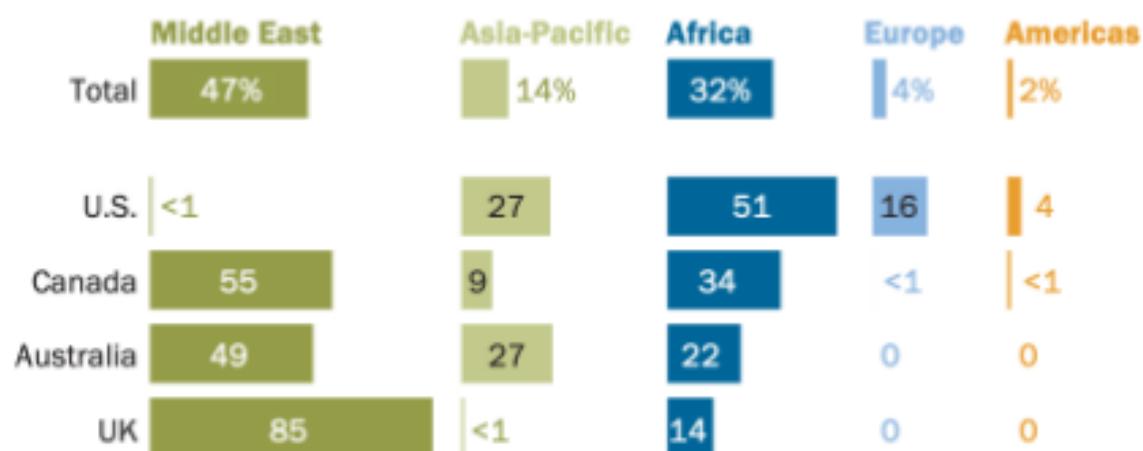
## REFUGEE SOURCE COUNTRIES IN CANADA AND THE UNITED STATES

The United States has consistently received refugees from Asia, Africa, Europe, and Latin America. From 2010 to 2020, the highest number of refugees came from Myanmar, Iraq, and Bhutan, in descending order. By comparison, in 2021, the countries with the highest number of refugees admitted to the United States were the Democratic Republic of Congo, Syria, Afghanistan, and Ukraine, in descending order. In 2017, Trump issued an executive order that temporarily prohibited the entry of nationals of seven Muslim-majority countries—Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen—and indefinitely barred all Syrian refugees. (Admissions for Syrians restarted in January 2018.) The executive order also tightened visa restrictions that had been imposed under Obama on those seven countries. The Trump administration revised the order twice amid legal challenges, until April 2018, when the Supreme Court allowed the third version of the order to stand.

Chart 1

### Worldwide, most resettled refugees come from the Middle East, but not in the U.S.

*Region of origin for resettled refugees in 2018 (%)*



Note: Unknown nationalities not included.

Source: Pew Research Center analysis of United Nations High Commissioner for Refugees data, accessed June 12, 2019.

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When considering the source countries for refugees admitted in the United States and Canada one observes below that there are marked differences over the period covered in Table 2. In the case of the United States most of the refugees came from the Democratic Republic of Congo, Myanmar and Iraq (keeping in mind that over the period 2015-2021 most of the refugees came in the period 2015-2017). By contrast, the refugees that were admitted to Canada came mainly from Syria, Afghanistan and Eritrea.

**Table 2**

Numbers of Refugees admitted to Canada (2015-2022) and to the United States, (2015-2021) by selected countries of origin

	Canada		United States	
Canada 2015-2022 United States 2015-2021	217,065	Percentage	284,215	Percentage
Syria	85,755	39.5	23,205	8.1
Afghanistan	33,205	15.3	8,448	2.9
Eritrea	28,600	13.1	9,082	3.2
Iraq	20,960	9.6	30,945	10.9
Somalia, Democratic Republic of	9,285	4.3	24,838	8.7
Congo, Democratic Republic of the	8,710	4.0	61,882	21.7
Ethiopia	5,775	2.6	3,423	1.2
Pakistan	3,145	1.4	2,727	1.0
Sudan, Democratic Republic of	2,535	1.1	5,200	1.8
Iran	2,490	1.1	9,966	3.5
Burundi	2,245	1.0	2,916	1.0
Myanmar (Burma)	1,305	0.6	46,998	16.5
South Sudan, Republic of	1,000	0.4	5,200	1.8

Sources: Immigration, Refugees and Citizenship Canada, 2015-2022 and United States, Department of Homeland Security “Immigration Statistics”, 2015-2021

(n.b.. The data was made available for those defined periods in Canada and the United States)

## CONFLICT AND COOPERATION

On 5 July 2017, Amnesty International, the Canadian Council of Churches, and the Canadian Council for Refugees announced the launch of a new legal challenge to the Safe Third Country Agreement (STCA) contending that policy and practice as regards refugees deteriorated since President Donald Trump took office. On July 22, 2020, Canada's Federal Court agreed with the applicants and declared the provisions enacting the STCA unconstitutional on the basis that it infringed the claimants' right to life, liberty, and security, under section 7 of the Canadian Charter of Rights and Freedoms. In April 2021, the Federal Court of Appeal (FCA) overturned the Federal Court's decision. The FCA held that the claimants should have challenged the process by which the Canadian government reviews whether the US continues to be a safe country for refugees, not the designation itself. The FCA's decision was appealed to the highest court in Canada, which agreed to hear the case (and a decision is expected in 2023).

The Government of Canada maintains that the agreement is an important part of the country's management of its asylum system. It adds that not everyone that is turned away by the US is detained, that the treatment of refugees in the United States does not breach rights in a way that "shocks the conscience" and that there are adequate safety valves in place. It maintains that removing the STCA will result in an "influx" of asylum seekers across the U.S. border, causing "irreparable harm" to the public by impeding the "functioning of the border, the sustainability and integrity of the Canadian asylum system, and the services and resources that support claimants in Canada." (Harvey, 2020)

That view has been challenged by a number of observers. For their part, Arbel and Macklin contend that "...by its own terms, the STCA can only operate if both Canada and the United States qualify as 'safe' countries for asylum seekers — that is, countries that afford asylum seekers the basic protections required by international law. By that measure, the United States is often unsafe for asylum seekers, and this did not begin or end with Donald Trump's presidency" (Indeed, challenges to the STCA pre-date the Trump administration).

While the STCA is the object of ongoing political debate and legal challenge, there has been continued cooperation between the two countries in certain areas of refugee resettlement. A recent example is the cooperation around Afghan refugees which has been described by the government of Canada as reflecting a "...long and proud history of shared values and strong cooperation with the United States around refugee issues" (Government of Canada, 2021). The US State Department has referred more than 5,000 Afghan refugees seeking admission to the United States to a partner program in Canada noting that wait times for refugees are shorter north of the border.

## CONCLUSION

Looking at the evolution of the numbers of refugees admitted by Canada and the United States over the course of the twenty-first century, from 2000 to 2017 the US admitted considerably more refugees than Canada did (though certainly not on a per capita basis). There were some exceptions in terms of the refugee admission gaps between the two countries most notably in the years 2002 and 2003 (in the years following the tragic events of September 2001).

Under the Trump administration, the numbers of refugees came down quite significantly to the point where the numbers of refugees admitted by Canada exceeded those admitted south of the border in the years 2018, 2019 and 2021. And they will do so once again in 2022. At the same time, the cooperation between Canada and the United States around refugee admission(s) has come under some scrutiny as rights groups in Canada have appealed to the judiciary to suspend the STCA insisting that refugee protections are at risk in the US. For its part, the Government of Canada is defending the agreement with the United States and stressing the importance of maintaining robust cooperation with its neighbor.

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