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Kenney confuses on permanent residence loss

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Lanka's civil war may have officially ended, but no one can say remain a long way from peaceful, flourishing democracies. Sri Times have changed in Kosovo and Rwanda, though both states have sought refuge in Canada.

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Times have changed in Kosovo and Rwanda, though both states remain a long way from peaceful, flourishing democracies. Sri Lanka's civil war may have officially ended, but no one can say when (or if) Sri Lanka will be safe.

Some permanent residents may voluntarily return someday to their countries of origin. Others permanently establish here. They may visit but have chosen to remain in Canada. Some have acquired citizenship, but others have not, or have not yet.

Most of these refugees are now permanent residents and have established a life here. Children have been born here. Roots established. No one can know if, when, or why the minister may target a permanent resident for cessation. Under the proposed legislation, anyone who got permanent residence as a convention refugee but who is not yet a citizen is potentially at risk.

A simple simplification?

And here is where the obfuscation comes in. Minister Kenney insists that the bill only simplifies existing processes through which refugees can lose their permanent residence where they got refugee protection through fraud.

In the House of Commons March 15, Minister Kenney, said the following in response to a question by NDP MP Anne-Marie Day:

"Mr. Speaker, the member has just said that the bill gives the minister the power to withdraw permanent resident status from refugees. Where did the member find this information, in which clause of the bill?

"I wrote this bill. I have the bill right in front of me. There is no clause in this bill that gives the minister the power to withdraw permanent resident status. What clause is she talking about? It does not exist."

Minister Kenney, the clause does exist. You put it there. It is Section 19 in case you need the exact reference.

To be perfectly clear, this provision has absolutely nothing to do with deterring fraud. Refugees can already lose permanent residence due to fraud.

This amendment targets refugees who have not engaged in any misconduct, however extravagantly defined by this government.

Moreover, it applies equally to people who made successful refugee claims in Canada and to refugees who were selected for resettlement from abroad.

And, there is no time limit: it won't matter how long the refugees have been here if they do not hold Canadian citizenship. It will not matter how well established they are, whether they have rebuilt a family, career and community here, or how much they contribute socially, culturally, and economically to Canada.

Even if the minister is selective in whom he targets, everyone will live under the threat of potential cessation and deportation for reasons that they cannot control.

The minister may be of the view that it is perfectly fine to deport permanent residents merely because they came to the country as refugees and no longer face risks back home, even if they've been here for years and haven't done anything wrong.

He may consider it desirable to subject all refugees to the fear and insecurity that comes from not knowing if, why, or when the minister will choose to target them for cessation and, ultimately, deportation.

But if this is what he thinks, then he should be clear.

Minister, let's have an honest and open debate about what this proposed law will do to our neighbours, our co-workers, our friends, and to the national community.

Sean Rehaag and Audrey Macklin are professors. Lorne Waldman is a practising immigration lawyer. They wrote on behalf of the Canadian Association of Refugee Lawyers.