

**Violence against Women Migrants and
Refugees: Analysing Causes and Effective
Policy Response**

**Country Review
CANADA¹**



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Executive Summary

The purpose of this report is to map out the intersection of gender-based violence with migrants and refugees in Canada, providing the backdrop for our Canadian research program that is part of the international *Gender-Net Plus ERA-Net Cofund Project on Violence against Women Migrants and Refugees: Analyzing Causes and Effective Policy Response*. The *Country Review Canada* follows a template adopted by the research teams of the countries included in the international project. Following an introduction that sets the stage for understanding legal and social structures that shape ongoing inequalities, the Canadian report begins with a brief overview of the demographic indicators of migrants and refugees, followed by a summary of gender-based violence in Canada. The fourth section provides a brief literature review of research on migrant and refugee women's experiences. In subsequent sections, regulatory frameworks about migration and gender-based violence are detailed, along with how they are implemented. The final section analyzes the dominant narratives and public discourses surrounding each topic, identifying conceptual gaps and silences. The report includes four appendices that supplement and elaborate on various sections and aspects of this research. Outlined below is a summary and the key findings from each section in this report.

Introduction: A Brief Overview of Indigenous Peoples and Newcomers

This report starts by outlining the historical context of newcomers to Canada and acknowledges the Indigenous peoples as the original settlers of Canada, that predate the arrival of the French and English colonial settlers. Described are the atrocities faced by Canada's indigenous population, despite their efforts to create sustainable and equitable relationships with newcomers. The context of unequal treatment, failure to recognize long-standing and legally binding treaties and centuries of racism, discrimination and unequal opportunities endured by Indigenous people shape, to a certain extent, the reception of newcomers in Canada today. The authors of this report feel that it is crucial to understand the historical and racist past that continues to marginalize our Indigenous people and shape the cultural, social and economic landscape that greets newcomers to Canada today.

Demographic Indicators on Migrants and Refugees in Canada

The demographic indicators on migrants and refugees in Canada outline who Canada's migrants and refugees are, the population of these people and where they are coming from, and implications this could pose for research. This section shows that the highest influx of immigrants occurred in 1914 when 400 000 newcomers came to Canada, but more recently, the annual intake of immigrants has varied from 250 000 to 300 000, reaching a high in recent decades of 303 257 in 2018. Identified in this section is the importance of temporary foreign workers and international students; both categories act as an initial access point for immigrants and are often overlooked. This is an important consideration as many of these immigrants end up becoming permanent residents.

Canada is home to a large immigrant population, with 21.9% of the Canadian population born overseas. Of the two contributing factors to population growth, natural increase and migration-related factors, immigrants are crucial to sustaining Canada's population growth. In 2018, immigration accounted for 82.5% of the population growth. Between 2009 and 2018, over 2.7 million immigrants entered the country, and current initiatives plan to welcome annually close to 1% of our population as a strategy for maintaining population, with expectations of admitting over 350 000 newcomers annually by 2021.

Canada receives newcomers from over 200 countries, and with a rate of naturalization at 82.7%, most become citizens. Between 2011 and 2016, the countries of origin contributing the largest Canadian newcomer groups were the Philippines (188 805), followed by India (147 190) and China (129 020). Certain periods comprise higher rates of immigration, with a quarter of all immigrants arriving prior to 1980, nearly 20% between 1991 and 2000 and 16% between 2011 and 2016. Canada generally categorizes newcomers into three groups: (i) Economic Class, (ii) Family Reunification Class, and (iii) Refugees, Protected Persons, and Humanitarian and Compassionate (H&C) Class.

Recent programs (*2018 Annual Report to Parliament on Immigration*) have identified the goal of Canadian immigration to develop a prosperous Canadian economy and contribute to Canada's well-being, different from the primary goal of family reunification thirty years prior. This system favours economic migrants and will continue to do so in the foreseeable future, for demographic and economic development reasons. In Family Reunification, Canadian permanent residents or citizens can sponsor a closely related family member (spouse, partner, children, parents, grandparents, orphaned siblings). The Refugees, Protected Persons, and Humanitarian and Compassionate class is in fulfilment of Canada's international obligations but also part of Canada's humanitarian tradition. Refugees obtain permanent residency upon arrival and have three different entrance paths; government-assisted, private sponsorship and blended visa; a hybrid of private sponsorship and government assistance. Asylum seekers / refugee claimants comprise a smaller subset and can seek asylum based on risk to life or risk of cruel treatment or punishment. This group can make a claim for protection upon arrival, or while in Canada as a result of loss of other status.

Canada is home to 3 544 400 immigrant women and girls, representing 21% of the female population in 2011. This proportion is expected to increase to 27% by 2031. Gaps in labour-market outcomes are typically wider for this age cohort of immigrant women compared with the same cohort of Canadian-born women. In 2017, the employment rate for immigrant women was much lower than their Canadian-born counterparts (72% and 82%, respectively), and the unemployment rate was almost double (7.2% versus 4.3%).

Gender-Based Violence in Canada

The third component of this report looks at the current state of gender-based violence in Canada. The watershed moment for national action on gender-based violence stems from the École

Polytechnique massacre in Montreal, Quebec, where a lone gunman separated female engineers from their male counterparts and killed 14 while injuring others. This resulted in Statistics Canada conducting their first national survey on violence against women, the 1993 *Canadian Violence Against Women Survey* (CVAWS), which included questions concerning experiences of sexual harassment, sexual assault, intimate partner violence, and a range of emotionally abusive and controlling behaviour. The results of that survey as well as women's activism led to the creation of a network of university-based research centres across the country, aiming to work in partnerships with community to better understand the complexity of violence against women and other forms of gender-based violence.

The two primary sources for national-level data today are the *General Social Survey* (GSS) on Victimization and police-reported crime data. The GSS measurement of intimate partner violence (IPV) has been critiqued because of its inability to reflect the contextual nature of this form of violence and for its inclusion of only a small portion of the continuum of IPV. Data on police-reported crime in Canada come from Uniform Crime Reporting (UCR) and Homicide surveys. Except for homicide statistics, most incidents of gender-based violence are not reported to the police. GSS data show variability of the rates of violence across Canada, with the eastern provinces reporting significantly lower rates. GSS data also show similar or fewer incidents of violence (spousal and non-spousal) reported by immigrant and visible minority women than Canadian-born. Immigrant and refugee women often come to Canada in order to escape previous trauma, with, for example, gender persecution (domestic violence, forced marriage, female genital mutilation and other sexual violence) being the most common reason women seek protected status as asylum claimants in Canada.

Another form of gender-based violence is human trafficking, though data is relatively limited due to the hidden nature of the crime, distrust of police by victims, language barriers or lack of information about rights. The federal government had implemented *Canada's National Action Plan to Combat Human Trafficking* from 2012-2016 that led to the creation of National Human Trafficking Hotline and vowing to develop a new, more comprehensive strategy to address human trafficking.

Migrant Women's Experiences of Gender-Based Violence. A Brief Literature Review

In considering the intersection of the previous two sections, this section takes a brief look at the literature outlining migrant women's experience with gender-based violence. This includes domestic and intimate partner violence, forced marriage, femicide, female genital mutilation and violence against LGBTQ immigrant and refugees. Brownridge's analysis of Statistics Canada data (2009; Brownridge & Halli, 2003) found that immigrant women from developed countries have lower rates of domestic violence compared to Canadian-born women. However, robust national-level statistics on prevalence rates of domestic violence for immigrant women are lacking, and it is problematic to group immigrant women, despite differences in ethnic origins, class and religious backgrounds, into one sample.

Research in specific contexts and among particular groups in Canada indicates that immigrant women do face unique risk factors for domestic violence as well as vulnerabilities when seeking help for domestic violence due to structural inequalities at the intersection of immigrant identity, gender, ethnicity and class. Also, the pre-migration experience and socio-economic inequality faced by immigrant women can exacerbate these factors. There have been efforts to educate newcomers on family violence, including when to seek help, but that does not guarantee access to the information or acting on it. It can also become complicated by cultural influences from the country of origin in how immigrant women understand family violence.

Forced marriage and femicide are forms of gender-based violence. An estimated 70 cases of forced marriage were found per year in Ontario, with 92% of the victims being women (Anis, Konanur, & Mattoo, 2013, p. 9). In 2019, 118 women and girls were killed in Canada and in cases when the relationship between the victim and accused were known, 57% shared a current or former relationship with the accused. This is known as intimate partner femicide. The proportion of femicides involving migrant victims is not known, and nationwide data is not available.

Female Genital Mutilation is a serious abusive act committed on women as well as a violation of their human rights (Im et al., 2019). FGM in Canada is a crime. It was added to Canada's Criminal Code in 1997 under Section 268 in the form of "aggravated assault". Under the code, it is prohibited to aid, abet or counsel such assault and to interfere with genitalia for nonmedical reasons. Although there is a scarcity of data on FGM in Canada, it is expected that girls in Canada are not safe from the practice. Canada has a high rate of immigration, with the highest proportion of foreign-born populations among the G8 countries.

Research indicates that LGBTQ newcomers and refugees often face marginalization and struggle in meeting basic needs, such as secure housing and employment, emotional wellbeing and social support following immigration to countries such as Canada (Logie et al., 2016). Studies on violence against transgender people show that rates of violence and homicide are highest against racialized trans women (Egale, 2016). Due to these vulnerabilities, it is particularly crucial for queer and trans women to be able to access the refugee system if they feel that seeking asylum will be safer than remaining in their country of origin. (Dearham, 2017).

Regulatory Framework: Law and Policy

When considering the regulatory framework concerning immigrant women and gender-based violence, law and policy concerning both migration and gender-based violence are referenced. Migration law and policy identifies *The Immigration and Refugee Protection Act* (IRPA, Government of Canada, 2002) as the main law related to admissions of migrants and refugees in Canada. This report discusses fundamental tenets of the Act related to different aspects of the immigration process including: admission to Canada, immigration classes (economic class, family class and refugees), types of refugee sponsorship, the Urgent Protection Program, the in-Canada Asylum Program, right of appeal, detention, work and study permits. The IRPA is

supplemented or modified by subsequent laws. As far as asylum provisions, the IRPA implements the 1951 Geneva Convention and 1967 Protocol that Canada has acceded to. In addition, asylum law and policy includes the Canada-US *Safe Third Country Agreement*.

The law and policy surrounding gender-based violence in Canada exist is multi-scalar; international Conventions, federal legislation and policy, and provincial or territorial legislation / policy. Canada has signed various international frameworks including the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW), *Convention of the Rights of the Child* and the *UNSC Resolutions* on gender-based violence, mainly 1325 (2000); 1820 (2008); 1888 (2009); 1889 (2009); 1960 (2010); 2106 (2013); 2122 (2013). Two federal legal frameworks pertain to gender-based violence: *The Criminal Code* of Canada and *The Canadian Human Rights Act*. In 2018, *It's Time: Canada's Strategy to Prevent and Address Gender-Based Violence* was developed as a federal initiative. In addition to federal legislation and policy, Canadian provinces and territories have their own laws and policies that work in conjunction with the *Criminal Code* by offering protection to victims of domestic violence/family violence. The *Canadian Femicide Observatory for Justice and Accountability's* interactive legislative map centralizes links to relevant legislation, by province/territory (<https://femicideincanada.ca/profiles/legislativemap>).

Implementation of Legal and Policy Frameworks

In Canada, there is a close link between agents who deliver settlement services. The federal government provides funding to settlement organizations that then deliver a host of programs, including government strategies, government-funded settlement services and ethnocultural associations. Ethno-cultural associations may also deliver settlement services, partly funded by government. However, in addition to government-funded organizations, there are others that are funded by private donors as seen with the Canadian Council for Refugees, an NGO that advocates for the rights of immigrants and refugees through education, research, and policy advocacy. Settlement services can include language training, employment and work skills, health consultations and any additional services that may contribute to the transition.

Services are being used across all immigration classes, with refugees and protected persons having the highest rates of use (72%). Further, about 70% of all refugees use a needs assessment service whereby a settlement worker discusses the various kinds of services for which one is eligible or those that are needed to integrate. One differentiating factor by refugees who seek settlement services is by the province of residence. Refugees living in Ontario (52%) are more likely to use settlement services, followed by Alberta (20%) and British Columbia (11%). However, it is important to note that women face barriers seeking support and intervention if they are experiencing gender-based violence. Outlined in this report are seven organizations that have programs aimed at gender-based violence prevention or intervention, with a full list of settlement services by province and territory in Appendix One.

Dominant Narratives and Public Discourses

To better understand the dominant national narratives and public discourses on the intersection of gender-based violence and migration in Canada, recent documents have been analyzed, including key federal government publications and samples of relevant national news media articles. We begin from the position that there are multiple and potentially competing perspectives to the issues. Following Bacchi's (2015) approach to policy analysis, we raise the following 3 questions for each document / national news media article: (i) What is the problem represented to be? (ii) How are problems identified, defined, and understood? and (iii) which types of interventions or social responses to these problems are proposed as solutions?

Government documents are generally written in a singular voice, essentially precluding any ambiguity or sense that there may be multiple or competing perspectives. The federal reports sampled in our analysis indicate however shifts in political rhetoric over time, and perspectives to GBV and immigration vary, depending on the government in power and the positions of political parties. The selected news articles offer insight into some of the debates and competing perspectives of immigration in Canada. They often focus on a particular government initiative and then include responses from politicians and experts in the field. The voices quoted in the news media articles assume the role of speaking for those they claim to represent, similar to federal documents.

Earlier government documents located gender-based violence within families and identified it as being more prevalent among particular socio-cultural/religious groups. This is problematic as the term "family violence" assumes that violence only takes place within the family, and because the intended audience of these publications were immigrants, it was also implied that violence is a problem only involving immigrants. Colonialist assumptions about certain types of GBV as characterizing cultural groups persist in government documents and political discourses. More recent government documents look at gender-based violence differently, placing it as an effect of historically rooted inequalities, and though all groups may experience it, certain groups are more vulnerable. Government and the general public's responses, as portrayed through the media, however, have at best been ambivalent.

In identifying solutions, both federal documents and news media articles describe solution frames regarding proposed/enacted changes to the legal-judicial system. This can be viewed as an attempt by Canadian governments –federal, provincial and territorial–to bring migration and gender-based violence under the purview of state concerns and state agencies. With respect to immigration, the Canadian federal government's "solution" is to align as much as possible immigration categories with Canadian labour market needs in order to ensure that immigrants will have "smooth integration" and "high public acceptance". When considering gender-based violence, we could describe the dominant solution frame as one characterized by a political program; namely *It's Time: Canada's Strategy to Address and Prevent GBV*, that can be delivered via a series of legal amendments and funding initiatives, thus minimizing the role of

informal, systematic or ad hoc everyday strategies of activists, informal networks and support organizations fighting racism, sexism, patriarchy and other forms of systemic discrimination and particular social problems they give rise to.

I. Introduction: A Brief Overview of Indigenous Peoples and Newcomers

Indigenous peoples are the original settlers of Canada and predate the arrival of the French and English colonial settlers by centuries. Estimates suggest that between 500,000 and 1.2 million people were already living on Turtle Island by the time the first Europeans arrived (Trovato & Aylsworth, 2015). Between the 16th and 19th centuries, however, that number dropped to under 100,000 as our Indigenous peoples succumbed to war, famine, and diseases brought from Europe. Today, the population has rebounded to 1.6 million (Statistics Canada, 2016a), but it has never fully “recovered” from the atrocities they experienced at the hands of settler colonialists. Canada’s Indigenous peoples were profoundly and negatively affected by the arrival of the French and English colonizers to the extent that their social organizations, governance, culture, language and history were either destroyed or were forced to remain hidden for over two centuries. In some cases, entire cultures and ethnic groups ceased to exist. It is from this painful and genocidal history that the arrival of newcomers has continued, largely unabated, for over 350 years.

From their first meeting, Indigenous peoples have sought to create sustainable and equitable relationships with newcomers. Without the welcoming and assistance provided by the Indigenous peoples, the first Europeans would not have survived the harsh climate and unfamiliar territory. Those early arrivals soon took advantage of their kindness to the extent that Indigenous governance and sovereignty over the lands that encompass Turtle Island were either unlawfully extinguished or ignored. A series of land sharing agreements known as treaties were signed between 1763 starting with the Treaty of Paris which acknowledged the territorial rights of Indigenous peoples through 1921 (Dickason & Newbigging, 2019). The treaties were negotiated with dozens of Indigenous governments as far west as Alberta and as far east as Nova Scotia. When the process of treaty negotiations was suspended in 1923, almost all of the territories we now recognize as the provinces of British Columbia, Newfoundland and Labrador, most of northern Quebec, along with the areas of Yukon, Northwest Territories, Nunavut, and Nunasivut, were without treaty agreements. Most of these regions are not bound by treaties even today. The treaties intended to provide a negotiated understanding of land sharing between Indigenous peoples and English. No treaty resulted in the extinguishment of the territorial

sovereignty of the Indigenous peoples. The treaties are understood from a legal framework both nationally and internationally as land sharing agreements and not land title transfers.

Unfortunately, for most of the past two centuries, the Canadian government has ignored the conditions of most treaties, has stalled in negotiating new settlements and has failed to recognize existing agreements within treaties to the extent that the United Nations continues to reprimand Canada for its continued mistreatment of our Indigenous peoples (United Nations Human Rights Council, 2014).

The context of unequal treatment, failure to recognize long-standing and legally binding treaties and centuries of racism, discrimination and unequal opportunities endured by Indigenous people shapes, to a certain extent, the reception of newcomers in Canada today. Many newcomers arrive with little or no knowledge of the founding peoples of Turtle Island. Some newcomers are provided with false information about the history or maintain painful and racist stereotypes of Canada's Indigenous peoples, and this affects their perceptions about our first peoples. It was only ten years ago that the *Canadian Citizenship Study Guide* which is produced by the Canadian government began to provide any useful information about the history of Indigenous peoples. The available content was sparse and largely dismissive of their historical and contemporary life experiences. Today, as the government modernizes the citizenship process, there are working groups tasked with updating the *Citizenship Study Guide*, along with the curriculum and information newcomers receive about the Indigenous peoples as part of their language training and employment preparations. The goal is to provide Canada's newcomers with a good knowledge of the history of all peoples which includes the introduction of Indigenous histories and an examination of our racist past and present. In four Canadian provinces today, there is a program for bringing together Indigenous peoples and newcomers to learn from one another in a process called Circles for Reconciliation (<http://circlesforreconciliation.ca/>). In major Canadian cities, the local immigrant partnerships are working with local Indigenous peoples to provide history and cultural lessons to newcomers as part of their settlement training.

In summary, we feel that it is important for readers of this report to understand the historical and racist past that continues to marginalize our Indigenous peoples and shapes the cultural, social and economic landscape that greets newcomers to Canada today. This history has influenced how Canada has welcomed (or not) newcomers and contributes to the marginalization and

discrimination some newcomers face today. This history is also profoundly gendered, to the extent that at minimum, there have been 1,181 cases of “police-recorded incidents of Aboriginal female homicides and unresolved missing Aboriginal females between 1980 and 2012” (National Inquiry into Missing and Murdered Indigenous Women and Girl, 2019, p. 54). This has received little or no acknowledgement from our governments, the justice system, and many Canadians. The gendered aspects of discrimination affect not only our Indigenous peoples but our newcomer women as well. Our failures as a nation to recognize the intersection between gender and Indigenous status have made life more precarious for certain women. These histories and contexts continue to influence the life chances of women in Canada today and shape our understanding of gender-based violence as experienced by immigrant and refugee women.

II. Demographic Indicators on Migrants and Refugees in Canada

A. Who are Canada’s “Migrants” and “Refugees”?

Readers are encouraged to note the terminology that we use in this report:

Newcomer: is a term that is inclusive of many different forms of immigration, including permanent and temporary migration. As the evidence below shows, over half of all people who enter the country temporarily will settle permanently and legally. The ‘cut-off’ point for being a ‘newcomer’ in Canada has varied in research and policy, but is usually placed at about five years upon arrival. The experiences and implications of being a newcomer however vary significantly, by legal status as well.

Immigrant: usually refers to a person entering Canada under the economic or family class streams (explained below). In Canada, only persons who were born outside the country are considered ‘immigrants’ even after they acquire Canadian citizenship. Canadian-born children of immigrants are never part of the demographic counts of immigrants in national statistics.

Migrant: we use this broader term in this review (and our Canadian research program) to include besides ‘immigrant’ other categories of individuals arriving in Canada as international students, temporary workers, individuals without status and so forth.

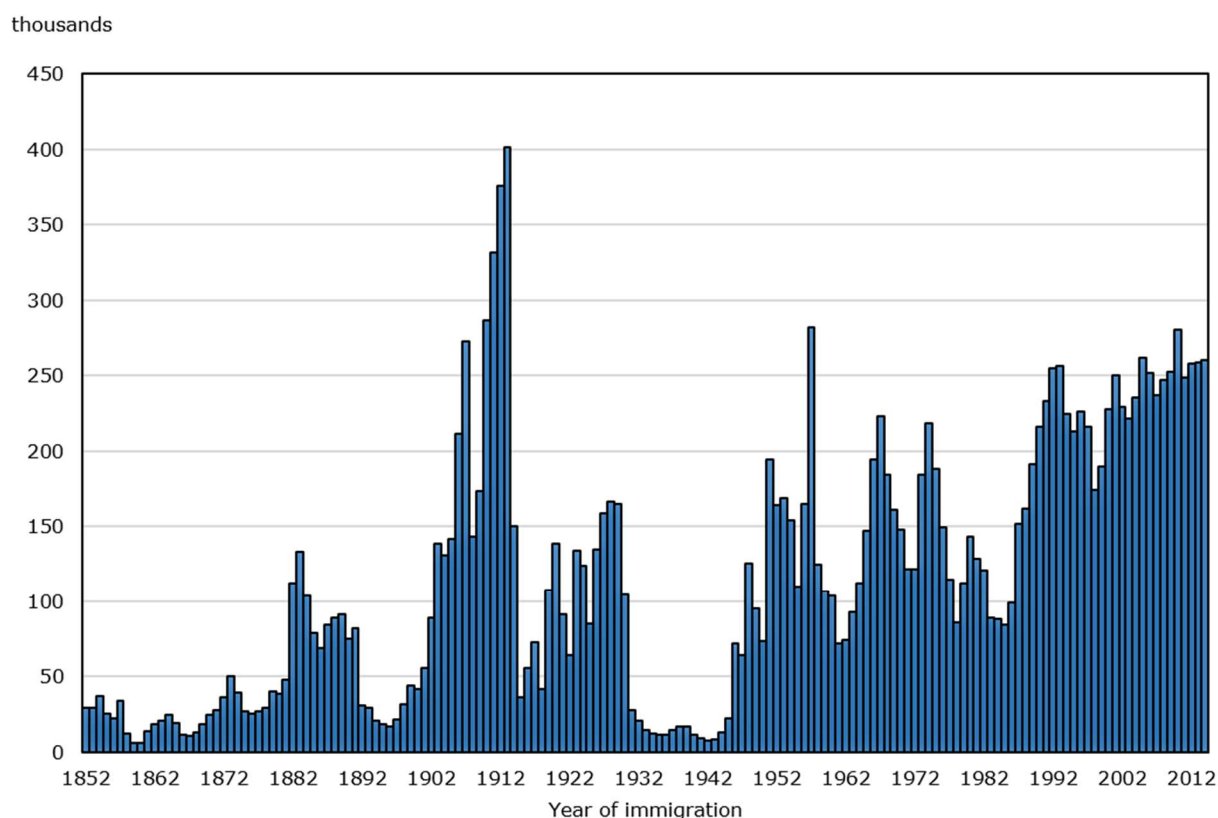
Refugee: refers only to persons who enter the country for humanitarian and protection purposes. Most times, the reported data includes only those persons who are deemed by the UNHCR as persons in need of protection prior to their arrival to Canada.

Refugee claimant: is the Canadian government term for asylum seekers. These persons arrive in Canada and make legal claims for refugee determination upon entry, or become refugee claimants upon losing their legal (visa) status while in the country. About 53% of all refugee claimants can attain permanent legal residency in Canada. The numbers of refugee claimants vary by year and are generally not included in government counts of refugees.

B. Canadian Immigrant Population and Pathways to Canada

Despite the fact that Indigenous peoples founded our country, Canada is often described as a nation of immigrants. Figure 1 shows the number of immigrants (and refugees) arriving in Canada by year from 1852 to 2014. The most significant influx of immigrants happened over a century ago when in 1913, over 400,000 newcomers entered the country. More recently, immigration numbers have fluctuated but have remained in the high 250,000s to low 300,000s over the past twenty years. In 2018, 303,257 newcomers arrived, the highest number of new arrivals in several decades (Statistics Canada, 2018a).

Figure 1: Historic Immigrant Arrivals by Year

Number of immigrants who landed annually in Canada, 1852 to 2014

Sources: From 1852 to 1979—Employment and Immigration Canada, 1982. For 1980—Immigration Statistics, Immigration and Demographic Policy Group, Catalogue no. MP22-1/1980. From 1980 to 2014—Immigration Refugees Citizenship Canada.

Source: Statistics Canada (2018b). 150 Years of Immigration in Canada.

The numbers in Figure 1, however, do not include those persons arriving in Canada temporarily. Between 2014 and 2018, nearly 500,000 people were admitted under the temporary foreign worker program for periods of up to five years (Economic and Social Development Canada, 2019). Among those, 37% will stay permanently in Canada under programs that encourage certain temporary workers to settle (Propenko & Hou, 2018). Another ‘temporary’ stream of newcomers is international students. In 2018, 572,415 students were studying in various programs across Canada. Among these students, over 60% intend to apply for permanent residence (Canadian Bureau for International Education (CBIE), 2019). Together, temporary foreign workers and international students account for nearly 700,000 additional ‘newcomers’

annually of which over half will successfully apply to settle in Canada permanently (Thompson & Seager, 2016). For this reason, any discussion of immigration numbers must thoughtfully include the fact that the most common way for newcomers to apply to stay in Canada is through an initial entry pathway that is actually meant to be temporary.

Immigrants represent a sizeable portion of the Canadian population. According to the 2016 Census, 21.9% of the Canadian population were born overseas (see Figure 2) accounting for over 7 million of our nation's 37.7 million inhabitants (Statistics Canada, 2019a). Population growth is based on two factors: natural increase (the number of births versus the number of deaths) and migration-influenced factors (immigration, emigration and non-permanent immigration). Immigrants are key to Canada's continued population growth. Without immigration, Canada's population would decline rapidly. In 1990, immigration accounted for 40% of the population growth. By 2018, that figure had increased to 82.8% (Statistics Canada, 2019a). This is the highest contribution to population growth in recorded Canadian history. In other words, if Canada were to stop immigration completely, our population growth would decline by 82.8% annually. Given the long-term decline in natural increase, conservative projections show that, by 2034, Canada's natural population increase would become negative (Ades et al, 2016: p.14, chart 2).

Figure 2: Population Estimates, 2019



Source: Statistics Canada (2019b). Population of Canada (real-time model).

Since 1990, over six million immigrants entered the country (Government of Canada (2019a), the majority of whom were born in the Philippines, India, and China. In the coming years, Canada plans to welcome close to 1% of our population each year as a strategy for maintaining population stability (Government of Canada, 2019a). The Canadian government has passed

legislation that requires the Parliament to approve projected immigration arrivals for three-year periods on an annual basis. In 2018, Parliament approved the following projections which appear in Table 1. Currently, just over 330,000 immigrants are predicted to arrive in the country by the end of 2019. By 2021, Canada expects to admit over 350,000 newcomers annually (Government of Canada, 2019a, IRCC, 2019d).

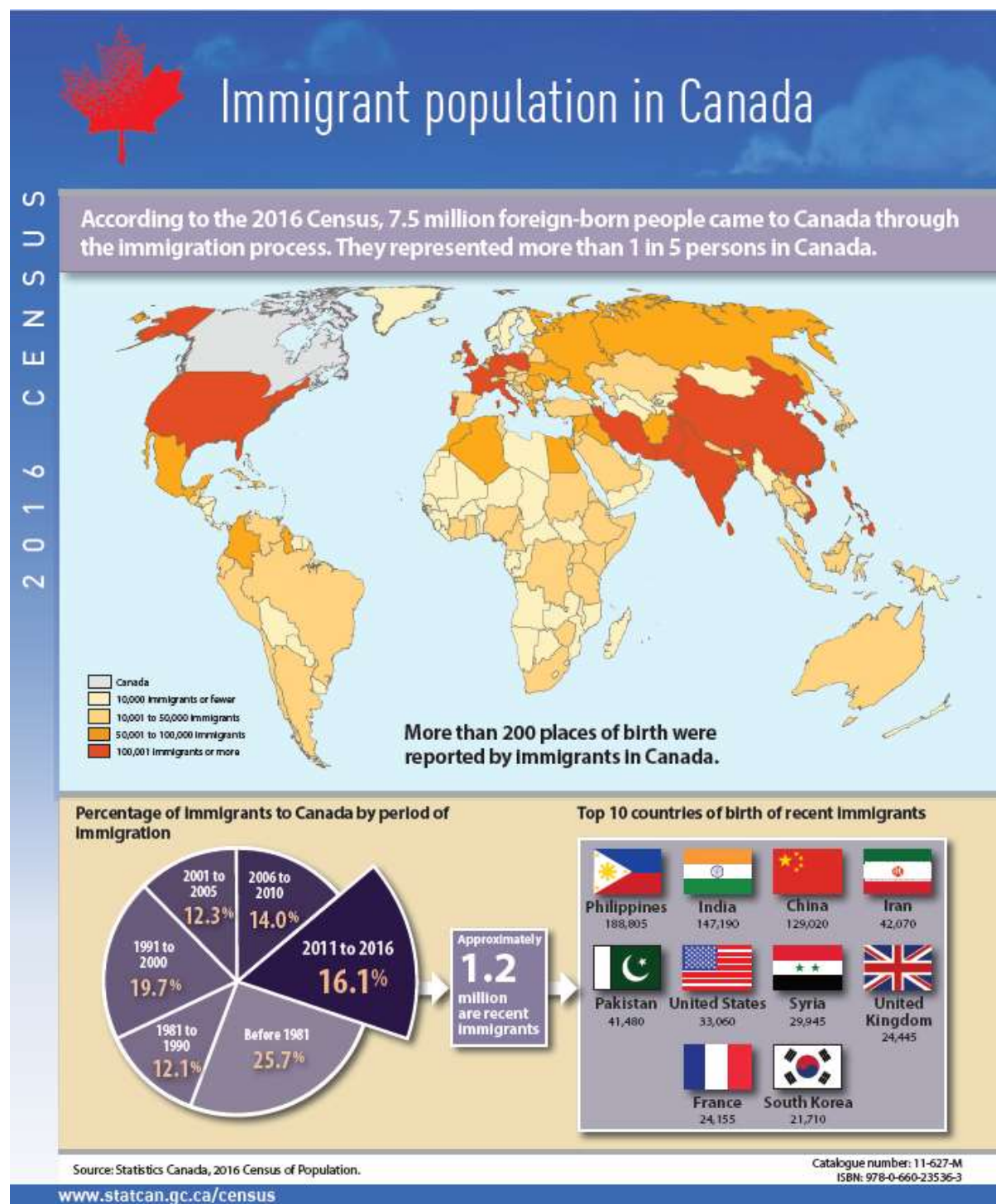
Table 1: Immigration Projections, 2019-2025

	Low	Medium	High
2019	310,000	330,800	350,000
2020	310,000	341,000	360,000
2021	320,000	350,000	370,000

Source: Government of Canada (2019a). Annual Report to Parliament on Immigration. Ottawa: Government of Canada.

Figure 3 shows that 7.5 million people in Canada were born outside the country (Statistics Canada, 2017b). Most of these newcomers become citizens. According to the 2015 Census, the rate of naturalization of newcomers is 82.7%, among the highest in the industrialized world, although that number is down from 85.6% just five years earlier (Griffiths, 2018). Newcomers come from over 200 countries. Given a large number of recent arrivals (over one million in the past four years) integration and resettlement services are in high demand.

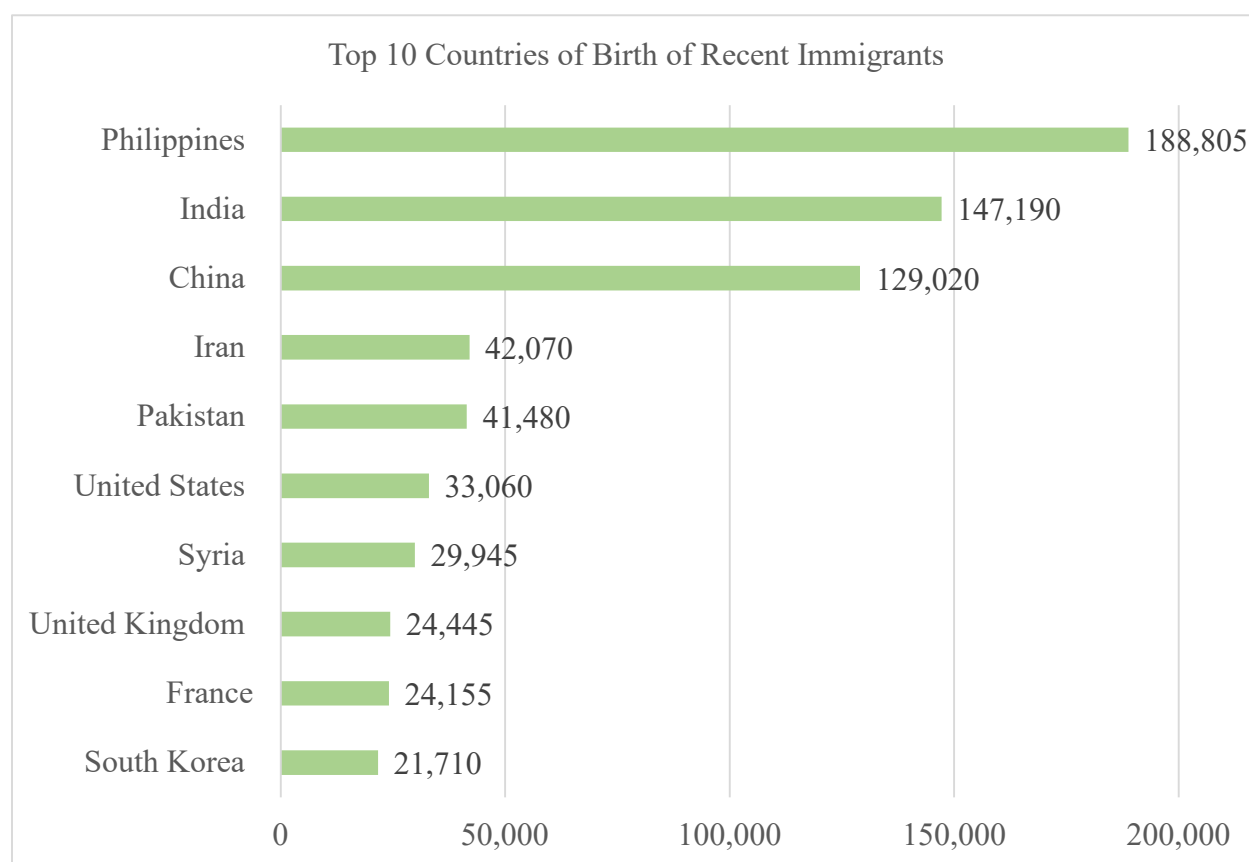
Figure 3: Infographic on Canadian Immigration



Source: Statistics Canada (2017b). Immigrant Population in Canada. The 2016 Census of Population. Ottawa: Statistics Canada.

Figure 4 identifies the top ten source countries for immigrants arriving between 2011 and 2016. The Philippines is the birth country of the most significant number of newcomers at 188,805, followed by India (147,190) and China (129,020) (Statistics Canada, 2017b). These three countries have occupied the top three countries of origin for over two decades, however, the order often changes, with China more frequently in first place and India in third. The top ten countries of origin for recent immigrants represent 60% of all new arrivals. The remaining 40% represent 530,190 people who come from elsewhere around the world (Statistics Canada, 2017b).

Figure 4: Top Ten Countries of Origin for Immigrants Arriving between 2011 and 2016



Source: Statistics Canada (2017b). Immigrant Population in Canada. The 2016 Census of Population. Ottawa: Statistics Canada.

Although the immigrant population is increasing, immigration needs to be understood in a historical context. The decade between 1991 and 2000 saw a large number of arrivals, totalling

nearly 20% of the immigrants in the country. The five-year period between 2011 and 2016 saw another relatively large number of immigrant entries to the country, accounting for 16% of all immigrants.

Table 2: Immigrants by the Period of Arrival, 1980-2016

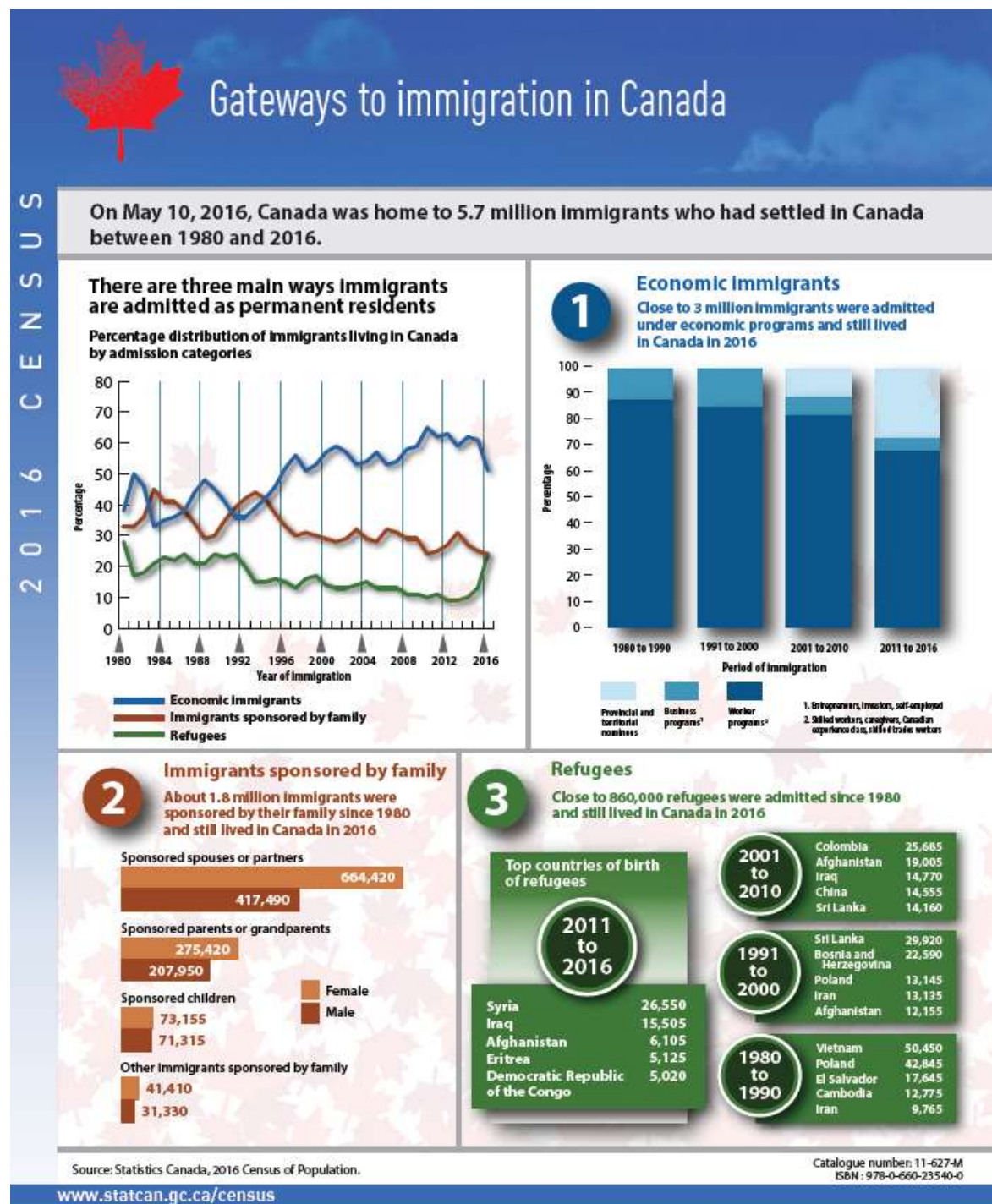
Period of Immigration	%
Before 1981	12.7
1981 to 1990	12.1
1991 to 2000	19.7
2001 to 2005	12.3
2006 to 2010	14
2011 to 2016	16.1

Source: Statistics Canada (2017b). Immigrant Population in Canada. The 2016 Census of Population.

Partially due to the role immigrants play in national population growth described above, Canadian immigration policy has been framed around economic and labour market needs for the past thirty years. This approach to immigration is reflected in the different immigration classes via which migrants can gain legal status in Canada. As stated in the *2018 Annual Report to Parliament on Immigration*, the goal of the Canadian immigration program is to “support the development of a strong and prosperous Canadian economy, in which the benefits of immigration are shared across all regions of Canada”. Canada sets an annual target for immigration and selects newcomers who best contribute to the country’s economic and social well-being (Government of Canada, 2019e). This is a shift in priority from thirty years earlier when family reunification was the primary goal of immigration policy. Before 1990, family reunification immigrants constituted the largest class of immigrants. This shift can be seen in Figure 5 below.

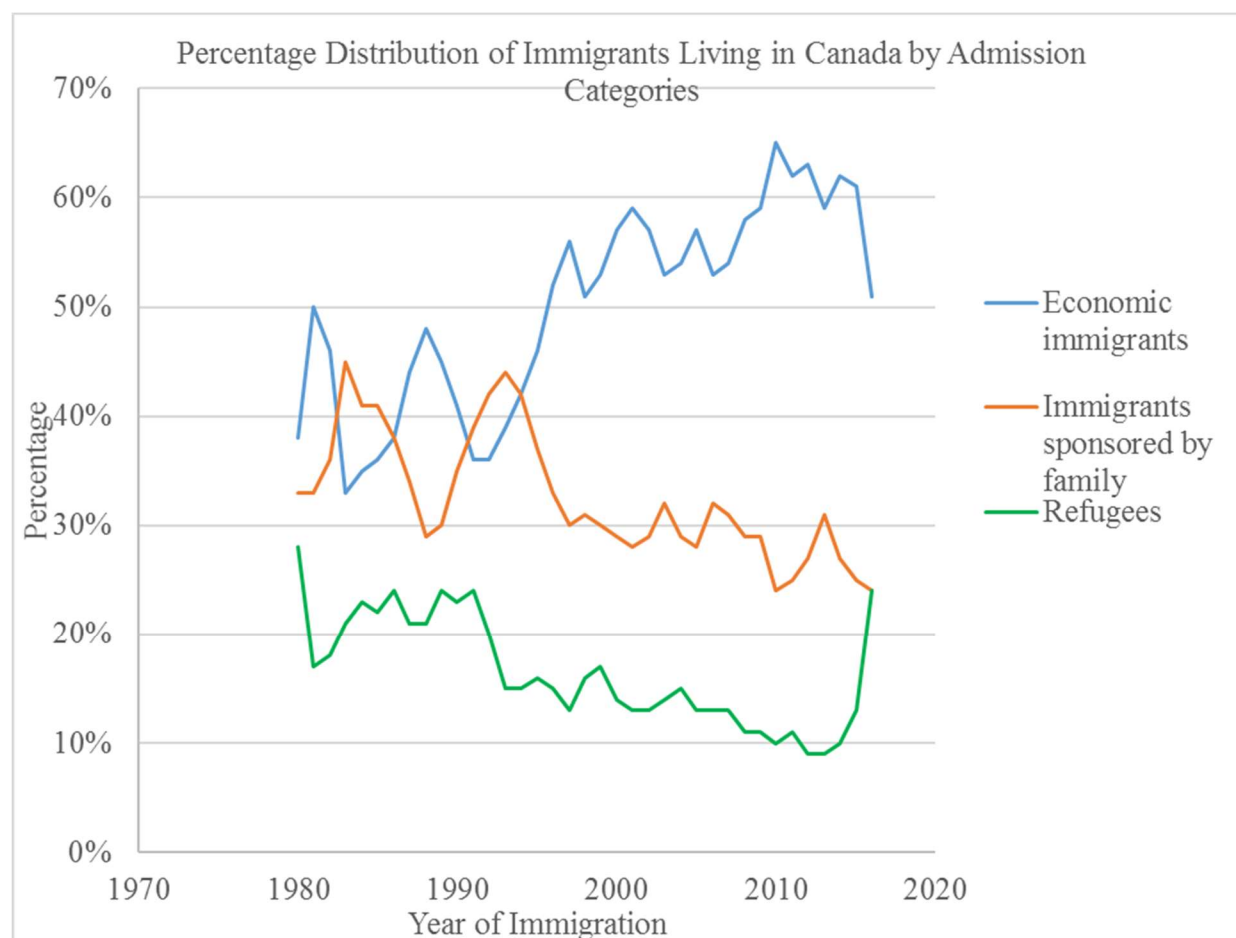
Canada generally categorizes newcomers into three groups: (i) Economic Class, (ii) Family Reunification Class, and (iii) Refugees, Protected Persons, and Humanitarian and Compassionate (H&C). According to the 2016 Census, among recent immigrants admitted to Canada between 2011 and 2016, approximately 6 in 10 were admitted under the economic category, nearly 3 in 10 were admitted under the family class, and about 1 in 10 were admitted to Canada as refugees. In the past thirty years, over 3 million economic immigrants have come to Canada (Figure 6).

Figure 5: Categories of Canadian Newcomers



Source: Statistics Canada (2016b). Gateways to Immigration in Canada. The 2016 Census of Population.

Figure 6: Distribution of Immigrants in Canada by Admission Category, 2016



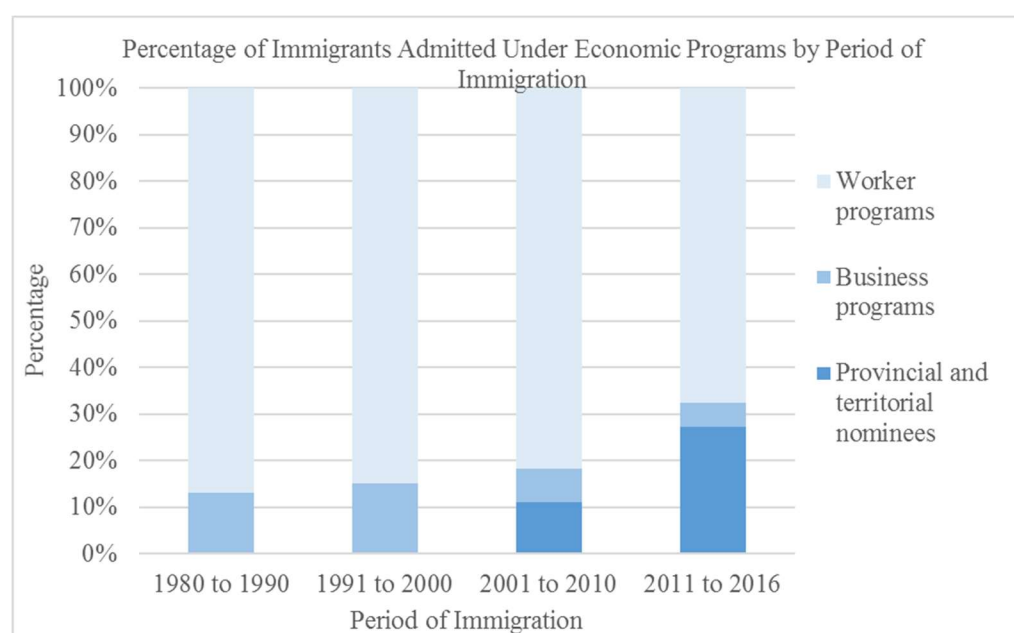
Source: Statistics Canada (2016b). Gateways to Immigration in Canada. The 2016 Census of Population.

This distribution of admission categories, favouring economic immigrants over all other types of newcomers, is a pattern that has lasted for 25 years and will continue in the foreseeable future. Immigration, Refugees and Citizenship Canada's (IRCC) *Annual Report to Parliament* (2019) details the government's immigration plans in terms of the distribution of newcomers and specifies that 57% of newcomers will enter under the economic admission class, double the size of the family class and quadruple the size of the refugee and humanitarian class.

There is a geographic component within the economic class of immigrants. In 1991, Quebec became the first province to sign an agreement with the federal government to control the entry of newcomers into their region. Until 1997, no other province had the ability to participate in the

recruitment of economic immigrants when the province of Manitoba signed an agreement with the federal government to create the provincial nominee class within the economic stream of immigration. All remaining provinces had signed similar agreements within the next ten years. The purpose of the Provincial Nominee program is to allow the provinces more control over the recruitment of workers. Today, all provinces have their own Provincial Nominee programs. Figure 7 shows the growth in the popularity of this program.

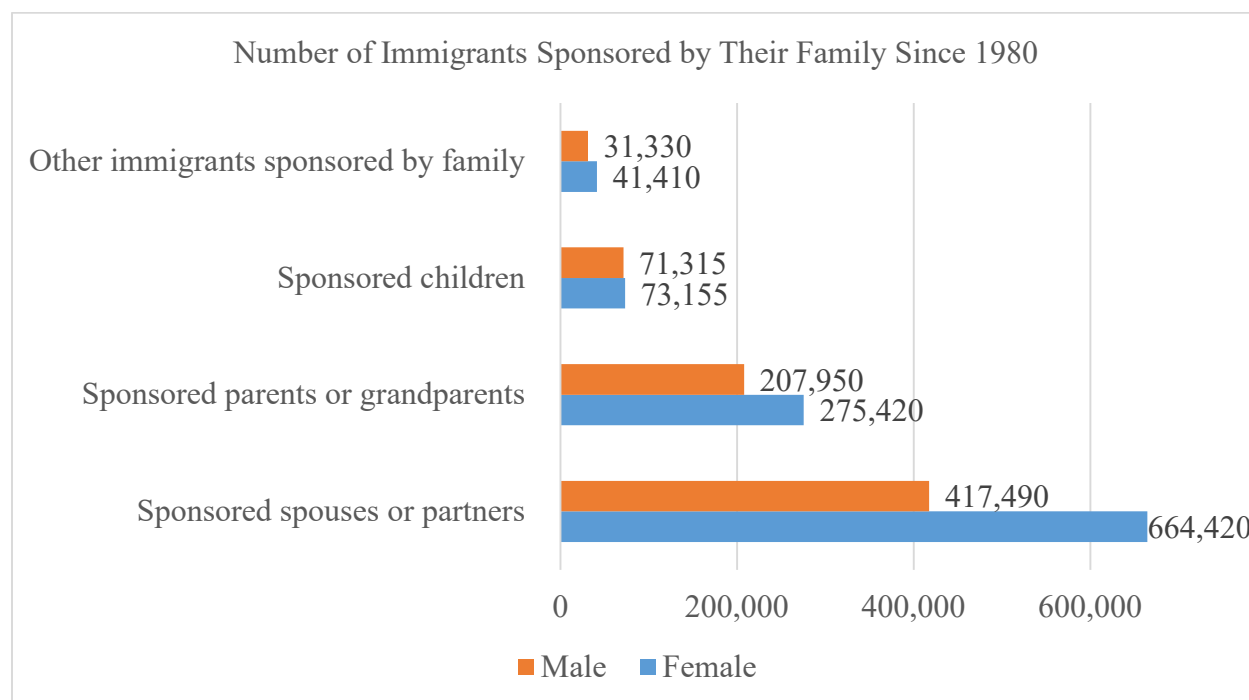
Figure 7: Immigrants by Economic Program by Period of Immigration, 1980-2016



Source: Statistics Canada (2016a). Census of Population, Statistics Canada Catalogue no. 98-400-X2016201.

The second-largest permanent residency admissions class is Family Reunification. In this category, Canadian permanent residents or citizens can sponsor a closely related family member (spouse, partner, children, parents, grandparents, orphaned siblings). The sponsor commits to providing for their family member's needs for a period ranging from 3 to 20 years. This class has been criticized in recent years due to conditions attached to spousal sponsorship, which required that spouses reside together for a period of at least two years. This condition was eliminated in 2017 because of vulnerabilities sponsored spouses could face such as being forced to remain in abusive marriages or partnerships in order to not lose their legal status. Like the economic class, this category is gendered but with the largest number of persons arriving as female spouses who outnumber male spouses by a factor of one third. Women outnumber men in every family sponsorship category. Figure 8 below shows the number of immigrants entering the family sponsorship category.

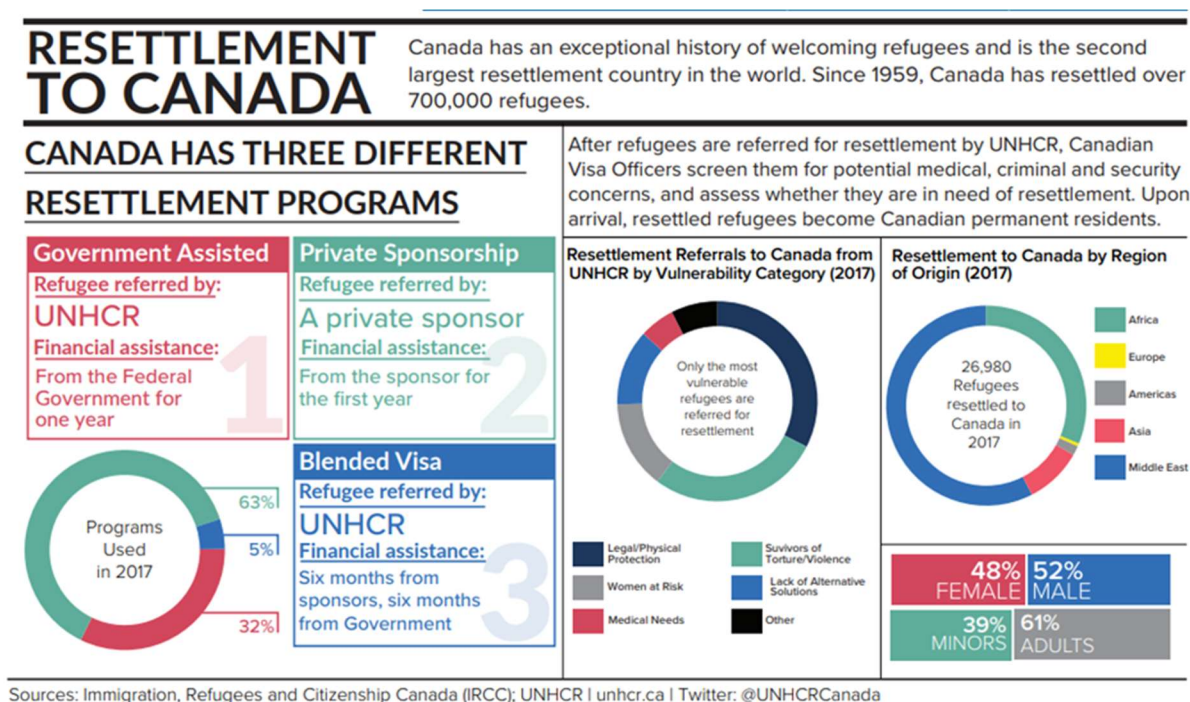
Figure 8: Number of Immigrants Sponsored by Family Since 1980



Source: Statistics Canada (2016b). Gateways to Immigration in Canada. The 2016 Census of Population.

The third class, Refugees, Protected Persons, and Humanitarian and Compassionate class is defined by the government as “maintaining Canada’s Humanitarian Tradition” (Government of Canada, 2018a, p 9). Although this class does not directly address labour market shortages like the Economic Class, the *2018 Annual Report* highlights the “valuable contributions” refugees make to the Canadian economy. The majority of migrants entering this class do so as refugees, meaning they are deemed to be in need of protection as defined by the United Nations Geneva Convention. As soon as they arrive in Canada, this category of refugees obtains permanent residency. Refugees receive assistance from the government or are privately sponsored by an individual, group, or organization. Figure 9 presents a summary of the three refugee resettlement programs (government-assisted, private sponsorship, and blended visa).

Figure 9: Canadian Refugee Resettlement Programs



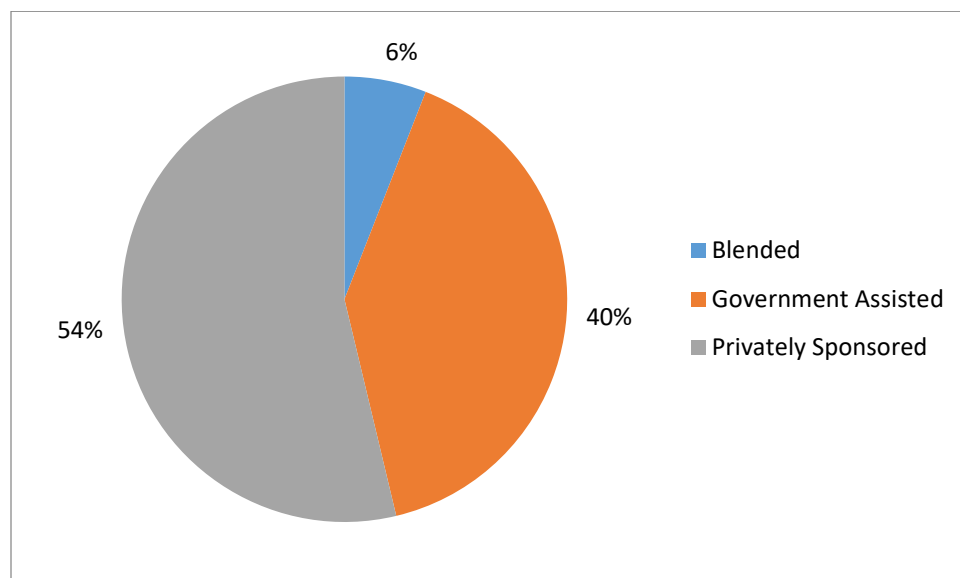
Source: UNHCR (2018). Canada Refugee Resettlement Facts.

Figure 10 shows that the majority of refugees entering between 2015 and 2019 are Privately Sponsored (54%). This program allows small groups of people or registered organizations to

identify and nominate a UNHCR-approved refugee. Provided the group can raise the required funding (approximately \$28,000 for one year to support a family of four) and the identified refugee(s) passes medical and criminal background checks, then the person or persons can be ‘sponsored.’ The sponsors agree to help the individual or family settle successfully by providing support and guidance in locating housing, childcare, education, language classes, health care and other necessities needed to resettle in Canada. The program was created in 1978 and has sponsored millions of refugees to date. The government supports this program as it reduces financial commitment to addressing the world refugee crisis. Privately sponsored refugees appear to be more economically and socially integrated into Canadian society, but only in the short term (IRCC, 2016). Long-term evidence suggests otherwise (Citizenship and Immigration Canada, 2007; IRCC, 2016). There are significant problems with this program, however. There is no recourse for refugees whose sponsorship agreement breaks down and may become homeless as a result.

The other entrance path for refugees is the government-assisted class. Under this admission category, the UNHCR identifies refugees for resettlement and Canada commits to resettling a certain number on an annual basis. That number fluctuates but is usually in the range of 7,000-15,000 per annum. This group receives resettlement services directly from Refugee Assistance Program agencies for a period of six weeks before they transition to other integration settlement programs. Unlike the private sponsorship model, government-assisted refugees do not have a sponsor to guide them through the integration process so the initial settlement may be a bit more complicated. A third category, Blended Visa Office Referral program is a hybrid of the private sponsorship and government assistance model. In this program, private sponsors provide only half the required financial support while the government provides the other half. This is a very new program, introduced in late 2015.

Figure 10: Refugee Resettlement Programs, Canada, January 2015-July 2019



Source: IRCC (2019a). Canada - Admissions of Resettled Refugees by Province/Territory and Census Metropolitan Area (CMA) of Intended Destination and Immigration Category, January 2015 - July 2019.

Refugee claimants or asylum seekers are counted differently and are eligible for different programs than this group of UNHCR-identified refugees and are thus discussed a bit later in this section. The country of birth of refugees coming to Canada shifts over time, reflecting changes in geopolitics and world conditions. Table 3 shows that in the 1980s, the largest number of refugees came from Vietnam (50,450), Poland (42,845), El Salvador (17,645), Cambodia (12,775) and Iran (9,765) (Statistics Canada, 2016b). By the 1990s, Sri Lanka (29,920) and Bosnia/Herzegovina (22,590) had replaced Vietnam. Polish refugees were still arriving in significant numbers (over 13,000), as were Iranian refugees (over 12,000). It was during this decade that the first large-scale arrivals of Afghan refugees came to Canada, numbering close to 10,000 individuals (Statistics Canada, 2016b). Between 2000 and 2009, Colombian refugees accounted for the largest number of arrivals at over 25,000. Afghanistan, Iraq, China, and Sri Lanka made up the remainder of the top five (Statistics Canada, 2016b). Most recently, the majority of refugees to Canada had originated from Syria when between late 2015 and early 2016, over 46,000 Syrian refugees arrived in the country. Iraq, Afghanistan, Eritrea and the

Democratic Republic of Congo represent other top source countries of the largest numbers among the most recently arrived refugees to Canada.

Table 3: Top Five Countries of Birth for Refugees by Decade of Arrival, 1980-2016

1980 – 1990	N
Vietnam	50,450
Poland	42,845
El Salvador	17,645
Cambodia	12,1775
Iran	9,765
1991-2000	N
Sri Lanka	29,920
Bosnia and Herzegovina	22,590
Poland	13,145
Iran	13,135
Afghanistan	12,155
2001 – 2010	N
Columbia	25,685
Afghanistan	19,005
Iraq	14,770
China	14,555
Sri Lanka	14,160
2011 -2016	N
Syria	26,550
Iraq	15,505
Afghanistan	6,105
Eritrea	5,125
Democratic Republic of Congo	5,020

Source: Statistics Canada (2016). Gateways to Immigration in Canada. The 2016 Census of Population.

Table 4: Top Ten Countries of Refugees to Canada, 2017

Country of Citizenship	Blended Sponsorship	Government Assisted Refugee	Privately Sponsorship	Total	Percentage %
Syria	5,605	32,390	33,635	71,635	48.08
Eritrea	560	2,620	16, 220	19,405	13.03
Iraq	420	5,310	10, 150	15,880	10.66
Afghanistan	15	685	8,080	8,780	5.89
Congo, Democratic Republic of	500	5,030	865	6,395	4.29
Somalia, Democratic Republic of	140	2,690	3,260	6,090	4.09
Ethiopia	135	835	3,255	4,225	2.84
Pakistan	25	365	1,630	2,020	1.36
Burundi	85	1,130	480	1,690	1.13
Iran	115	1,050	360	1,525	1.02
Others	1,075	7,040	3,230	11,320	7.69
Total	8650	59,145	81,165	148,965	100

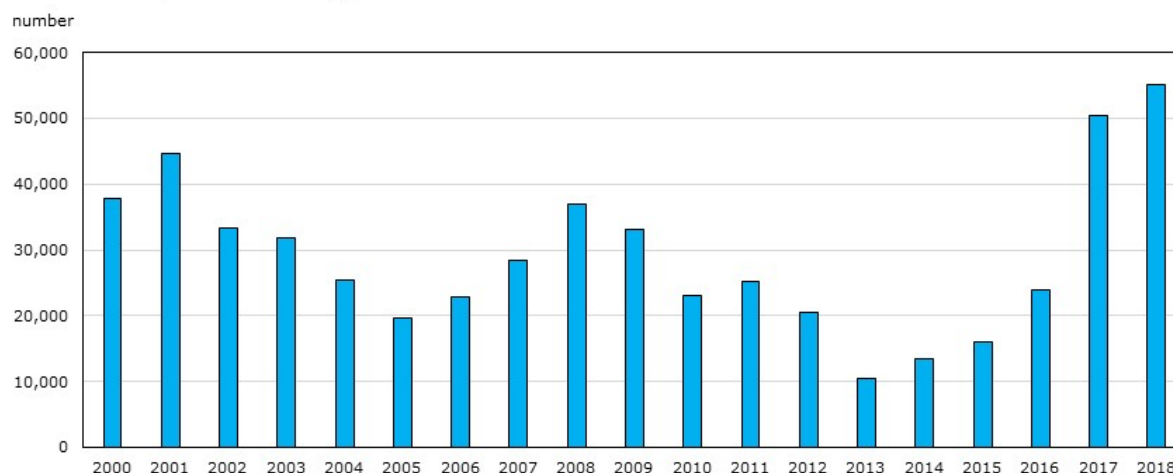
Source: IRCC (2019l). Monthly Updates, Canada-Admissions of Resettled Refugees by Province/Territory of Intended Destination, Gender, Age Group and Immigration Category Jan. 2015-Nov. 2019. November 30, 2019.

Table 4 provides information on the countries of origin for refugees who arrived in Canada in 2017. Over 71,000 Syrians arrived that year, constituting almost half the refugee-cohort (48%). The source country for the second largest refugee group was Eritrea followed by Iraq.

A smaller subset of people gain residency as protected persons or asylum claimants. Asylum seekers must claim protection immediately on their arrival to Canada. The cause of seeking asylum must be based on risk to life or risk of cruel treatment or punishment. If their case is deemed legitimate by the Immigration and Refugee Board of Canada, they receive the status of the protected person and can apply for permanent residency. In 2017, the number of asylum claims doubled to 50,000, compared to 24,000 in 2016 (IRCC, 2018, p 25). Much of this increase is attributed to migrants crossing the Canada-US border following policy changes of the USA under the Trump presidency. Figure 12 below details the 2017 rise in refugee claims. These border crossings are referred to as “irregular.” However, it should be noted that the large numbers of arrivals in 2017 and 2018 are not unprecedented. In 2000 and 2001, nearly 85,000 people made asylum claims in Canada, figures not too different from what we see in 2017 and 2018.

Figure 11: Number of Asylum Claimants Over Time in Canada

Number of asylum claimants by year of claim



Source: Immigration, Refugees and Citizenship Canada, February 2019.

Source: IRCC (2019e). Just the Facts Asylum Claimants.

The country of citizenship of asylum claimants has also shifted over the past ten years (Table 5). Most recently, Haiti and Nigeria are the most common country of citizenship (IRCC, 2019e).

Table 5: Refugee Claimants by Top Five Countries of Citizenship 2007 and 2017

2007 Asylum Claimants top 5 countries of Citizenship	
Mexico	7,153
Haiti	3,240
Colombia	2,572
United States of America	1,807
People's Republic of China	1,341
Other countries of Origin	12,383
Total	28,496
2017 Asylum Claimants top 5 Countries Citizenship	
Haiti	7,787
Nigeria	6,007
United States of America	2,541
Turkey	2,200
Pakistan	1,751
Other Countries of Origin	30,103
Total	50,389

Source: IRCC (2019e). Just the Facts Asylum Claimants.

Recent data (see Table 6) also shows that asylum claimants tend to be young, 26% are children under the age of 14 years. There is also a slightly higher percentage of male than female asylum claimants, across all age groups.

Table 6: Refugee Claimants by Age and Sex, 2017

	Male		Female		Total
Age group	N	%	N	%	
0-14	6,810	51.6%	6,383	48.4	13,193
15-24	3,709	58.2	2,663	41.8	6,375
25-34	7,010	55.2	5,674	44.7	12,688
35-44	6,516	58.2	4,683	41.8	11,205
45-54	2,619	58.8	1,832	41.1	4,453
55+	1,162	46.9	1,313	53.1	2,475
Total	27,826	55.2	22,548	44.7	50,389

Note: Male and female figures may not add up to the totals due to some cases where gender is not specified.

Source: IRCC (2019e). Just the Facts Asylum Claimants.

The asylum process is slow and uncertain for would-be refugees coming to Canada. There remains a backlog of claims, dating back over ten years (see Table 7 column labelled “outcome still pending”). It is challenging to gain asylum using a refugee claim in Canada. As Table 7 shows, in 2017, just over half of the refugee claims heard were successful, a figure that is relatively consistent throughout the previous ten years.

Table 7: Refugee Claimants by Year of Application and Outcome, 2007-2017

Year claim Was made	Total Claimants	Outcome Still pending	Failed Claimants 1	Successful Claimants 2	Claimants who became permanent Residents of Canada	Percentage of claimants became Permanent Residents of Canada
2007	28,496	282	17,054	11,160	16,684	58.55
2008	36,856	466	22,650	13,740	20,577	55.83
2009	33,153	435	22,422	10,096	15, 119	45.60
2010	23,130	758	13,946	8,426	11,630	50.28
2011	25,315	1,566	14,981	8,768	11,488	45.38
2012	20,472	5,758	9,604	5,110	7,615	37.19
2013	10,365	282	4,612	5,471	6,152	59.35
2014	13,442	994	4,500	7,948	8,066	60.01
2015	16,058	1,111	5,246	9,701	8,431	52.50
2016	23,870	1,781	7,730	14,359	8,541	35.78
2017	50,389	27,225	10,930	12,234	1,983	3.94

Note: “Failed claimants” includes claims that were withdrawn or abandoned. “Successful claimants” is defined as a claimant with the approved claim, who can apply to become permanent residents as Protected Persons in Canada.

Source: IRCC (2019e). Just the Facts Asylum Claimants.

Some migrants also enter Canada temporarily. Much like the economic class described above, this immigration class prioritizes economic needs and labour shortages. There are three temporary migration classes (i) Temporary Foreign Workers (ii) International Students and (iii)

Visitors. The temporary foreign worker class shows a strong gender divide, with the majority of men entering as agricultural workers and the majority of women entering as in-home caregivers.

The temporary foreign workers' category has received criticism because of the vulnerabilities and precariousness of these migrant workers. For example, a policy brief by Alexandra Dobrowolsky and her colleagues (2018) notes that “women in temporary work programs often face low wages, poor conditions, and sexual and racial harassment.” The temporary foreign worker program is highly gendered with males outnumbering females by over 4 to 1. Table 8 shows the distribution of women to men in the program between 2015 and 2017. Gender-disaggregated data from 2005-2015 for temporary foreign workers show a steadily declining male-female ratio (IRCC, 2019h).

Table 8: Temporary Foreign Worker Program Entrants by Sex and Year, 2015-2017

	Male	Female	Total
2015	58,132	14,884	73,016
2016	62,367	16,013	78,402
2017	64,408	14,380	78,788

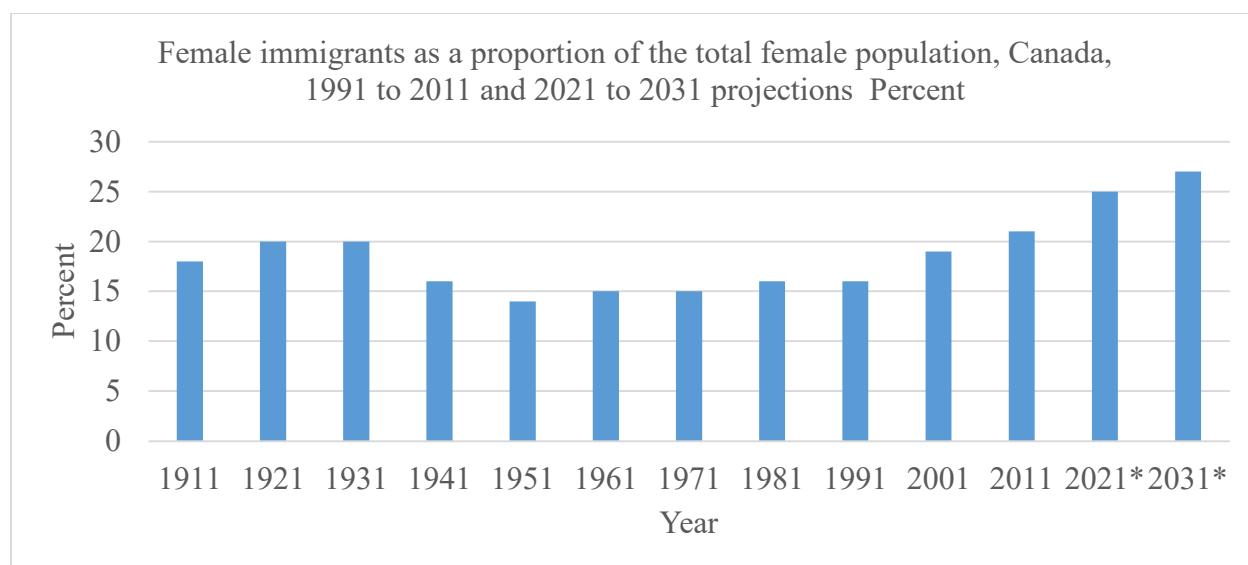
Note: The total of gender-disaggregated data may not add up to the overall totals due to cases where gender was not stated.

Source: IRCC (2019f). Canada - Temporary Foreign Worker Program Work Permit Holders by Gender, Occupational Skill Level and Year in which Permit(s) Became Effective.

1. Immigrant Women in Canada: Population, Age, Region of Birth

As of 2011, Canada is home to 3,544,400 immigrant women and girls (Hudon, 2015). Figure 12 shows the proportion of female immigrants as a percentage of all Canadian women over the past 100 years. In 2011, migrant women and girls represented 21% of the overall female population, which is equivalent to the proportion of all immigrants to non-immigrant Canadians (Hudon, 2015, p. 3). The percentage of female immigrants is expected to increase to 27% by 2031, in line with the expected demographic shift toward more immigrants and less native-born Canadians.

Figure 12: Female Immigrants as Percentage of Total Female Population, Canada 1911--2031

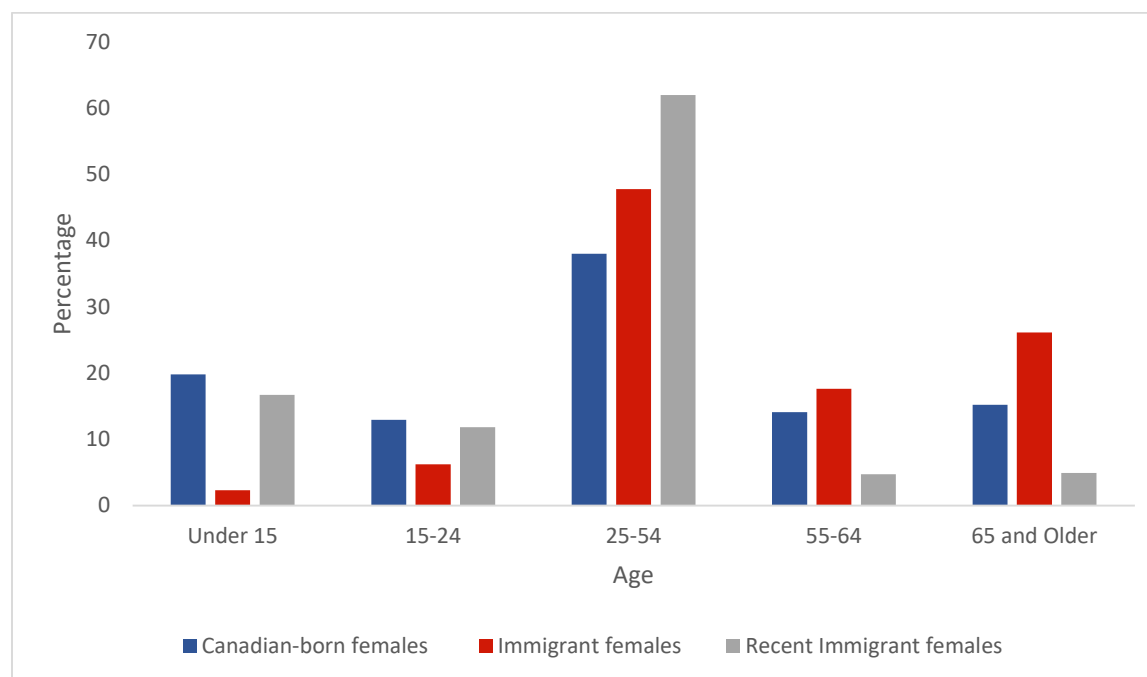


Source: Statistics Canada (2015a). Censuses of the Population, 1911 to 2006; Statistics Canada, National Household Survey, 2011; and Projections of the Diversity of the Canadian Population, 2006-2031, cited in *Women in Canada: A Gender-based Statistical Report. Immigrant Women*.

Over half of female permanent residents enter Canada under the economic class, followed by the family reunification and refugee classes. As noted, women are overrepresented in the caregiver category of temporary foreign workers. Dobrowolsky and her colleagues (2018) are critical of the gendered aspect of the Canadian immigration policy, stating that it favours people with money and particular skills: “valued skills are highly gendered and racialized, and much of the work women do is not considered “high skill” (p. 1).

Recent female immigrants tend to enter Canada during their working life. Those aged 25-54 represented nearly 60% of recent female immigrants. However, gaps in labour-market outcomes are typically wider for this age cohort of immigrant women compared with the same group of Canadian-born women. In 2017, the employment rate for immigrant women (72%) was much lower than that of their Canadian-born counterparts (82%), and their unemployment rate was almost double (7.2% versus 4.3%) (Yssaad & Fields, 2018, pp. 12-13). Issues of underemployment of highly qualified workers and limited social capital for newcomers are some of the most important likely causes identified through qualitative research (Tastsoglou & Miedema, 2005; Tastsoglou & Preston, 2005).

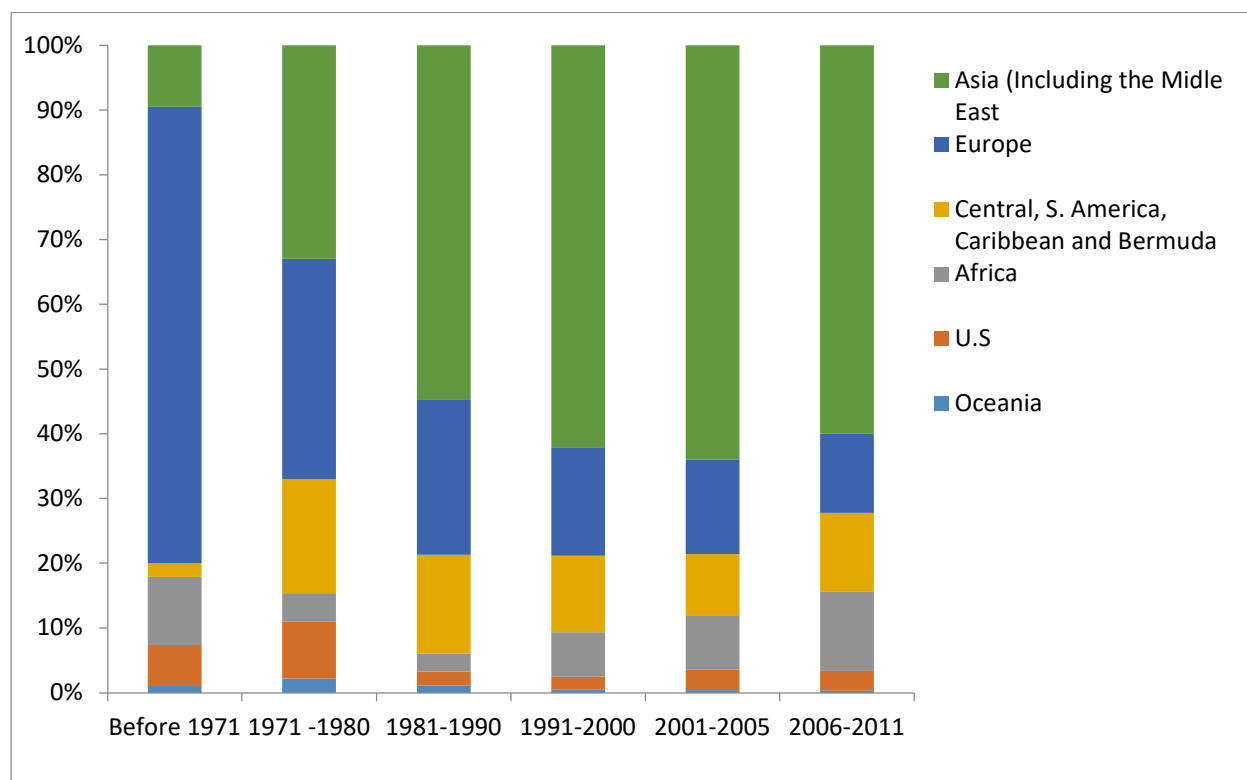
Figure 13: Immigrant, Recent Immigrant and Non-Immigrant Females in the Canadian Population by Age Group, 2016



Source: Statistics Canada (2016a). The 2016 Census of Population. Ottawa: Statistics, Canada. Catalogue no. 98-400-X2016201.

Canadian immigrants come from over 200 countries. Before 1971, the majority of female immigrants were from Europe (78%). Today, the majority of immigrants were born in Asia (represented by green in Figure 14). Hudon (2015) suggests this shift toward Asia as the primary source area for migrants is the result of focusing on economic and humanitarian goals within the Canadian immigration program. It is worth noting that migrants born in certain regions are more likely to enter Canada via economic or refugee classes, depending on the country. For example, those born in Africa, Central, South America, and the Caribbean, and were most likely to have entered Canada as refugees. Those born in the United States and Oceania are most likely to enter under the family reunification class.

Figure 14: Region of Birth of Female Immigrants by Period of Immigration to Canada



Source: Statistics Canada (2015b). Chart 6: Region of Birth for Female Immigrants by the Period of Immigration, Canada, 2011. Catalogue 89-503X.

The shift in region of birth of immigrants over the past 50 years has led to an overall increase in the total Canadian visible minority³ population. In Canada, the term “visible minority” is defined by the Employment Equity Act as “persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour.” This term is used as both a census category and in employment equity policies. Most of the visible minority population in Canada are immigrants (66.7 % female immigrants, 63.3% male immigrants).

³ The United Nations has criticized Canada annually for continuing to use this term.

Table 9: Visible Minority Groups by Sex, Canada 2016

	Females			Males		
	Number	Percent all females in Canada	Percent females in minority population 100	Number	Percent all males in Canada	Percent males in minority population 100
Visible Minority Group	3,949,495	22.6		3,725,090	21.9	
South Asian	946,945	5.4	24	977,690	5.8	26.2
Chinese	830,665	4.7	21	746,400	4.4	20
Black	618,475	3.5	15.7	580,070	3.4	15.6
Filipino	438,330	2.5	11.1	341,800	2	9.2
Latin American	231,860	1.3	5.9	215,460	1.3	5.8
Arab	246,810	1.4	6.2	276,425	1.6	7.4
Southeast Asian	164,385	0.9	4.1	148,880	0.9	4
West Asian	130,825	0.7	3.3	133,475	0.8	3.6
Korean	99,600	0.6	2.5	89,110	0.5	2.4
Japanese	52,815	0.3	1.3	40,105	0.2	1.1

Source: Statistics Canada (2017a). Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa.

C. Implications for the Canadian Research Program

Canada's migrant population is large and diverse. Our methods for the *Gender-Net Plus ERA-Net Cofund* study will have to be attuned to the different precarities and vulnerabilities of varying immigration classes, as well as people with tenuous migration status. Our methods also need to be adaptable to different socio-cultural groups, assuring they are appropriate and sensitive to the challenges of speaking about Gender-Based Violence (GBV). Rather than striving for a

comprehensive national picture, we have opted to provide snapshots of particular ethno-cultural groups or examples from particular social and organizational contexts where we encounter individuals willing to discuss with us about their experiences.

III. Gender-Based Violence in Canada

The feminist movement's quiet establishment of a network of safe houses and domestic violence shelters for women – the first wave of VAW work in Canada - began in the 1970s; however, the subject of violence against women did not enter official political discourse in Canada until the 1980s. Yet it is the Montreal Massacre that is generally considered the watershed moment for national action on gender-based violence in Canada. On December 6th, 1989, a lone gunman at the École Polytechnique in Montreal, Quebec, separated the female from male engineering students and proceeded to kill 14 female engineering students and injure many others. The murders were premeditated, and the killer had a reputation for hating women. In the aftermath, Statistics Canada conducted the first national survey dedicated to determining the prevalence of different forms of violence against women and their impacts. The 1993 *Canadian Violence Against Women Survey* (CVAWS) included questions concerning experiences of sexual harassment, sexual assault, intimate partner violence, and a range of emotionally abusive and controlling behaviours. Based on a nationally representative sample of women 16 years of age and older, the results showed that 51% reported experiencing physical or sexual assault by any man in their lifetime, 39% reported sexual violence, 29% reported abuse by a spouse or ex-partner (IPV), 16% reported violence by a date or boyfriend, and 23% violence by a male stranger (Johnson & Dawson, 2011). Around the same time, a network of research centres was established at universities across the country to better understand the complexity of violence against women and other forms of gender-based violence. These research centres aimed to build community and academic partnerships that focus on public education and research in an attempt to better understand and contribute to the elimination of violence targeted at women and children.

Despite the prioritization of this kind of research at that time, the data on the frequency and types of gender-based violence in Canada is limited and fragmented. The CVAWS was not repeated. The two primary sources for national-level data are self-reported data from the *General Social*

Survey (GSS) on Victimization and police-reported crime data. The GSS on Victimization is conducted every five years, and the 1999 version incorporated the questions on sexual assault and spousal assault used in the CVAWS. The 2014 GSS provides information on women's perceptions of personal safety in public (neighbourhood, public transit, work, school, restaurants, theatres, pubs, shops, sport facilities, and casinos) and private spaces (home, homes of friends and family), their confidence in the police and criminal justice system, levels of trust, knowledge of crime prevention, experiences of dating violence, experiences of emotional and financial abuse, physical and sexual violence and stalking by a former and/or current partner, frequency of violence (past year, past five years), impacts and injuries as a result of violence, help-seeking behaviours, their children's exposure to intimate partner violence, experiences of discrimination and hate crimes, theft of personal and household property, and experiences of cyber-bullying and fraud. The GSS measurement of intimate partner violence has been critiqued because of its embeddedness in a survey on criminal victimization and its inability to accurately reflect the contextual nature of this form of violence. The results have shown that women and men experience IPV at similar rates. It does not capture the different reasons women and men experience violence or the differences in its consequences. The GSS only measures a small portion of the continuum of IPV – what some describe as common couple violence and it does not measure intimate terrorism. Thus, in 2014 findings from the GSS indicate that a current or former intimate partner had physically or sexually abused 4 % of women and men in the past five years (Burczycka, 2016). Despite these limitations, some of the important findings - especially underscoring the fact that the risk of violence varies by population and its intersections - of the 2014 GSS include:

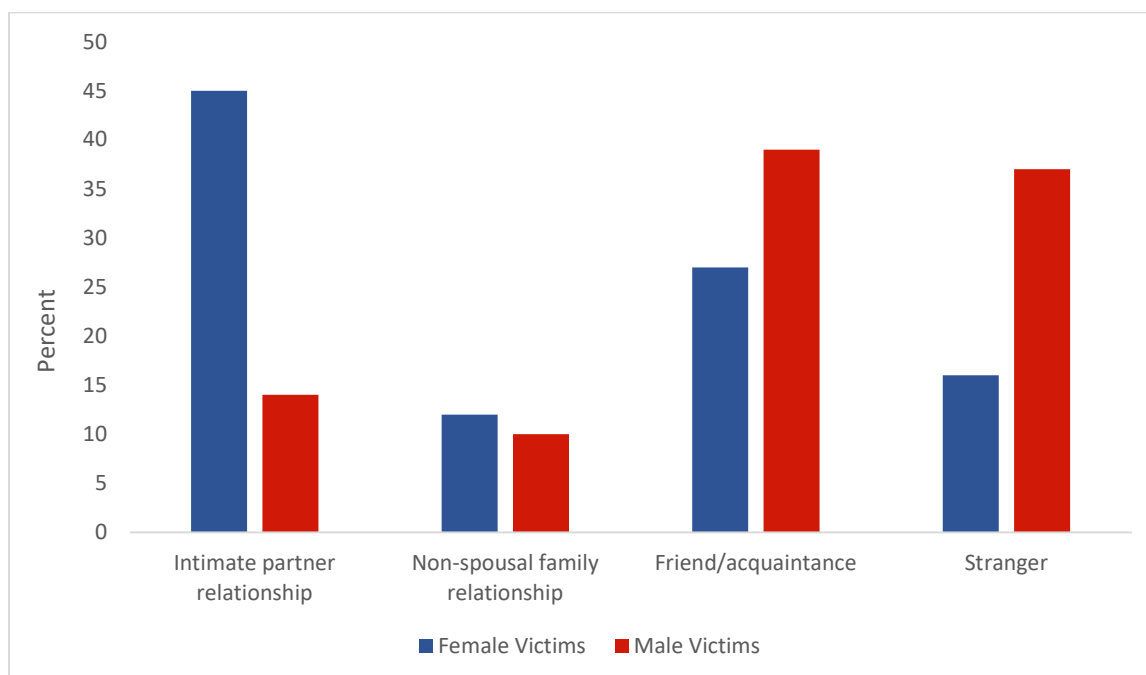
- Women experienced more severe violence in intimate relationships than men. Women were twice as likely as men to experience being sexually assaulted, beaten, choked or threatened with a gun or a knife. Survivors of severe violence also reported symptoms associated with Post Traumatic Stress Disorder (PTSD).
- Women were more likely than men to report physical injuries as a result of IPV.
- Among victims of spousal sexual assault, over half (59%) reported non-consensual sexual activity that came as a result of being manipulated, drugged or otherwise coerced, sometimes in combination with sexual assault through physical force.

- Less than one in five victims of IPV report an incident to the police. The most common reason given for not reporting is the belief that IPV is a private matter.
- A large proportion of those who reported IPV also reported being physically or sexually abused as children (48%).
- Indigenous persons are more than twice as likely to report experiencing IPV than non-Indigenous persons.
- Gay, lesbian or bisexual individuals were twice as likely as heterosexuals to report having been the victim of IPV during the previous 5 years.
- Visible minority persons and immigrants were less likely than white majority and non-immigrants to report experiencing IPV.
- Women with physical or cognitive impairments are more likely to experience violence than women without impairments.

(Status of Women Canada, *It's Time to Acknowledge*, 2018; Burczycka, 2016).

Almost half of the stalking victims were between 15 and 34 years of age (48%), and most victims were women (62%) (Burczycka, Conroy & Savage 2018). Data on police-reported crime in Canada come from Uniform Crime Reporting (UCR) and Homicide surveys. Except for homicide statistics, most incidents of gender-based violence are not reported to the police. In 2016, one-quarter of all victims of police-reported violent crime had been victimized by a family member. Family violence was more common for women and girls than for men and boys. While women and girls made up just over half (52%) of violent crime victims overall, two-thirds (67%) of family violence victims were female.

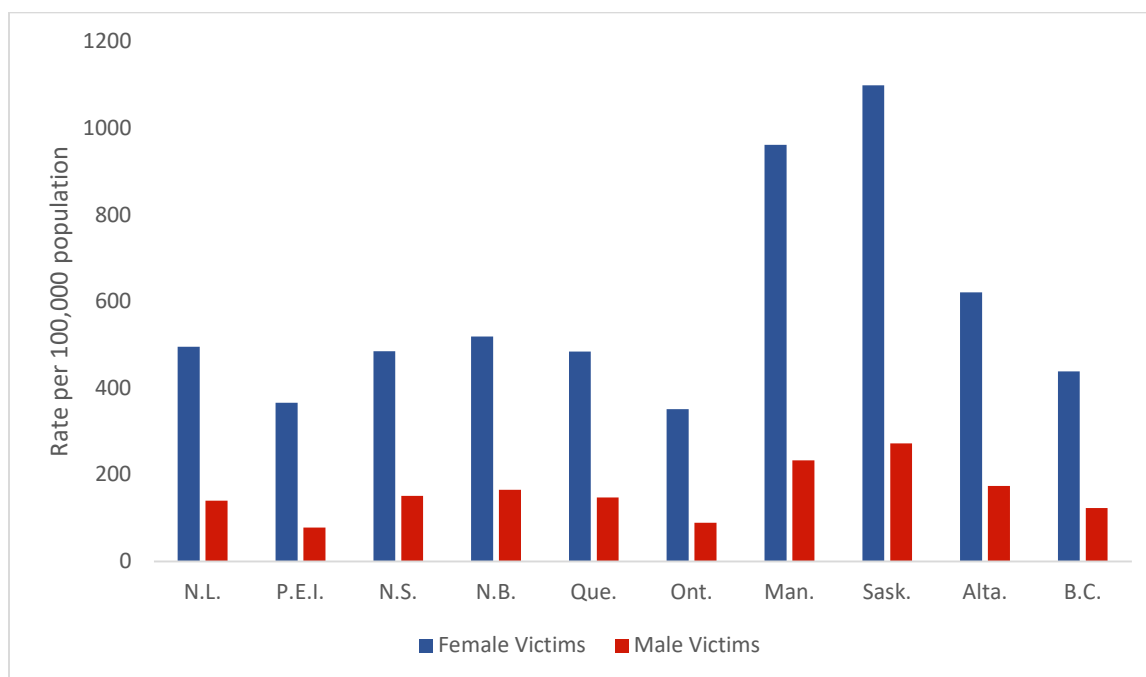
Figure 15: Victims of Police-Reported Violent Crime, by Sex and Victim Accused Relationship in 2016



Source: Burczycka et al. (2018). Family Violence in Canada: A Statistical Profile, 2017.

In 2017, intimate partner violence made up almost one-third (30%) of all police-reported violent crime in Canada. As illustrated in Figure 16, females are significantly more likely than their male counterparts to experience intimate partner violence (IPV), representing 8 out of 10 of all IPV victims (Burczycka et al., 2018). Women experience IPV more often than other forms of violence, representing 45% of the total police-reported violence against women (Burczycka et al., 2018). After, intimate partner violence, women were more likely to experience violence by a friend or acquaintance (27%), followed by stranger violence (16%), and non-intimate familial relationships (12%). In contrast, men were most likely to experience violence by a friend or acquaintance (39%) and less than one-six (14%) of all police-reported male violence involved an intimate partner. There is a significant geographic variation of both police-reported and self-reported instances of intimate partner violence. Figure 16 shows the distribution by province.

Figure 16: Victims of Police-Reported Intimate Partner Violence by Sex and Province in 2017



Source: Burczycka et al. (2018). Family Violence in Canada: A Statistical Profile, 2017.

Across provinces, police-reported intimate partner violence was highest in the prairie provinces, Saskatchewan (1099), Manitoba (961), and Alberta (621). Rates of police-reported IPV were lowest in Ontario (351), PEI (366) and Quebec (484) (Burczycka et al., 2018). Consistent with national trends, intimate partner violence across provinces, disproportionality affects women. Even among provinces with lower rates of violence, women remain up to four times more likely than men to experience IPV (Burczycka et al., 2018). These trends lend support to the notion that even when rates of violence are low, women continue to experience violence because the causes of violence against women are unique (i.e. persistent inequality) (Gartner, Dawson & Crawford, 1999).

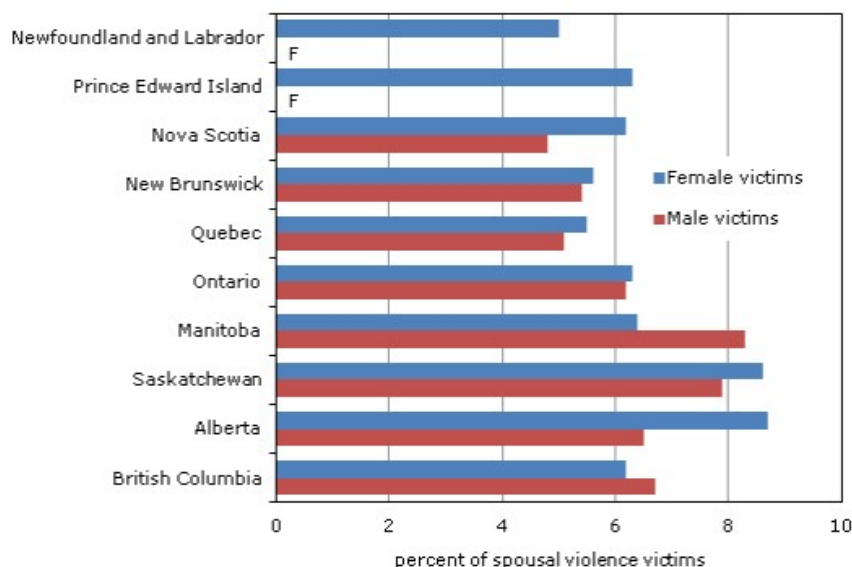
Until 1993, data on spousal or intimate partner violence in Canada were only available through police-reported statistics (Brzozowski & Brazeau, 2008). The limitations of this data, namely that it only includes incidents brought to police attention, lead to the development of self-reported measures. The *General Social Survey* (GSS) collects data on the violence experienced

by Canadians that are not reported to the police (Perrault, 2015). As depicted in Figure 17 and consistent with previous GSS reports on victimization, rates of violence were generally lower in the eastern provinces and higher in the Prairie provinces (Perrault, 2015). Newfoundland and Labrador, New Brunswick and Quebec reported significantly lower rates of violence than the average for the 10 provinces (Perrault, 2015).

When comparing spousal violence of women and men, women are more likely to experience more severe violence (i.e. sexual assault), while men are more likely to experience physical assault such as hitting or biting (Burczycka & Ibrahim, 2016; Ibrahim, 2018b). Victims of spousal violence often reported repeated acts of violence. Almost half of the victims who had experienced spousal abuse within the past five years indicated that the violence had occurred on more than one occasion (Brennan, 2011). Women reported repeat victimization more often than men, with 57% of women and 40% of men indicating multiple incidents of violence (Brennan, 2011).

Consistent with other studies examining intimate partner violence, some groups appear more vulnerable to violence than others. Factors that were found to increase the risk of spousal violence include common-law marital status, the presence of physical and mental health conditions, and Indigenous status are characteristics found to increase women's risk of spousal violence (Burczycka & Ibrahim, 2015). Income and educational attainment were not related to women's risk of violence (Burczycka & Ibrahim, 2015).

Figure 17: Victims of Self-Reported Spousal Violence within the Past 5 years, by Sex of Victim and Province in 2009



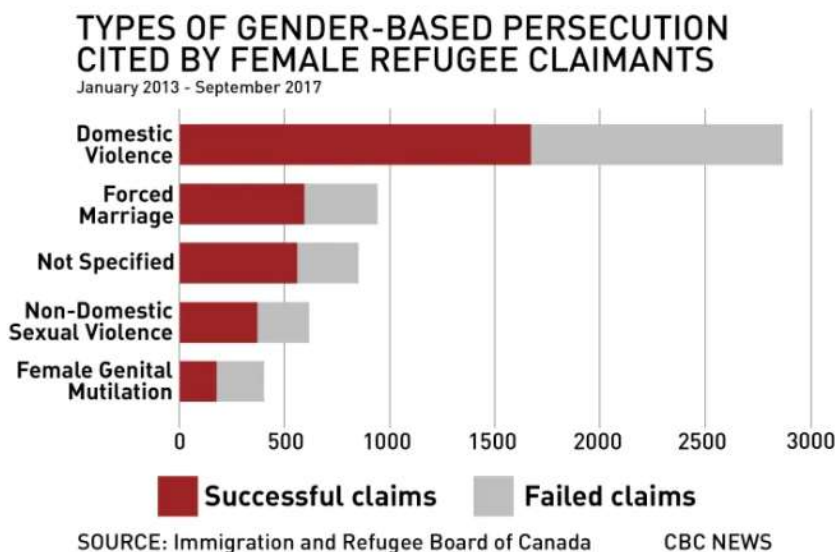
Source: Brennan, S. (2011). Family Violence in Canada: A Statistical Profile. Statistics Canada Catalogue no. 85-224-X.

The *General Social Survey* found that immigrant women report similar or fewer incidents of both spousal and non-spousal violence than Canadian-born women (Burczycka & Ibrahim, 2015). Visible minority or immigrant status did not appear to impact rates of spousal violence as Canadians self-identifying as a visible minority or immigrant did not report higher levels of spousal violence (Brennan, 2011). For example, visible minorities indicated that they experienced spousal violence at a rate of 3% while Canadians not identifying as a visible minority reported a temporarily violence rate of 4% (Brennan, 2011). Although some research suggests that immigrant women or visible minorities experience lower levels of spousal or intimate partner violence, this does not mean violence against these groups should be of lower priority. Regardless of whether immigrant families face an increase or similar risk of spousal or intimate partner violence when they do experience violence, they may be at greater risk due to unique barriers they face (Alaggia et al., 2009). Barriers that disproportionately affect immigrant or visible minority women include language barriers, isolation, lack of economic supports, confusion over legal ramifications, and fear of cultural isolation from their communities (Alaggia

et al., 2009; Raj & Silverman, 2002). For example, visible minority groups reported meaningful differences in Canadians perceptions of police (Simpson, 2018). Visible minorities were less likely than their non-minority counterparts to believe that police were approachable and easy to talk to (Simpson, 2018). Similarly, immigrant victims were more than twice as likely to report dissatisfaction with their police interactions (Ibrahim, 2018b). Such perceptions can dissuade victims of spousal violence from seeking protection or assistance from official sources.

Violence against women in Canada is not an immigrant woman's only concern. Often women immigrating to Canada are hoping to gain entry so that they may escape previous trauma. Gender persecution is the most common reason women seek protected status as asylum claimants in Canada (Carman & Elash, 2018). Domestic violence is the most common reason cited by refugee claimants, followed by forced marriage, sexual violence, and female genital mutilation (Figure 18). Not all women are successful in gaining asylum due to gender prosecution (Tastsoglou and Nourpanah, 2019). The Immigration and Refugee Board (IRB) reports that between 2013 and 2017, 58% of applications were granted (Carman & Elash, 2018).

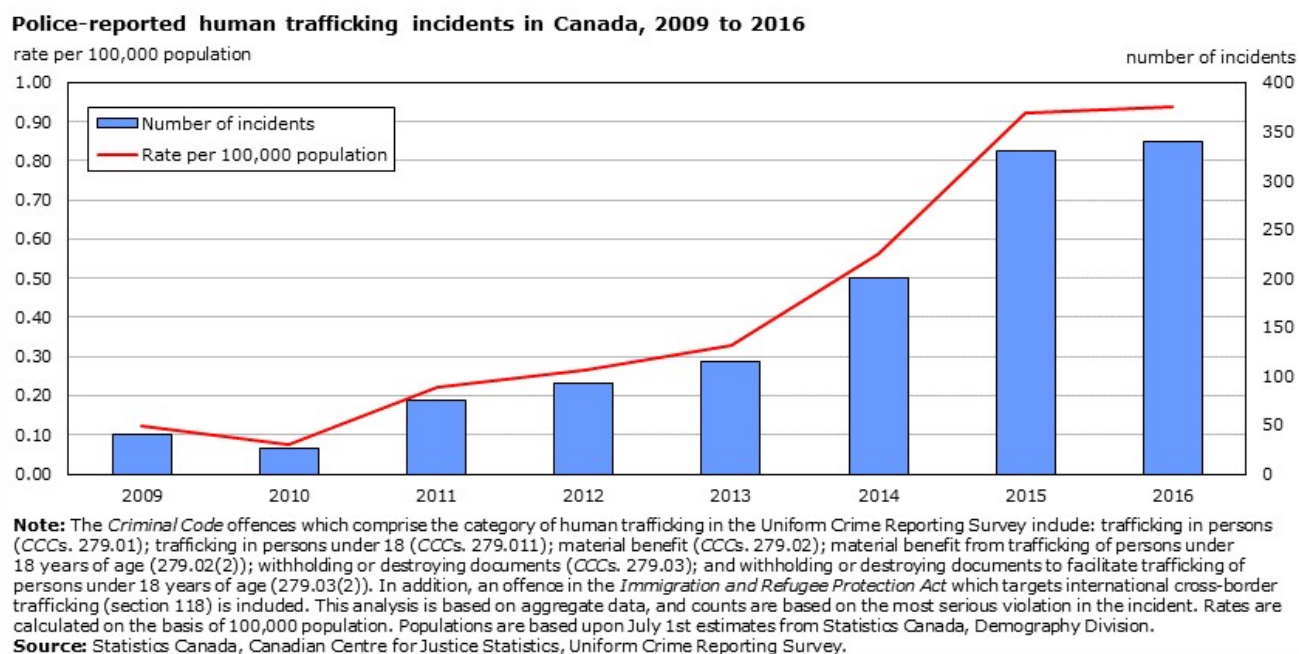
Figure 18: Types of Gender-Based Persecution Cited by Female Refugee Claimants



Source: Carman & Elash (2018). Gender Persecution the Top Reason Women Seek Asylum in Canada.

Human trafficking, which some refer to as modern-day slavery, is another form of violence against women of increasing concern (Kaye et al., 2014). Awareness of human trafficking in Canada has developed relatively recently as it is often perceived as a crime occurring in far-off, war-torn countries, well beyond Canadian borders (Perrin, 2010). Canada is known as a source, transit, and destination for human trafficking victims (Kaye et al., 2014; Royal Canadian Mounted Police (RCMP), 2012). Human trafficking was only added to the Criminal Code in 2005. Data on human trafficking is limited, due partially to the hidden nature of the crime, and because victims tend to distrust police, have language barriers, or be unaware of their rights in Canada. We know that instances of police-reported human trafficking have been increasing since 2010 (Ibrahim, 2018a). As illustrated in Figure 19, human trafficking in Canada has increased by more than nine times the rate of trafficking in 2009. Police-reported data reveals that 865 people were victims of human trafficking in Canada between 2009 and 2016 (Ibrahim, 2018a). Almost one-third (32%) of human trafficking involved trafficking across Canadian international borders, a violation of the Immigration and Refugee Protection Act (Ibrahim, 2018a). Human trafficking incidents often involve another crime, such as prostitution, sexual exploitation, or forced labour (Kaye et al., 2014).

Figure 19: Police Reported Human Trafficking Incidents, 2009-2016



Source: Ibrahim, D. (2018a). *Trafficking in Persons in Canada*, 2016.

Human trafficking crimes are largely gendered, with 95% of human trafficking victims women. Most female victims tend to be young women under the age of 25 (Ibrahim, 2018a). Furthermore, social and economic status has shown to increase victim vulnerability to trafficking. Socially and economically disadvantaged women, Indigenous women, new immigrants, street-involved youth, children in protective services, are at greater risk for becoming victims of trafficking (Kaye et al., 2014). Indigenous women in Canada are at considerable risk of becoming victims of human trafficking and sexual exploitation (Kaye et al., 2014).

In response to increases in human trafficking, the federal government implemented *Canada's National Action Plan to Combat Human Trafficking*, which was active from 2012-2016 (Government of Canada, 2012). The action plan included prevention initiatives, support programs and resources for victims, in addition to criminal justice policies. Following the conclusion of the action plan, the government committed over 14 million for the creation of a National Human Trafficking Hotline (Public Safety, 2019). Also, the government vowed to develop a new, more comprehensive strategy to address human trafficking in collaboration with other important stakeholders (Public Safety, 2019). These developments are an important step forward as previous human trafficking initiatives largely focused on the prosecution of perpetrators, often overlooking victims and their needs following the trauma of trafficking victimization (Perrin, 2010).

IV. Migrant Women's Experiences of Gender-Based Violence: A Brief Literature Review

This section of our report introduces, through a brief literature review, the major forms of gender-based violence experienced by migrants. It should be noted that these forms are by no means the only ones but some of the most common.

A. Domestic/Intimate Partner Violence

Despite the relatively high proportion of immigrants nationally, little research has been conducted in Canada to determine if domestic violence prevalence rates for immigrants differ from the rest of the population. Brownridge's analysis of Statistics Canada data (2009;

Brownridge & Halli, 2003) found that immigrant women from developed countries have lower rates of domestic violence compared to Canadian-born women. He suggests that these results should be interpreted with caution since immigrant women may be more reluctant than Canadian-born women to disclose domestic violence to interviewers due to language or cultural barriers. Based on analysis of the 2009 *General Social Survey (GSS) on Victimization*, Du Mont & Forte (2012) found that immigrant women who have lived more than 20 years in Canada are significantly more likely to report having experienced intimate partner violence than either immigrant women who have spent less than 20 years here or Canadian-born women. Our understanding of domestic violence in immigrant families in Canada is limited because cultures mediate and shape domestic violence (Liao, 2006). “What is considered domestic violence or a specific meaning a woman may give to her partner’s act is partly based on the [woman]’s viewpoint shaped by her sociocultural background” (Yoshihama, 1999, p. 873). Thus, in addition to not having robust national-level statistics on prevalence rates of domestic violence for immigrant women, the lumping together of all immigrants in a probability sample, despite differences in ethnic origins, class and religious backgrounds, is problematic. The lack of understanding of the unique risk factors for lethality in situations of domestic violence amongst immigrants and refugees has consequences. According to the Canadian Domestic Homicide Prevention Initiative (Dawson et al., 2018), at least 99 immigrants and refugees were victims of domestic homicide between 2010 and 2018 and 87% of the victims were women.

Research in specific contexts and among specific groups in Canada indicates that immigrant women do face unique risk factors for domestic violence as well as vulnerabilities when it comes to domestic / intimate partner violence due to structural inequalities at the intersection of immigrant identity, gender, ethnicity and class, as well as intersections between structural and cultural factors acting as impediments to seeking help (Abraham & Tastsoglou, 2016). Some of these factors include attitudes that consider domestic violence a private matter rather than a social problem (Barata et al., 2005); collectivist identities (Ashbourne & Baobaid, 2019); pre-migration experiences of violence and unresolved trauma (Rossiter et al., 2018); socio-economic inequality (Fong, 2010) but also embarrassment to seek help due to poverty and unemployment (Agnew et al., 2003); racialization and racism (Bannerji, 2002; Jiwani, 2005); language barriers (Holtmann & Rickards, 2018); young couples who immigrate with young children (Brownridge, 2009); immigration status and associated insecurity and unfamiliarity with Canadian legal rights

and public support services for abused women (Wachholz & Miedema, 2004; Cottrell et al., 2009; Tastsoglou, Cottrell & Jaya, 2015); loss of family and friendship support networks, isolation and alienation (Cottrell, 2008; Tastsoglou et al., 2015), the pervasiveness of patriarchy which makes it difficult for immigrant women to recognize various forms of violence and abuse (Mojab, 2012), religious discrimination (Holtmann, 2016), the lack of confidentiality within immigrant groups when abuse is disclosed (Kulwicki et al., 2010), shifting gender roles and post-migration stress (Hyman et al., 2011; Cottrell et al., 2009), and relatedly, the burden placed on women by cultural, political and economic forces to keep families together despite violent marital relationships (Shiu-Thornton, Senturia, & Sullivan, 2005). Domestic violence may also be linked to other forms of gender-based violence unfamiliar to public service providers, including honour- and dowry-related crimes and child- and forced-marriages (Baker, 2015; Korteweg, 2012).

Many immigrant women come from countries of origin that do not have Canada's decades-long history of public discourse concerning the social problem of domestic violence nor the development of public awareness campaigns, policies and services for victims and perpetrators. State- or community-led strategies for addressing domestic violence may be far more limited in their home country meaning that they are unlikely to disclose their experiences outside of the family. For example, in a study of Portuguese immigrant women, it was found that first-generation immigrant women, in particular, prefer to deal with problems of abuse informally, indirectly or in keeping with family traditional norms (Barata et al., 2005, p. 1143). If immigrant women have a primarily collectivist understanding of identity, this also contributes to a reluctance to seek help for domestic violence from Canadian public service providers, most of whom operate within a framework that takes individualist identities for granted. According to Ashbourne and Baobaid, "Collectivist societies emphasize interdependence, the obligation to the group, and social reputation [while] individualist societies are more likely to emphasize autonomy and individuation from one's family" (2019, p. 320). Based on family safety work with Arab immigrants in London, Ontario, they argue for a broader range of domestic and family violence services that include culturally integrative practices.

Other cultural influences from the country of origin, such as patriarchy and religion, have an impact on immigrant women's understanding of family violence. Research in Atlantic Canada

shows that it takes Christian and Muslim immigrant women longer to recognize and disclose domestic violence (Holtmann, 2016), especially when religious leaders underestimate the extent of the problem, fail to condemn it publicly or misunderstand their role in the journey towards safety (Nason-Clark et al. 2018). Immigrant women have also experienced discrimination and racism when interacting with public service providers (Agnew, 1998, p. 92).

Research on the impacts of migrants' pre-migration experiences of violence and unresolved trauma as a risk factor for domestic violence against immigrant women is emerging. Examples of pre-migration violence include war, civil unrest, imprisonment, torture, terrorism, forced displacement, refugee camps, and border crossings. It is well-known that civil conflicts and war increase violence against women. Evidence from a study with Sri Lankan Tamil immigrants shows that men who were involved in, targeted by or witnessed violence before coming to Canada display intolerance, anger, suspicion and aggression towards family members (Guruge, Khanlou & Gastaldo, 2010). There are few services available in Canada, especially outside of large urban centres, for helping survivors with the trauma resulting from pre-migration violence.

The socio-economic inequality of immigrant women contributes to their vulnerability in situations of domestic violence in at least three ways. First, financial control may be part of a situation of coercive control within the family. For example, an immigrant woman may not have access to money for groceries or public transportation to seek health care or social support. Secondly, intersecting structural inequalities of class, race and gender (Fong, 2010) exacerbate poverty among immigrants in Canada. Poverty is not the cause of domestic violence, but it contributes to post-migration stress. It also makes it more difficult to access formal and informal social supports that can augment a migrant woman's safety, such as safe housing, healthy food, language classes, and employment counselling. Finally, an immigrant woman's success at securing paid employment after arrival and contributing to the family finances may exacerbate her husband's feelings of frustration and shame at not being able to fulfill his preferred role as a family provider (Fong, 2010). Rather than appreciating and supporting his wife's efforts, an immigrant husband may deal with his feelings by inappropriately lashing out at his wife.

In recent years extra efforts have been made to provide newcomers with information on family violence in Canada. In its guide *Welcome to Canada: What You Should Know* (CIC, 2013), Immigration Refugees and Citizenship Canada include information (French and English) on the

equality of men and women and family violence. It states that physical and sexual abuse or neglect of a spouse, child, or senior are criminal offences and advises victims of family violence to call 911 for help. Individual provinces provide further information like the handbook, *Family Law and Immigrants* (2017), produced by the Public Legal Education and Information Service of New Brunswick. Free classes for learning English and French are available to many newcomers upon arrival and translations of these government documents into a range of languages are helpful. Yet having access to information and acting on that information are two different things (Holtmann et al., 2016).

B. Forced Marriage

The most current information about the extent of forced marriage in Canada comes from the South Asian Legal Clinic of Ontario (SALCO), which surveyed service providers in Ontario. The survey results provided an estimate of 70 cases of forced marriage per year in Ontario with 92% of the victims/survivors being women (Anis, Konanur, & Mattoo, 2013, p. 9). About a third of the victims/survivors had lived in Canada for ten years or more.

C. Femicide

In 2019, 118 women and girls were killed in Canada, approximately one every three days. 87% of the first accused murders of these women were men. When information on the relationship between the accused murderer and victim(s) was known, 57% of the victims shared a current or former relationship with the accused. These deaths are considered intimate partner femicide (Dawson et al., 2019, p. 7). Information on the proportion of femicides involving migrant victims is not available. However, so-called honour-based violence has provoked highly charged media, policy and research debates in Canada (Korteweg & Yurdakul, 2010). The prevalence of honour-killings is very difficult to determine but it was estimated that there were ten to fifteen cases from 2002-2012 in Canada (Korteweg, 2012, p. 137).

D. Female Genital Mutilation

Female Genital Mutilation is a serious abusive act committed on women as well as a violation of their human rights (Im et al., 2019). Female genital mutilation (FGM) “comprises all procedures

involving the partial or total removal of the external female genitalia or other injuries to the female genital organs whether for cultural, religious or other non-therapeutic reasons” (WHO, 2016). Studies have indicated that FGM is associated with a wide range of long-term health and psychological problems among immigrant women (Knipscheer et al., 2015).

FGM in Canada is a crime. It was added to Canada’s Criminal Code in 1997 under Section 268 in the form of “aggravated assault”. Under the code, it is prohibited to aid, abet or counsel such assault and to interfere with genitalia for nonmedical reasons. Moreover, the amendment expressly prohibits the transport of a child outside of Canada to obtain female genital mutilation (Packer, et al., 2015). Although there is a scarcity of data on FGM in Canada, it is expected that girls in Canada are not safe from the practice. Canada has a high rate of immigration, with the highest proportion of foreign-born populations among the G8 countries. Canada welcomes immigrants who have undergone the practice in their country (Packer et al., 2015).

The subject of FGM in Canada was thrown into the spotlight in the summer of 2017, when news broke about a 2016 study authored by anti-FGM organization *Sahiyo* (Marchildon, 2018). The study surveyed 385 women around the world – primarily from the Dawoodi Bohra community – and found that of those women, 18 (5%) lived in Canada and had all undergone FGM, and two had had the procedure in Canada itself (Marchildon, 2018).

Canada announced a commitment of \$650 million to sexual and reproductive health and rights in July 2017 – an investment that includes funding for initiatives to respond to sexual and gender-based violence, such as FGM. A multi-pronged approach to the problem is necessary, including in addition to criminal prosecution, education and awareness raising within communities but also among professionals, as well as government collaboration at the global level.

E. LGBTQ Immigrant and Refugee Women in Canada

It is crucial to address the gender gap in research because the combination of homophobia and/or transphobia and misogyny makes queer and trans women vulnerable to specifically gendered forms of violence, particularly in combination with class and race-based oppression (Dearham, 2017). This includes “corrective rape”, domestic violence, and public sexual harassment and assault.

Stigma and discrimination harm the wellbeing of lesbian, gay, bisexual, transgender and queer (LGBTQ) individuals and contribute to migration from contexts of sexual persecution and criminalization (Logie et al., 2016). Research indicates that LGBTQ newcomers and refugees often face marginalization and struggle in meeting basic needs, such as secure housing and employment, and emotional wellbeing and social support following immigration to countries such as Canada (Logie et al., 2016). LGBTQ newcomers and refugees face additional challenges related to social isolation due to intersecting oppression based on race/ethnicity and LGBTQ identity, contributing further to health and mental health disparities.

Studies on violence against transgender people show that rates of violence and homicide are highest against racialized trans women (Egale, 2016). Due to these vulnerabilities, it is particularly crucial for queer and trans women to be able to access the refugee system if they feel that seeking asylum will be safer than remaining in their country of origin. (Dearham, 2017).

V. Regulatory Framework: Law and Policy

A. Migration Law and Policy

The *Immigration and Refugee Protection Act* (Government of Canada, 2002) is the primary law related to admissions of migrants and refugees –who are referred to in the act as “foreign nationals” - to Canada. The law is administered by Immigration, Refugees, and Citizenship Canada (IRCC) and the Canada Border Services Agency (CBSA). Among the objectives of the act are “to permit Canada to pursue the maximum social, cultural, and economic benefits of immigration”; “to enrich and strengthen the social and cultural fabric of Canadian society”; “to see that families are reunited in Canada”; “to facilitate the entry of visitors, students, and temporary workers”; “to protect public health and safety and to maintain the security of Canadian society”; “to fulfill Canada’s international legal obligations with respect to refugees”; “to promote international justice and security by fostering respect for human rights and by denying access to Canadian territory to persons who are criminal or security risks” (Section 3).

When it comes to refugees, the Act, together with later introduced supplemental legislation,⁴ implements Canada's international obligations toward refugees, as per the 1951 Refugee Convention and 1967 Protocol. The Act includes several "divisions" related to different aspects of the immigration process including: applying for entry to Canada, immigration classes (family reunification, economic class, refugee), right of appeal, and detention.

1. Admission Categories

As discussed earlier in the report, there are several pathways via which migrants can apply and obtain permanent residency in Canada. If their application is successful and they obtain permanent residency, immigrants have similar rights to citizens, with the notable exceptions of voting and running for political office. To maintain permanent residency, people must reside in Canada for a minimum of 730 days in five years. A person may lose their permanent residency if a removal order is made against them -which would likely occur if the person is deemed "inadmissible" to Canada due to criminality, health grounds, financial reasons, or misrepresentation. There are also permits or visas for temporary entry to Canada to study, work, or visit.

To become a citizen, a permanent resident must meet the minimum residency requirement (lived in Canada for a minimum of 1095 days during the past five years) and have filed taxes in Canada for at least 3 years. For permanent residents aged 18 to 54, they must also demonstrate spoken and listening competency in either English or French⁵ and write a citizenship test, which is meant to assess their knowledge of rights and responsibilities in Canada as well as a general knowledge of Canadian history, geography, economy, and political system.

a. Economic Class

This admission category identifies would-be immigrants who will contribute to the labour market needs of Canada or who can demonstrate an ability to become economically established in Canada, either by making a substantial investment or creating their employment. This admission category includes several subclasses: federal skilled workers, Canadian experience class, federal skilled trades, start-up business class, investors, entrepreneurs, self-employed persons, Quebec-

⁴ The *Balanced Refugee Reform Act* (2010) and the *Protecting Canada's Immigration System Act* (2012).

⁵ The minimum language standard is Canada Language Benchmark level 4, which means the person can take part in everyday conversations, such understand simple instructions and questions, and having sufficient vocabulary and grammar to answer questions (Government of Canada, 2019b).

selected skilled workers, provincial nominees, immigrant investor venture capital class, Atlantic immigration pilot programs, rural and northern immigration pilot, and caregiver⁶ (Government of Canada, 2019d). In addition to the medical and criminal record checks required across all admission categories, this entry-class requires applicants to demonstrate they meet the entry criteria by showing evidence of things such as proof of funds, language competency, education, and an offer of employment. The Federal Skilled Workers Program is, in a sense, a competitive entry class, because eligibility is assessed via a point system. Those who score higher on language skills, education, and work experience will receive more points. Applicants can also receive points for having arranged employment in Canada and demonstrating “adaptability” which could include a range of factors including having a spouse/partner with English or French language skills, past study or work experience in Canada (either applicant or spouse/partner), and/or having a relative in Canada (Government of Canada, 2019a).

b. Family Reunification

Canadian citizens and permanent residents over the age of 18 years of age can sponsor relatives (spouse/partner, dependent children, parents, grandparents) to come to Canada as permanent residents. As a sponsor, the applicant must show they can financially support their relative by providing food, shelter and clothing. During the sponsorship period⁷, the sponsored relative cannot access government social assistance⁸. In the case of a relationship breakdown, the sponsorship agreement remains in place. Should the permanent resident being sponsored access to social support, the sponsor will have to repay this money. If the relationship breaks down during the application process, meaning the applicant does not yet have permanent residency, and the applicant is already in Canada, they could be at risk of deportation. If the reason for relationship breakdown includes abuse/intimate partner violence, or there are children, the applicant could apply to remain in Canada and receive permanent residency on Humanitarian and Compassionate grounds (Ontario Women’s Justice Network, 2017).

⁶ As of June 2019, the live-in caregiver program, which was a work permit, has been replaced with 2 pilot programs: The Home Child Care Provider and Home Support Worker. This means caregiver applicants have a direct path to permanent residency, however in order to enter Canada as a caregiver they must now meet the criteria for the economic class

⁷ The sponsorship period can range from three years for a spouse/partner, 20 years for parents and grandparents or, in the case of dependent children, until the child is 22 years of age.

⁸ If the sponsored person does access social assistance, the sponsor is under legal obligation to repay the funds.

c. Refugee

Canada has a long history of refugee resettlement dating back to the arrival of the Black Empire Loyalists from the United States in the late 1700s. Over the past decade, the resettlement program has expanded, most notably with the largest resettlement in Canada's history in 2016 of 46,000 Syrian refugees (Government of Canada, 2018a). A refugee is a person who has been forced to flee and will not be able to return home due to fear of persecution based on race, religion, political opinion, nationality, or membership to a particular social group⁹ (i.e. gender or sexual orientation). The Canadian refugee program has two systems via which people can make claims for protection: (i) the Refugee Humanitarian Resettlement Program for people who seek protection from *outside* Canada and (ii) the In-Canada Asylum Program for those who make claims from *within* Canada (IRCC, 2019c).

(i) *Refugee and Humanitarian Resettlement Program*

Potential refugees do not apply directly to be resettled under the Refugee and Humanitarian Resettlement Program, but rather are *identified* by the United Nations Refugee Agency (UNHCR) or a private sponsorship group and *referred* to the program as a Convention Refugee¹⁰. To be a convention refugee, the person must be outside their home country without the ability to return home due to fear of persecution (as noted above). Once referred, convention refugees, are *sponsored*¹¹ either by the Canadian government, a group of people, or an organization. Government-assisted refugees (GAR) receive support from the government for 1 year after their resettlement in Canada. This support includes temporary housing, clothing, food, and finding employment and permanent housing. Privately sponsored refugees are supported by a group of people or an organization. Sponsors assist with housing, food, clothing, financial support, social and emotional support. Sponsors may be groups that hold a Sponsorship Agreement with the Canadian government, a Group of Five, or Community Sponsors. Sponsorship Agreement Holders tend to be religious, ethnic, community, or humanitarian

⁹ The IRB has interpreted "social group" to include gender identity, even though the Convention definition does not explicitly list gender (Report Special Rapporteur 2019). Despite this, the Special Rapporteur notes that "adjudicators fail to assess the gendered aspects of a claimant's fear of persecution for gender-based violence, and will instead suggest that these women are fleeing from a generalized risk of crime. This is a result of the failure to clearly enumerate gender as a separate basis on which refugee status can be claimed."

¹⁰ As defined by the 1951 United Nations Convention Relating to the Status of Refugees

¹¹ If a person is identified as a convention refugee and referred to the resettlement program, they do not require sponsorship if they have sufficient funds to support themselves and their family in Canada (IRCC, 2019c).

organizations and either sponsor refugees directly, or support others to do so. Group of Five and Community Sponsors do not generally sponsor refugees on an ongoing basis, but rather are a group that has come together to support someone who already has convention refugee status. In addition to government-assistance and private sponsorship, the Blended Visa Office-Referred provides a mix of government and private assistance, with the government providing six months of income support, and the private sponsor providing an additional six months of financial support (ibid, 2019). Prior to arrival in Canada, Convention refugees undergo health and security screens. Once they have landed in Canada, they receive permanent resident status at the port of entry.

The Urgent Protection Program (UPP) is for an urgent request for protection, when refugees may be forced to return home or face a direct threat to life. People resettled under this program usually receive government-assisted sponsorship. This program has served to offer urgent protection to women at risk of GBV and their dependants (IRCC, 2017a).

(ii) *In-Canada Asylum Program*

Unlike convention refugees, the In-Canada Asylum Program is for people making a claim for asylum from within Canada, either at a port of entry or an IRCC or Canadian Border Services Agency (CBSA) office¹². The asylum claim is heard by the Immigration and Refugee Board of Canada (IRB). The IRB is an independent, quasi-judicial tribunal that determines whether the claim meets the United Nations' definition of a Convention refugee, or if the person requires protection. As defined by the Immigration and Refugee Protection Act, "a person in need of protection is a person who would be subjected personally to a danger of torture, a risk to their life, or a risk of cruel and unusual treatment or punishment if they were returned to their home country" (Immigration and Refugee Protection Act, 2002).

While waiting for their case to be heard by the IRB, refugee claimants are not eligible for settlement services funded by the *federal* government. They are suitable for *provincial* government services, including social assistance, education, health services, emergency housing, and legal assistance. Refugee claimants can also apply for a work permit during the time their

¹² Agents can detain asylum claimants, if they believe they will not appear for future hearings/proceedings. The Special Rapporteur (2019) noted that people can be detained indefinitely by the CBSA, including pregnant women and children.

case is being considered. If the case receives a positive decision, the claimant will receive protection status and subsequently can apply for permanent residency status. However, if the IRB rejects the claim, then claimants can appeal the decision or ask for a Federal Court review. In case appeals are unsuccessful, the person will receive removal orders which means they have to leave Canada or else they get deported by the CBSA. When the person refuses to leave, an arrest warrant will be issued, and he/she could face detention sentence prior to CBSA removal. People may be detained in Immigration Holding Centres (IHC), in regions where there is such a facility. In the absence of an IHC, people are detained at provincial correctional facilities¹³. In June 2018, the Canadian government began Alternatives to Detention program to reduce the number of minors and vulnerable people in detention (Canada Border Services Agency, 2019). At the same time, the CBSA is expanding detention facilities, and there is no limit on the length of time a person can be detained.

d. Work Permit

Work permits allow people to work in Canada temporarily. There are several types of work permits, including: business, student, international experience, and agriculture. Work permits may be open -meaning they can be used to work for any employer in Canada, or employer-specific. Eligibility for open work permits is limited. Eligibility may include someone who has begun an application for permanent residency or is a refugee claimant, is a family member of someone who has applied for residency, or in some cases, an international student. Eligibility for an open work permit may also include “vulnerable workers”. This is someone who may have experienced or is at risk of experiencing abuse at work, allowing them to change employers. The open work permit for vulnerable workers is limited as it cannot be renewed once it expires (IRCC, 2019j; IRCC, 2019k).

e. Study Permit

A study permit allows students to study in Canada. To qualify, students must show they have been accepted into a learning institution (primary school, secondary school, designated post-secondary school), and proof of financial means to cover tuition fees, return transportation, and living expenses, including expenses for any accompanying family members (IRCC, 2019g).

¹³ The End Immigration Detention Network reports that 1/3 of detained people are in maximum security provincial jails ([EIDN, 2017](#)).

f. Visitor Visa

Citizens of most countries require a visa to visit or transit through Canada. Visitor visas generally allow people to stay in Canada for a maximum of 6 months. To receive a visitor's visa, applicants must be in good health, have no criminal convictions, demonstrate ties in home country (i.e. job, housing, financial assets, family), convince an immigration officer that she/he will leave Canada at the end of the visit, have the financial means to cover travel in Canada (IRCC, 2019i).

2. The Canada – US Safe Third Country Agreement

The *Safe Third Country Agreement* between Canada and the United States (2004) asserts that refugee claims must be made in the first safe country the person arrives in (IRCC, 2019b). This means that a refugee who entered the US, then crossed into Canada through a Canada-US border, cannot make a refugee claim in Canada. If a person crosses a Canada-US land border at an unofficial point of entry, this is called an *irregular border crossing*.

In recent years, Canada has seen an influx of irregular border crossings. When this occurs, the person is stopped by the Royal Canadian Mounted Police (RCMP). The RCMP assesses potential involvement in illegal activity. Depending on this assessment, they may remain in police custody or refer to the Canadian Border Services Agency (CBSA), where they can make an asylum claim. The CBSA assesses admissibility by considering “health, safety, and security concerns” (Government of Canada, 2019c), including conducting a criminal record and health check. The CBSA then assesses whether the claim for asylum is eligible -meaning the application meets the United Nations’ definition of a convention refugee -and if so, it will be referred to the IRB. If the person is deemed inadmissible and ineligible for an asylum claim, they are removed from Canada.

B. Gender-Based Violence Law and Policy

1. International Framework

Canada has supported international initiatives, signed conventions, and endorsed programs aimed at ending gender-based violence. For example, Canada was one of the first countries to ratify the 1981 *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW). However, the 2019 Human Rights Council report by the Special Rapporteur concludes that four

decades later, not all CEDAW provisions have been incorporated into Canadian legislation. Further, the Canadian legislative landscape is multi-scalar (federal, provincial, territorial), so the incorporation of CEDAW provisions is inconsistent across Canada. The Special Rapporteur identifies a lack of a definition of family violence and lack of legal framework on violence against women and domestic violence as two primary concerns, both in general and with respect to Indigenous women and girls specifically (Human Rights Council, *Visit to Canada*, 2019, p. 6). Other International Human Rights conventions aiming at ending gender-based violence that Canada has been a signatory of are the *Convention of the Rights of the Child* and the UNSC Resolutions on gender-based violence, mainly 1325 (2000); 1820 (2008); 1888 (2009); 1889 (2009); 1960 (2010); 2106 (2013); 2122 (2013). The latter are binding and create obligations on all UN member States. Interestingly, the *Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others* is not signed on or acceded to by Canada.

2. Federal Legislation and Policy

Two federal legal frameworks pertaining to gender-based violence: (i) *The Criminal Code of Canada* codifies criminal behaviour and states that it is against the law to harm or threaten to harm another person, or to engage in harassing conduct (see Appendix 1 for a list of relevant sections of the *Criminal Code*). Of note is that there is no specific criminal offence for gender-based violence, but rather relevant criminal offences that could be used to prosecute gender-based violence)¹⁴, (ii) *The Canadian Human Rights Act* (1977 / 1985) prohibits all forms of discrimination against a person's sexual orientation, gender identity or expression¹⁵. The right to equality -including equal protection -is also enshrined in *the Constitution Act (1982)*, under the *Canadian Charter of Rights and Freedoms*.

In 2019, legislative changes were introduced by the federal government to the criminal law's response to: intimate partner violence; the prosecution of human trafficking offences; and violence against Indigenous women and girls, as called for by the final report of the National

¹⁴ Recent amendments include 2018 Bill C-51 which aims to clarify and strengthen sexual assault laws including lack of consent and 2015 new offence (s. 162.1) Protecting Canadians from Online Crime Act which prohibits consensual distribution of intimate images (Report of the Special Rapporteur 2019).

¹⁵ Relevant amendments include the 1996 addition of sexual orientation as prohibited grounds of discrimination and the 2017 addition of gender identity and expression as prohibited grounds of discrimination (Report of the Special Rapporteur 2019).

Inquiry into Missing and Murdered Indigenous Women and Girls (Government of Canada, 2019f).

Because domestic/family violence is considered a criminal act, there is a mandatory charge policy. What this means is that once a complaint has been made to the police, the police have to lay charges against the accused if they believe there are reasonable grounds. As such, the person making the initial phone call, and/or the person who has been the target of the violence has no control over the accused being charged with a criminal offense (Department of Justice, 2014).

The use of the term gender-based violence at the federal policy-level is a newer discursive shift. As recently as 2009, publications by the federal government describe what is today referred to as GBV as “abuse” or “family violence.” An illustration of this is a booklet produced as part of the Family Violence Initiative by the Department of Justice, titled *Abuse is Wrong* (2009) and more recently included under the Family Violence Initiative as *Abuse is Wrong in any Language* (2016). This booklet defines abuse broadly to include sexual, emotional/psychological, financial, and bullying and also makes specific reference to types of violence that are today more commonly referred to as GBV (i.e. intimate partner violence or forced marriage) in official discourse. If *Abuse is Wrong*, the onus of ending abuse is on the victim, who is encouraged to seek help from community resources (ex. health care providers, police, shelters etc.). This booklet makes explicit reference to migrants, whose legal status may be tied up with their spouse or employment, and encourages immigrants to contact the IRCC, but does not provide any safeguards for those whose legal status may be jeopardized if they choose to leave an abusive situation.

The current government, under the leadership of Prime Minister Justin Trudeau (2015 - present), has integrated the language of gender-based violence into policy. In 2017, the Trudeau government developed a federal initiative; *It's Time: Canada's Strategy to Prevent and Address Gender-Based Violence* (2018). This initiative is lauded by the government as the first-ever federal action-plan that aims “to address all forms of violence, through gender and intersectional lens” (*Year in Review*, 2019, p. 5). The strategy also includes a research component as part of the federal decision to collect better data to inform policy. The establishment of a GBV Knowledge Centre consists of a partnership between Women and Gender Equality (WAGE) and Statistics Canada to conduct three new national surveys on gender-based violence: 1) *Survey of Safety in*

Public and Private Spaces; 2) *Survey on the Personal Safety of Postsecondary Students*; and 3) *Survey on Sexual Harassment and Sexual Misconduct in the Workplace*.

The federal strategy defines GBV as “violence perpetrated against someone based on their gender expression, gender identity or perceived gender (*Setting the Stage*, 2019b, p. 3). The strategy further defines two primary forms of GBV: (i) interpersonal and (ii) structural and employs a broad definition of types of violence which could include physical, sexual, emotional/psychological, harassment, online/technology-facilitated, or financial (p. 4).

Following a year of consultations with experts, service workers, and survivors, the initiative has three foundational pillars:

- (i) *Prevention*: The initiative has specifically targeted young women, who are disproportionately the targets of sexual assault. This pillar has included funding to the Halifax-based YMCA Centre for Immigrant Programs which has developed programs and materials that aim to prevent GBV (*Year in Review*, 2018, p. 6)
- (ii) *Support for Survivors and their Families*: Including a national housing strategy, development of curriculum and resources for service providers, and putting into action initial recommendations of the National Inquiry into Missing and Murdered Indigenous Women and Girls
- (iii) *Promoting Responsive Legal and Justice System*: Intending to improve the criminal justice system’s response to GBV survivors, this pillar includes improving the tracking and reporting of sexual assaults and revising aspects of the *Criminal Code*.

The federal strategy was initiated with a budget of \$100.9 million over 5 years to six federal government departments/agencies: Status of Women Canada, Public Health Agency of Canada, Public Safety Canada, the Department of National Defence, the Royal Canadian Mounted Police, and Immigration, Refugees, and Citizenship Canada. The IRCC portion of the budget is meant to support settlement programs. In 2018, the budget was further expanded by \$86 million, with this additional funding earmarked for initiatives that focus on preventing teen dating violence, cyberbullying, and helping health professionals respond appropriately to victims of GBV (*Year in Review*, 2018). The Special Rapporteur notes that this Strategy is limited because it is largely

project-oriented and lacks a human-rights based legal framework perspective needed to address the gaps in Canadian legislation (p. 7).

3. Provincial or Territorial Legislation

In addition to federal legislation and policy, Canadian provinces and territories have their own set of legal and policy frameworks that work in conjunction with the *Criminal Code* by offering protection to victims of domestic violence/family violence. There is significant variation between provinces/territories, with some provinces/territories having more developed, specific legislation related to certain forms of violence. However, in general, relevant legislation falls under the umbrella of family law, a child and family act, victims of crime act, and/or a domestic violence act. The *Canadian Femicide Observatory for Justice and Accountability* developed an interactive legislative map, available online. This map centralizes links to relevant legislation, by province/territory (<https://femicideincanada.ca/profiles/legislativemap>).

Family Law, at times, overlaps with Criminal Law, particularly in instances of family violence; however, family law deals explicitly with the breakdown of the family unit, including divorce/separation and parenting agreements for children. Accessing family law courts can be particularly challenging, as the process is legalistic and accessing information, resources, and legal support is costly. There may also be an overlap between Family Law, Criminal Law, and child protection legislation. All Canadians have a duty to report instances when they are concerned a child needs protection, due to exposure to physical, sexual, or emotional violence, including neglect. As such, a matter that is being dealt with via the criminal or family law system may also become a matter of child protection, and an investigation will ensue. Because family/domestic violence cases may overlap with three different legislative systems, the experience for families and children is complex, or what a recent analysis commissioned by the Department of Justice described as “unintelligible and inconsistent” (Neilson 2013, p. 4)

In addition to these acts, employment legislation and the administration and delivery of health services, including the protection of sexual and reproductive health and rights, is under the jurisdiction of provincial/territorial governments, so again there are inconsistencies and regional variations (Human Rights Council, *Visit to Canada Report of the Special Rapporteur*, 2019).

4. Possible Implications for Migrant and Refugee Women

One of the potential implications of the inconsistent and partial national legislation, is that gaps may disproportionately impact certain groups of people who may already be more vulnerable to GBV. For example, the Report by the Special Rapporteur notes that precarious, part-time, and/or contract workers are not protected by employment legislation, particularly legislation related to workplace health and safety (p. 6). Women disproportionately make-up these categories of workers and this is of particular concern for migrant domestic and other temporary workers who have little legal recourse should they experience violence or harassment in the workplace.

VI. Implementation of Legal and Policy Frameworks

A. Access to Settlement Services¹⁶

In Canada, there is a close link between agents who deliver settlement services. The federal government provides funding to settlement organizations who then deliver a host of programs. Settlement services are often the first point of contact for immigrants when they arrive in Canada (indeed, some even provide pre-settlement online workshops), and are variously referred to as “gateways” or “welcome centres.” Conventionally, settlement service providers have offered programs focused on language, job skills, and education. Increasingly, providers offer a host of social welfare services, including translators for medical and legal appointments, family counselling, banking and financial workshops, and referral services to community supports. Some service providers, particularly multicultural associations, have a mandate of creating a welcoming community and fostering intercultural exchange through events.

In addition to settlement service providers, there are many ethno-cultural associations. For example, in the province of New Brunswick, 28 different ethnocultural organizations are listed as a subset of settlement service providers. To put this in context, New Brunswick is a relatively small Canadian province with a total population of just over 700,000 people, and 33,000 immigrants (Statistics Canada, 2018c).

¹⁶ The numbers in this section are approximations and are likely higher than reported due to discrepancies between government collection of information and service provider information. The numbers primarily pertain to refugee access to settlement services.

In 2017, the Canadian government, via Women and Gender Equality Canada¹⁷ developed a plan to prevent and address gender-based violence. As part of this plan, the IRCC (Immigration, Refugees and Citizenship Canada) received \$1.5 million in additional funding for settlement services. This funding is earmarked for mental health interventions for immigrant women and youth, interventions to address isolation, and training for settlement workers, with a specific focus on those in smaller cities and rural areas.

In addition to government strategies, government-funded settlement services, and ethnocultural associations, there are also organizations funded by private donations. For example, the Canadian Council for Refugees is an umbrella NGO that advocates for the rights of immigrants and refugees through educations, research, and policy advocacy.

In a 2017 Evaluation report of government-funded settlement services (“Evaluation of the Settlement Program”) found that services were being used across all immigration classes, with refugees and protected persons having the highest rates of use (72%) and other admission categories using far less (see Table 10). Women are more likely than men to use settlement services; however, one identified barrier to accessing services, particularly for migrant women, were programs that lacked childcare. Table 11 illustrates the types of services adult immigrants received in the fiscal year 2016-2017.

Table 10: Proportion of Adult Permanent Residents Admitted in 2015 who Used at Least One Settlement Service (January 2015 – April 2017).

Immigration Category	Admitted in 2015	Used Settlement Services (January 2015–April 2017)	Proportion of Settlement clients within each immigration category
Economic – Principal Applicant (p.a.)	76,861	24,050	31%
Economic – Spouses and Dependents (s.d.)	49,305	21,139	43%
Sponsored Family	58,147	19,411	33%
Resettled Refugee and Protected Persons	21,022	15,102	72%*
All Other Immigration Categories	3,045	932	31%
Total	208,180	81,309	39%

*This proportion only includes resettled refugees and protected persons that have accessed at least one IRCC-funded Settlement service. It does not include IRCC-funded resettlement services, which are separate services available to Government-assisted resettled refugees during their first six week period in Canada.

Source: GOMS and IRCC Settlement Client Continuum, April 2017.

Source: IRCC (2017b). Evaluation of the Settlement Program in *Reports and Statistics*.

¹⁷ Formerly Status of Women Canada

Table 11: Settlement Program Service Profile Highlights (Adults), fiscal year (FY) 2016/17

Needs Assessment and Referral Services	Community Connections	Language Assessment	Language Training	Information and Orientation	Employment Related Services
Unique clients					
159,725	44,188	87,044	108,741	250,322	34,197
Immigration Category					
Refugees (27%)	Refugees (37%)	Sponsored Family (32%)	Refugees (33%)	Refugee (28%)	Economic - p.a. (29%)
Sponsored Family (25%)	Economic - s.d. (21%)	Refugees (27%)	Sponsored Family (30%)	Sponsored Family (26%)	Refugee (28%)
Economic - p.a. (22%)	Sponsored Family (20%)	Economic - s.d. (22%)	Economic - s.d. (22%)	Economic - p.a. (21%)	Economic - s.d. (23%)
Gender					
Female (57%)	Female (61%)	Female (60%)	Female (66%)	Female (58%)	Female (54%)
Male (43%)	Male (39%)	Male (40%)	Male (35%)	Male (42%)	Male (46%)
Age*					
25-34 (31%)	35-44 (32%)	25-34 (37%)	25-34 (31%)	35-44 (31%)	25-34 (38%)
Arrival Date					
2016 (33%)	2016 (33%)	2016 (44%)	2016 (26%)	2016 (25%)	2016 (39%)
2015 (13%)	2015 (17%)	2015 (11%)	2015 (17%)	2015 (13%)	2015 (20%)
pre-2008 (9%)	2014 (11%)	2014 (9%)	2014 (13%)	Pre-2008 (11%)	2014 (11%)
Self-declared Knowledge of Official Language					
English (59%)	English (50%)	English (59%)	English (49%)	English (57%)	English (69%)
None (35%)	None (43%)	None (34%)	None (45%)	None (37%)	None (22%)
Bilingual (3%)	Bilingual (3%)	French (3%)	French (3%)	Bilingual (3%)	Bilingual (5%)
French (2%)	French (3%)	Bilingual (3%)	Bilingual (3%)	French (2%)	French (3%)
Education Qualification					
Secondary or less (32%)	Secondary or less (36%)	Secondary or Less (32%)	Secondary or Less (37%)	Secondary or less (33%)	Bachelor's degree (29%)
Bachelor's degree (22%)	Bachelor's degree (20%)	Bachelor's Degree (23%)	Bachelor's Degree (19%)	Bachelor's degree (21%)	Secondary or Less (21%)
No education stated (9%)	None (11%)	Masters degree (10%)	None (12%)	None (10%)	Master Degree (18%)
Country of Citizenship (top 5)**					
China (17%)	Syria (17%)	China (16%)	China (18%)	China (17%)	India (15%)
India (12%)	China (16%)	India (10%)	Syria (11%)	India (12%)	Syria (10%)
Philippines (9%)	India (7%)	Syria (10%)	India (6%)	Philippines (9%)	China (7%)
Syria (9%)	Iran (6%)	Iran (6%)	Iran (6%)	Syria (7%)	Iran (7%)
Iran (5%)	Iraq (4%)	Philippines (5%)	Iraq (5%)	Iran (5%)	Philippines (6%)
Intended province of destination (top 5)					
Ontario (49%)	Ontario (37%)	Ontario (50%)	Ontario (42%)	Ontario (51%)	Ontario (42%)
British Columbia (17%)	British Columbia (22%)	Alberta (13%)	British Columbia (15%)	British Columbia (16%)	Alberta (24%)
Alberta (14%)	Alberta (14%)	British Columbia (13%)	Alberta (15%)	Alberta (12%)	British Columbia (11%)
Manitoba (6%)	Manitoba (11%)	Manitoba (8%)	Manitoba (10%)	Manitoba (8%)	Manitoba (7%)
Quebec (6%)	Quebec (5%)	Quebec (7%)	Saskatchewan (7%)	Quebec (5%)	Quebec (6%)

*Most common age of clients.

**Top 10 countries were based on the top 10 countries of citizenship for all Settlement services.

Note: The Service Profile highlights for FY 2016/17 display the current population of Settlement clients, and not the Source: Settlement Client Continuum, September 2017.

Source: IRCC (2017b). Evaluation of the Settlement Program in *Reports and Statistics*.

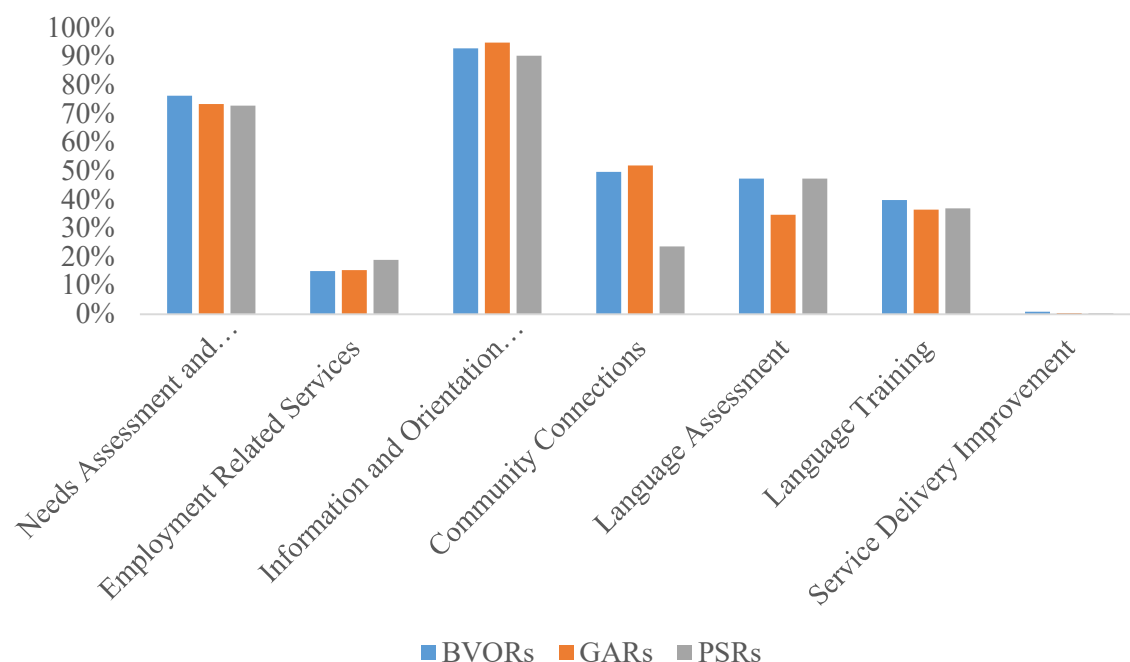
Public (service providers/communities), private sectors and the three levels of government (municipal/territorial, provincial and federal) are engaged in the resettlement process of immigration in Canada. However, provincial differences in the kind of services provided vary. In Canada, over 300 programs offer services for women. Those who are interested in finding specific programs offered to immigrants or newcomers in general can access this information on Immigration, Refugees and Resettlement Canada's (IRCC) website. The website allows users to specify their location, demographic and checkboxes of the type of services needed. The website then redirects users to the websites of the organizations that will provide assistance. However, not all immigrants may know how to use the internet to locate such programs.

Settlement services offered to immigrants are usually free of charge, vary by length and type of delivery. Some settlement services include language training, employment and work skills, health consultations, and so forth. These organizations can provide these services or refer immigrants to other organizations based on needs. The welcoming organization which can be both formal and informal (relatives and friends) usually inform newcomers about existing settlement services.

1. Refugees in Canada by Use of Services and Type of Service

Concerning refugees, Figure 20 illustrates some of the significant settlement services provided to them in Canada. The majority of refugees access information and orientation services at about the same rate regardless of the refugee category. In these sessions information pertaining to Canada, that is, health, education system, economy, culture and so forth are offered to all newcomers. About 70% of all refugees use a needs assessment service whereby a settlement worker discusses the various kinds of services for which one is eligible or those that are required to integrate (see Figure 20). For example, refugees who need language learning services and childcare use the needs assessment service to identify the organizations that can provide these services.

Figure 20: Refugees in Canada by Use of Services and Type of Service, 2015 – March 2019



Source: Government of Canada (2019). Canada - Resettled Refugee Settlement Service Clients by Province/Territory of Settlement Provider Organizations, Service Type and Immigration Category. Resettled Refugees – Monthly IRCC Updates.

Figure 21 shows that although the difference is not that large, it appears that more male refugees seek out settlement services than females. However, the Government Assisted Refugees (GARs) women are more likely to use settlement services than their male counterparts or any other immigrant category. Additionally, GARs are more likely to seek out these resettlement services than any other refugee category.

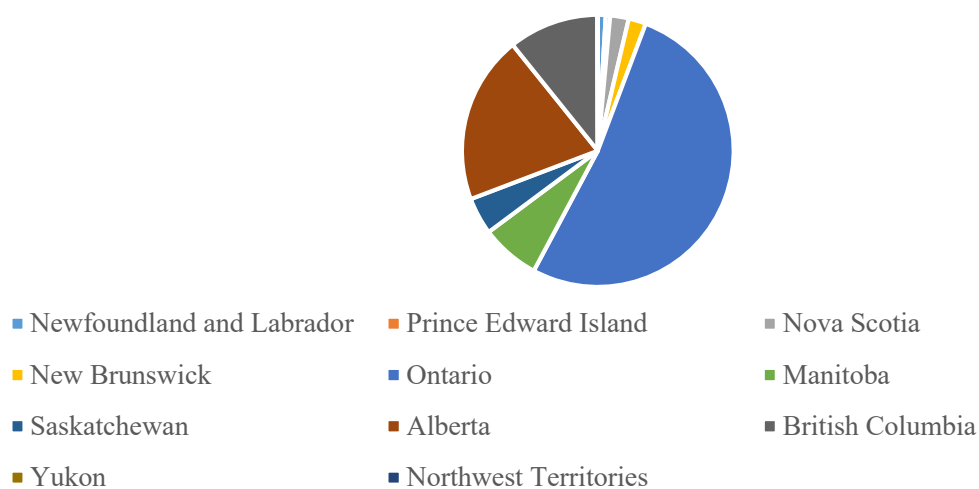
Figure 21: Refugees by Sex and Use of Settlement Service, 2015 – March 2019



Source: Government of Canada (2019). Resettled Refugees – Monthly IRCC Updates.

Figure 22 shows that differences occur by refugees who seek settlement services by the province of residence. Refugees living in Ontario (52%) are more likely to use settlement services, followed by Alberta (20%) and British Columbia (11%).

Figure 22: Refugees by Use of Settlement Services by Province, 2015 – March 2019



Source: Government of Canada (2019). Resettled Refugees – Monthly IRCC Updates.

Of special consideration for this project, is that recent migrant women face particular barriers to seeking support and intervention if they are experiencing GBV. For example, women, especially those with precarious legal status, may fear being deported. Further, recent immigrants may lack information about the rights of women in Canada and their legal rights. They may be unsure how to access social, and community supports or face language barriers. Specific cultural constraints related to gender roles and family may also inhibit women from seeking support. Stereotypes about certain cultures -specifically the tendency to blame culture for GBV -may lead to further social exclusion and marginalization of migrant women (Milani, Soares & MacQuarrie, 2016).

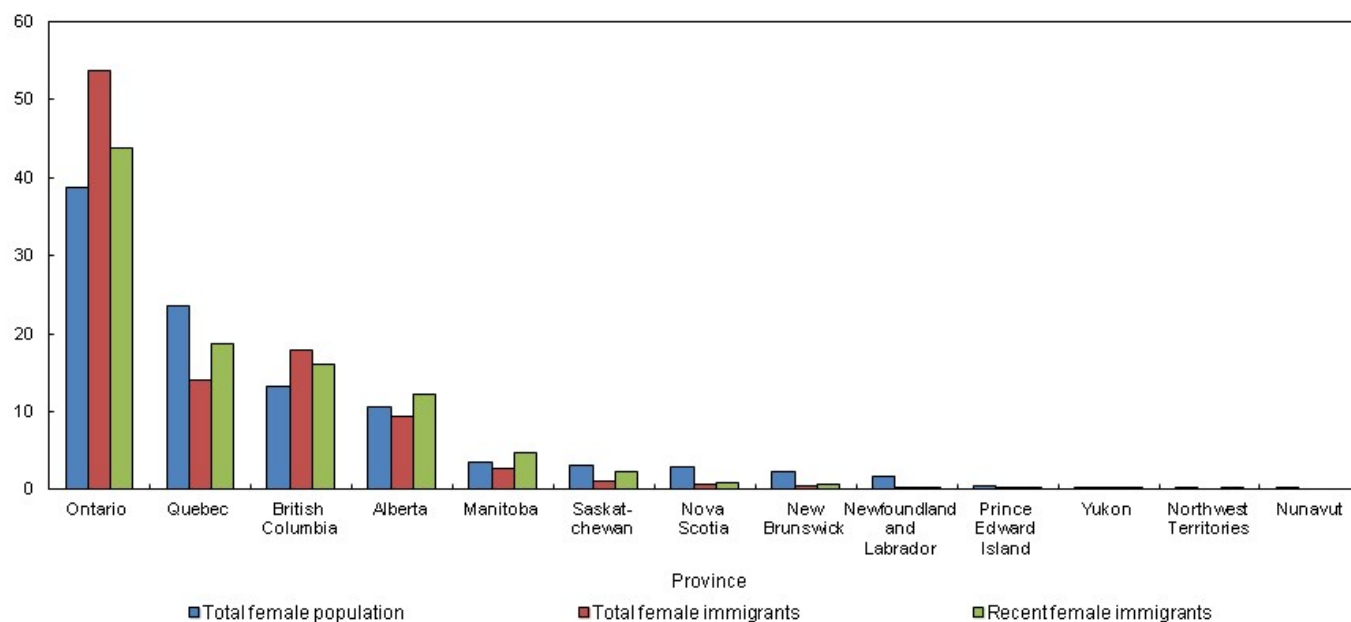
B. Agents

Immigrants tend to settle in urban centres, so we see a clustering of settlement service providers in urban areas. The Canadian territories, located in Northern Canada, receive very few immigrants, though there are some settlement services, run mainly through the territorial government. At the opposite end of the spectrum, provinces that receive a large number of immigrants each year, such as Ontario, Quebec, and British Columbia, have a diverse assembly of settlement services and ethnic-cultural organizations. The graph in Figure 23 shows the distribution of the female immigrant population by province and territory. Immigrants in rural areas are sometimes supported by satellite services and community organizations/members.

Figure 23: Proportion of total female population, total female immigrants and recent female immigrants by province or territory, Canada, 2011

Proportion of total female population, total female immigrants and recent female immigrants by province or territory, Canada, 2011

percent



Source: Statistics Canada, National Household Survey, 2011.

Hudon, T. (2015). Immigrant Women in *Women in Canada: A Gender-based Statistical Report*.

Settlement service providers offer localized services, specific to the institutional arrangement of each province or territory: labour market needs, the public-school system, public health care, and community services fall under provincial or territorial jurisdiction. To map settlement services in Canada, we searched by each province and territory. We used three search tools to locate settlement providers:

- (i) The Government of Canada search engine, which allows users to search for settlement services by location and type of service (<http://www.cic.gc.ca/english/newcomers/services/index.asp>);
- (ii) The websites of provincial departments of immigration, which often includes links to settlement services; and
- (iii) A general Google search using the keywords “settlement services in X”.

Once a service provider was located, we did a general reading of the website, paying specific attention to the types of services provided. The most common types of services offered are language assessment, language classes, and support for finding employment. In addition, many of the larger, more centralized service providers, often located in the provincial capital, also provide support for getting set up in Canada, such as applying for social insurance numbers, needed work, translation and interpretation, referrals to health care providers and legal services. Many settlement providers also provide social and outreach programs. This can include a range of activities, but often target specific demographics such as mothers, youth, or seniors, refugees, or asylum-claimants. Overall, the most common types of services are *settlement* and *integration*, which, when translated into specific programs, are those focused on language training and employment support. Some provinces that have historically struggled with immigrant retention, such as New Brunswick, also take a mandate of promoting multiculturalism to the broader community, to create “welcoming” communities. Provinces with a large immigrant population such as Ontario have a centralized and developed web presence that facilitates searching for relevant services.

C. Settlement Programs and Gender-Based Violence

Prior to turning to the list of settlement services across Canada (organized by regions, and including links to their websites), we highlight seven organizations that have programs specifically aimed at gender-based violence prevention or intervention. The full list of settlement programs specifically relating to Gender-Based Violence and newcomer women are located in Appendix One.

- (1) The YMCA Centre for Immigrant Programs in the province of Nova Scotia received funding in 2017 from Immigration, Refugees, and Citizenship Canada to develop a Gender-Based Violence Prevention Project. One of the outcomes of the project was a video (see link below) where immigrant youth discussed violence in homes, schools, and their community, using a technique called Forum Theater, where they collectively act out scenes and solve problems together. This program runs workshops for young men, young women, and service providers.

<http://www.ymcahfx.ca/gender-based-violence-prevention-project-gbvp/>

- (2) The MUN Med Gateway in the province of Newfoundland works with refugees and interpreters to develop written health histories, what they term “pre-medical services.” Based on these health histories, refugees are matched with family doctors, considering medical and cultural needs. The process of developing a health history often involves multiple translations, not just from one language to another, but also identifies and translating refugee’s experiences and histories into concerns that can be addressed through the Canadian medical system. The doctors working in Med Gateway have noted the importance of family in this process. Refugees rarely arrive at Med Gateway alone, but rather come with family members. Often family members serve as translators, which can both assist and encumber the process. This is of particular concern in cases where there may be issues related to GBV. Below is a link to a short youtube video interviewing participants and members of the MUN Med Gateway:

<https://www.youtube.com/watch?v=NCaqB-K4cRE>

- (3) La Maison d’Haïti, located in Montreal, Quebec, created a print teaching resource directed to girls titled *100% Elles: Mes Choice, Mes Limites (100% Her, My Choices, My Limits)*. Funded by the City of Montreal, this resource as part of a larger program aimed at preventing street gangs. The pamphlet begins with a quiz “What is love.,” which aims to identify a (un)healthy romantic relationship. The pamphlet discusses violence, intimate partner violence, sexual aggression, consent, and predatory online behaviour. An electronic version of the pamphlet is available at the following link:

http://www.mhaiti.org/sites/default/files/documents/Cr%C3%A9er%20%27Document%27/pdf_100_elles_2.pdf

- (4) OCASI is an umbrella organization bringing together an organization in the province of Ontario and runs a large initiative, End Gender-Based Violence in Immigrant and Refugee Communities. The initiative includes resources available online (online courses, graphic novel, a booklet for survivors, and a toolkit for service providers) and arts-based programming.

<https://ocasi.org/gender-based-violence>

- (5) SOY Express Newcomer and Immigrant Queer Youth Project is a community support group located in Toronto, the most populated city in Canada. This program offers full base supports, including connecting youth to community resources (making a refugee claim, housing and shelters, budgeting, health and wellness, employment), social events, and life skills workshops. A brief video is available at the link below:

<http://www.queerstory.ca/project/supporting-our-youth-soy/>

- (6) The Centre for Newcomers in Calgary, Alberta, offers services for vulnerable populations, with a specific focus on domestic violence and homelessness. Their services include referrals, workshops, help with decision-making, and needs-based settlement services. Counsellors specialize in multicultural approaches and can offer counselling in English, Punjabi, and Hindi. Counselling is available one on one or in group settings.

<https://www.centrefornewcomers.ca/vulnerable-population>

- (7) Located in the province of British Columbia, MOSAIC offers a counselling program called Stop the Violence. The services are free for women who have experienced or are at risk of experiencing violence, including intimate partner violence, sexual assault, and child abuse. The Rainbow Refugee in Vancouver, British Columbia, supports asylum claimants (both outside and within Canada) who are seeking protection based on sexual orientation, gender identity, or HIV status. Rainbow Refugee also partners with Immigration, Refugees, Citizenship Canada, and private sponsors to support refugees outside of Canada. Below is a link to their website.

<https://www.rainbowrefugee.com/about-us>

VII. Dominant Narratives and Public Discourses

To better understand national, dominant narratives surrounding gender-based violence in the context of migration in Canada, we have analyzed selected recent documents, including key federal government publications and samples of relevant national news media articles. The goal of our analysis is to document and identify the national, discursive environment in which gender-based violence and migration are discussed, whether GBV in migration is constructed as a problem, an issue in need of intervention, or with emphasis on developing strategies/approaches to prevent GBV and manage migration. We use an interpretive approach to analysis, meaning that rather than assume there is a singular, unified narrative of gender-based violence in the context of migration, we begin from the standpoint that there are multiple and potentially competing perspectives (Murray & Powell 2009). Documents, including government policies and news media articles, reflect sets of values and beliefs. These may include established, normative, socio-cultural ideas about gender, violence, migration, or race. They may also include future-oriented frameworks. These are frameworks that are not yet widely accepted but rather aim to effect change in dominant, shared values (Murray & Powell, 2009, p. 534). We follow Bacchi's (2015) approach to policy analysis by asking, "What is the problem represented to be?" How are problems identified, defined, and understood? We pay attention to how gender-based violence is named, how gender-based violence is framed as an issue (defined and problematized), and which types of interventions or social responses are proposed as solutions.

To enable comparisons across the countries' partaking in the Gender-Net Plus Project, we have organized our analysis using the categories and questions adapted from Bacchi (2015) by Rosenberger & Edrmann (2019): voice, diagnosis, prognosis. Below is a discussion of our analysis, followed by the grid used to record relevant narratives from each document, which we used as the basis of our analysis.

A. Voice

Government documents are written in a singular voice, essentially precluding any ambiguity or sense that there may be multiple or competing perspectives: what constitutes violence is defined

using brief, clear-cut definitions, certain behaviours are characterized as criminal, and actions are prescribed in a mechanical way (i.e. “report suspected cases to police”). With few exceptions, we rarely hear individual voices. Some government documents, such as *A Year in Review: Canada’s Strategy to Prevent and Address Gender-Based Violence (2018-2019)*, begins with a personalized message from a government official. However, this message is crafted in a way that aligns with the tone of the document. The message uses the collective “we”, with the minister speaking on behalf of the government (i.e. “The Government of Canada is also reinvesting in research so we can better understand how GBV takes root in the places we live, work, study and play, and how the most vulnerable become targets of violence”) and lauds government actions, such as funding “We have committed over \$200 million to expand and align federal efforts against GBV” (Status of Women Canada, 2019a “Minister’s Message”).

Beyond the overarching tone of the text, the federal documents sampled in our analysis do indicate shifts in political rhetoric and perspectives, showing that despite the tone of a unified, singular voice, approaches to GBV and immigration vary depending on the government in power and the inclinations of political parties. For example, in 2012, then Conservative Prime Minister Steven Harper (2006-2015) established *conditional* permanent residency for those who had been sponsored as spouses/partners under the family reunification category (see Regulatory Framework for a description of admission categories, including family reunification). The condition required that the permanent resident lives with their sponsor for a period of two years after receiving residency, a condition which the Conservative government justified as an effort to prevent fraudulent marriages. In 2017, the Liberal government repealed conditional permanent residency. In the press release announcing the repeal, the decision was rationalized as part of a larger project, that due to its stated benevolence does not readily spark critique: “the Government’s commitment to combatting gender-based violence” (Immigration and Refugee Protection Act: Regulations Amending the Immigration and Refugee Protection Regulations, 2017). We can also see political posturing in more subtle rhetorical tactics. For example, in the quote in the previous paragraph, it is notable that the message from the Minister for Women and Gender Equality used the term “reinvesting” rather than simply “investing” suggesting an increased effort for an issue already identified and addressed. Evidence-based decision making has been a hallmark feature of the Liberal government, partially as a pushback against the previous Conservative government that defunded national research programs.

The evidence-based approach of the Canadian government is also used in federal documents when the government assumes the role of not only speaking on behalf of citizens but also being a steward of their needs. This is particularly the case for those groups deemed to be “at-risk” or “vulnerable”, for example; “Experts, advocates, and most importantly, survivors, continue to be consulted on its implementation and monitoring to ensure the Strategy remains responsive to the distinct and diverse needs of those affected by GBV, the majority of whom are women, girls and members of the LGBTQ2 community” (Status of Women Canada, 2019a).

The sample of news media articles selected for this analysis paints a more varied discursive landscape by offering insight into some of the debates and competing perspectives related to immigration in Canada. These articles begin by reporting on a particular government initiative, such as the enactment of a new bill, and then include responses from politicians representing the opposing political parties as well as experts working in relevant fields, such as immigration lawyers. Not unlike federal documents, all voices quoted in the news media articles assume the role of speaking for those they claim to represent. One of the ways this posturing is asserted is by claiming a particular moral standpoint, such as protecting dominant values or showing moral indignation. For example, after the controversial Bill 9 (2019) was passed in the province of Quebec, a bill which reformed the immigration selection process and affected not only new applicants but also cancelled 16,000 applicants already in process, the Quebec premier François Legault defended the bill stating “‘ I think as premier of Quebec, it's my responsibility to defend Quebec values in front of the rest of Canada,’ he said. ‘That's what I'm doing’” (Leavitt, 2019). Bill 9 (2019) is meant to respond to Quebec’s specific labour market needs (as opposed to the labour market needs of Canada more broadly), favouring applicants who speak French, those who are highly skilled and allow employers to directly access applications to offer employment. This bill has been highly contentious, and a particular concern has been raised about the cancelling of current applications, prompting comments of indignation by experts, such as the immigration lawyer Ho Sung Kim who was quoted as saying he was “deeply disappointed in the government's decision to go forward with this law”” (Leavitt, 2019).

B. Problems

In earlier documents developed by a previous government (e.g., *Welcome to Canada* and the introduction of the *Zero Tolerance for Barbaric Cultural Practices Act*), gender-based violence is located within families and is identified as being more prevalent among particular socio-cultural/religious groups. For example, in the *Welcome to Canada* (CIC, 2013) booklet, gender-based violence is referred to as “family violence” and “child abuse or neglect.” This locates particular types of gender-based violence not only in the domestic sphere but also within the social group of the family. Within the context of this document, the family is undefined and could be variously interpreted as a normative unit with shared values (i.e. heterosexual nuclear family) or interpreted more generously as an amorphous social grouping that may include extended kin and a plurality of values and beliefs. The use of the term family violence also assumes that violence *only* takes place within the family, and because the intended audience of the booklet is immigrants, the other implication is that violence is a problem only involving immigrants. Nonetheless, this definition signals the connection between gender-based violence and social relations associated with kin or other close ties. In *Zero Tolerance for Barbaric and Cultural Practices Act* (2015) – the title of the Act itself, signals that certain types of gender-based violence are not only associated with particular cultural beliefs but also classified as *barbaric*. By linking cultural and barbaric with certain types of GBV, this Act uses the problematic and colonialist assumption that certain cultures, beliefs, and practices are more prone to violence because they have not adopted modernist practices. We continue to see this rhetoric reflected in the discourses of politicians, such as the current leader of the People’s Party of Canada, Maxime Bernier, who describes multiculturalism as “a lie based on the idea that all cultures are equal . . . A lie destructive of our Western Liberal democratic heritage, traditions, and values based on individual rights and freedoms” (Dib, 2019). Bernier and the People’s Party of Canada may be considered fringe in the Canadian political landscape, however Bernier and the ideas he puts forward do have resonance in a small but growing minority of political and community circles. In 2017, Bernier came second in the federal Conservative party leadership race, receiving 49% of the votes compared to the eventual winner, Andrew Scheer’s 51% of the vote. In 2018 Bernier resigned from the Conservative party and founded his party, the People’s Party of Canada.

In more recent government documents, we see a different perspective: gender-based violence is explained as an effect of historically-rooted inequalities, and though it may be experienced by all groups, certain groups are more vulnerable: “While violence affects people of all genders, ages, religions, cultures, ethnicities, geographic locations, and socio-economic backgrounds, some populations are more at risk of experiencing violence because of historic oppression, such as racism, sexism, homophobia, transphobia and ableism. Populations more at risk of GBV include women and girls, Indigenous Peoples, LGBTQ2 and gender non-binary people, racialized people, those living in northern, rural, and remote communities, persons with disabilities, newcomers to Canada, children, youth, and seniors” (Status of Women Canada, *Year in Review, 2028-19*).

Both of these narratives, the first that certain cultures/groups are a threat to Canadians and Canadian values, and the second, that certain groups are vulnerable and in need of state protection, are reflected in debates surrounding immigration, particularly when it comes to the distinction between types of immigrants, namely economic immigrants and refugees¹⁸. As a result, the federal government struggles to strike a balance between economic and humanitarian interests. One recent instance of this was the 2014 cuts to health care for refugee claimants by the federal government. In explaining the cuts to refugee health care as a cost-saving measure that would save Canadians \$80 million over four years, then Immigration Minister Chris Alexandre explained that the cuts were also about fairness to Canadians. “Failed claimants and those from safe countries like the U.S. or Europe should not be entitled to better health care than Canadians receive” (Chartrand, 2014). At this time, the governing party was actively promoting a myth that refugees receive more and better healthcare than Canadians. Eventually, the federal courts found the cuts to be unconstitutional “cruel and unusual treatment or punishment” as defined by *The Constitution Act, 1982*, forcing the government to reinstate supplemental health care for refugee claimants.

Of late, one of the most important and prominent discussions about GBV in Canada has been related to the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). The pre-inquiry was launched in 2015 and the final report was released in June

¹⁸ See Regulatory Framework for a discussion of the Immigration and Refugee Protection Act, including a discussion of objectives and Canada’s international obligations to refugees.

2019. As a type of truth commission, the national inquiry documented testimony from survivors, family members, experts, and community hearings. The final report identified the systemic nature of violence towards Indigenous women and girls, identifying its genocide. At the presentation of the final report, Chief Commissioner Marion Buller described the violence by the Canadian government as “designed . . . to displace Indigenous peoples from their lands, social structures and governance, to eradicate their existence as nations and communities, families and individuals, [and] is the cause of the disappearances, murders and violence experienced by Indigenous women, girls, and [two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual] people.” (Galloway & Stueck, 2019). News media coverage of this ceremony highlighted a dismissive response from the Canadian government, which refused to use the term genocide.¹⁹ This resulted in news media coverage that focused on the use (or lack thereof) a particular term, rather than substantive coverage of the final report’s recommendations. A significant number of Canadians do not agree with the use of the term ‘genocide’ with respect to the thousands of murdered and missing Indigenous women and girls.

C. Solutions

A major solution frame, seen in both federal documents and news media articles are proposed/enacted changes to the legal-judicial system. This can be viewed as an attempt by Canadian governments –federal, provincial and territorial–to bring migration and gender-based violence under the purview of state concerns. We are also seeing the recognition of the systemic nature of GBV, in government discourses and policy programs. A message that unites both Liberal and Conservative governments is that concerns over immigration can be managed or solved by tweaking the immigration system, most commonly in ways that assure those who enter Canada are meeting the economic needs of Canada, though also to be sure those who enter Canada do not “threaten” Canada’s security or dominant values. Canada is sometimes praised internationally for its “fair” immigration system. For example, in the most recent OECD report, the Canadian immigration system is described as “one of the most successful in the world”

¹⁹ Prime Minister Trudeau did use the term genocide in a speech at the 2019 Women Deliver conference in Vancouver: <https://www.thestar.com/news/canada/2019/06/03/Indigenous-women-and-girls-have-experienced-what-amounts-to-genocide-trudeau-tells-womens-conference.html>

(Harris, 2019). This is particularly in reference to the economic category, where both the Canadian immigration system and immigrants themselves are deemed “a success”: “When recruiting skilled labour, Canada is doing things right. It points to smooth integration and high public acceptance of migrants as signs of success” (Harris, 2019). This reinforces government efforts to refine immigration categories to assure they align with Canadian labour market needs and that those selected to immigrate will have “smooth integration” and “high public acceptance,” an approach used by the federal government to ‘sell’ immigration to Canadians.

In the case of gender-based violence, this is particularly significant because it locates the “solution” in the public sphere²⁰. The current Liberal federal government’s strategy emphasizes the historical and structural environment that enables the reproduction of gender-based violence, moving away from a narrative that blames individuals and places the burden of preventing or addressing gender-based violence solely on individual victims. At the same time, the emphasis on the legal-judicial system and state agents as primary actors in addressing gender-based violence does not give sufficient weight to the everyday actions and strategies developed by people and groups who have experienced racism, gender-based violence and/or who actively work to prevent or address GBV in informal, under-recognized roles (i.e. activists, informal networks, unfunded support organizations). As such, we could describe the dominant solution frame as one characterized by a political program; namely *It’s Time: Canada’s Strategy to Address and Prevent GBV*, that can be delivered via a series of legal amendments and funding initiatives²¹, and one that minimizes the role of informal, everyday strategies. As such, it is unfortunately piecemeal and not comprehensive, producing inequities across the country as stated by the UNSRVAV.

²⁰ The shift towards the public sphere is also reflected in other immigration trends. For example, the creation of Local Immigration Partnerships (LIPs) under the Conservative government is one example of this, essentially shifting government responsibilities related to settlement to the volunteer sector. We also see the shift in the government’s encouragement of more privately sponsored refugees, rather than government assisted refugees, shifting the cost of sponsorship to the private sector.

²¹ This approach is often the norm, and be seen in order institutions, including the United Nations

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IX. Appendices

A. Appendix One: A Map of Settlement and Gender-Based Violence Programs

1. National Agents

Immigration, Refugees, and Citizenship Canada

<https://www.canada.ca/en/immigration-refugees-citizenship.html>

- Federal department responsible for matters related to immigration and citizenship, including legislation and settlement programs and issuing travel documents

Immigration and Refugee Board of Canada

<https://www.canada.ca/en/immigration-refugee.html>

- Arms length tribunal that makes decisions about immigration and refugee matters, including deciding refugee protection for in-Canada asylum cases

Canadian Council for Refugees

<https://ccrweb.ca/en/about-ccr>

- NGO umbrella organization. Receives no core funding from government, receives private donations
- Pre-arrival services (mostly related to helping newcomers connect with jobs in specific fields such as nursing and IT)

2. Agents by Province

a. Atlantic Region

The Atlantic Region is comprised of four provinces on the Atlantic coast of Canada, with a total population of approximately 2.3 million people. The region has the oldest population in Canada and is geographically small compared to other regions in Canada.

Atlantic Region Association of Immigrant Serving Agencies

<http://www.araisa.ca/>

- Umbrella group for the Atlantic region

Atlantic Immigration Pilot Program

<https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/atlantic-immigration-pilot.html>

- Launched in 2017, 3-year pilot, designed to attract global talent and fill labour shortages

(i) Newfoundland and Labrador

Office of Immigration and Multiculturalism (part of provincial Department of Advanced Education, Skills and Labour)

<https://www.gov.nl.ca/aesl/departement/branches/workforce/immigration/>

- Provincial government responsible for attracting and maintaining immigrants and promoting multiculturalism

Association for New Canadians (St John's and Satellite Offices in Corner Brook, Grand-Falls, Labrador City, Happy Valley-Goose Bay, Forteau)

<http://www.ancnl.ca/>

- Crisis Intervention Services, "short-term crisis supports" to immigrants facing family violence, relationship/family breakdown, mental health issues etc. Support provided by settlement social workers
- Family support and counselling (short term) as well as family development workshops on topics such as conflict resolution, effective communication, stress management, family separation).
- Provides links to health-related service providers such as the MUN Med Gateway

MUN Med Gateway

<http://www.med.mun.ca/munmedgateway/Home.aspx>

- Works with refugees and interpreters to develop health histories that can go to the family doctor

Refugee and Immigration Advisory Council

<http://riac.ca/about-riac/>

- Grassroots settlement organization with a focus on participation rather than integration. Has radio show (music, podcast, news)

(ii) Prince Edward Island

Office of Immigration (part of provincial Department of Economic Development and Tourism)

<https://www.princeedwardisland.ca/en/topic/immigrate>

- Current key needs are to fill gaps in the labor market and attract entrepreneurs

PEI Association for Newcomers to Canada

<https://www.peianc.com/>

- Short term settlement and long-term inclusion and integration

(iii) Nova Scotia

Nova Scotia Office of Immigration

<https://novascotiaimmigration.com/contact/>

- Nova Scotia government department manages immigration programs that directly target skills and labour market needs of Nova Scotia

Immigrant Services Association of Nova Scotia

<https://www.isans.ca/>

- Provides settlement services for immigrants and refugees including English classes, language support, and counselling

YMCA Center for Immigrant Programs

<http://www.ymcafx.ca/ymca-programs/programs/locations-2/ymca-immigrant-centre/>

- Provides community-based settlement services including in-school settlement workers, active living and youth programs.
- Currently running a 3-year long gender-based violence prevention project

Halifax Refugee Clinic

<http://halifaxrefugeeclinic.org/>

- Legal and settlement services to refugee claimants

(iv) New Brunswick

Immigration and Settlement in New Brunswick

<https://www.welcomenb.ca/content/wel-bien/en.html>

- The provincial government immigration department

Atlantic Human Services

<https://www.ahsjobsearch.com/>

- Provides employment counselling

Multicultural Association of the Greater Moncton Area (MAGMA)

<http://magma-amgm.org/site/index.php>

- The mandate is to create a welcoming community and promoting multiculturalism
- Provides settlement services including English and French language learning, settling in home and school, putting into practice professional and entrepreneurial skills

Centre d'accueil et d'accompagnement francophone des immigrants du Sud-Est du Nouveau-Brunswick

<https://www.cafi-nb.org/socioculturel/>

- Provides a range of settlement services focused on employment and economic integration, school, pairing with Canadian families, and monthly social activities

Multicultural Association of Fredericton Inc.

<https://mcaf.nb.ca/en/about-us-2/>

- Encourage and promote multiculturalism

YMCA of Greater Saint John

[https://saintjohnny.ymca.ca/Locations/Greater-Saint-John/NewcomerConnections-\(1\)/Programs-and-Services/Settlement](https://saintjohnny.ymca.ca/Locations/Greater-Saint-John/NewcomerConnections-(1)/Programs-and-Services/Settlement)

- Provide a range of settlement services including community connections and life skills training

Saint John Newcomers Resource Centre (SJNRC)

www.sjnewcomers.ca

- Provide settlement services in English and French, provide cultural competency training, and provides settlement services as part of the Atlantic Immigration Pilot Project

List of Ethno-Cultural Associations in New Brunswick

<https://www.immigrationgreatermoncton.ca/before-you-arrive/settlement-services>

b. Quebec

Quebec is a francophone province with a total population of approximately 8.2 million people, making it the second-most populous province in Canada. Unlike other Canadian provinces, Quebec has autonomy over the selection of the majority of immigrants to Quebec, having an immigration and settlement policy that is different from the federal government.

Immigration, Diversité, et Inclusion Québec

<http://www.immigration-quebec.gouv.qc.ca/fr/index.html>

- The provincial government website offers information about different classes of migration and guides for settlement. The language of the site emphasizes that the province privileges migrants who can help fill the labour market needs
- Of note, many of the services listed on the government website indicate that drop-in daycare is available
- There is a comprehensive guide about services in Quebec, and of note is the attention to medical coverage for victims of family violence (waives the 3-month waiting period)

Accueil aux immigrants de l'Est de Montréal (AIEM)

www.aiemont.com

- Began as a service to help refugees in the 1980s. Funded by the government to provide settlement services including supports for families, French language learning, job connections. Drop-in daycare centre available on site

Alliance pour l'accueil et l'intégration des immigrants et immigrantes (ALAC)

www.alac.qc.ca

- Focus on socio-economic integration, via counsellors, including accessing services (health, education, housing, legal). Employment assistance and French classes

Centre d'appui aux communautés immigrantes de Bordeaux-Cartierville (CACI)

www.caci-bc.org

- Integration services including welcome workshops, help finding work, language courses, counselling, help with citizenship test, housing, income tax, intercultural partner, specialized programs for seniors. Drop-in day care centre available on site

Clef pour l'intégration au travail des immigrants (CITIM)

www.citim.org

- Employment services, helping develop strategy, credential recognition, support for entrepreneurs

Le Collectif

www.cfiq.ca

- Houses a centre for women with supports for religion, health, violence, self-esteem, marriage, education etc.
- Parenting classes, help with job search

Centre multiethnique de Québec

www.centremultiethnique.com

- Extends Quebec long tradition of immigration, humanitarianism, and help immigrants learn Quebecois values including learning French

Accueil liaison pour arrivants (ALPA)

<https://www.alpaong.com/services/>

- General settlement including housing and public service registration, French training, finding employment

Bureau de la communauté haïtienne de Montréal (BCHM)

<https://www.bchm.ca/soutien-a-famille/>

- Support vulnerable families, develop ethnocultural communities, help combat isolation. Family and intervention programs focused on youth

Carrefour d'aide aux nouveaux arrivants (CANA)

<http://cana-montreal.com/en/>

- Integration and settlement services. Language, help studying for citizenship, family outings and activities

Carrefour de liaison et d'aide multi-ethnique (CLAM)

<https://www.leclam.ca/club-des-femmes-sud-est-asiatique>

- Integration support including French, integration services, help finding employment. 2 clubs of note: seniors Latin club and club for South-Asian women (described as a group that can experience isolation)

Centre communautaire multiethnique de Montréal-Nord

<http://www.centremultiethnic-mtl.org/qui-sommes-nous.html>

- Offers support with food, taxes, French, translation, psychology clinic

Centre social d'aide aux immigrants (CSAI)

<https://centrescai.org/>

- Integration, French, employment

La Maisonnée

<http://lamaisonneeinc.org/>

- Language and employment. Rights refugees. Shared living between Quebecois and newcomers. Institutional visits to reduce discrimination and racism

La Maison d'Haïti

<http://www.mhaiti.org/champs-daction/femmes>

- Women's workshops
- Pamphlet on violence
http://www.mhaiti.org/sites/default/files/documents/Cr%C3%A9er%20%27Document%27/pdf_100_elles_2.pdf

Le Regroupement des organismes du Montréal ethnique pour le logement (ROMEL)

<https://www.romel-montreal.ca/>

- Housing

Women's Centre of Montréal

<https://en.centredesfemmesdemtl.org/immigration-1>

- Info, counselling, education, vocational training, referral services. Programs specific to immigrant women include Coffee meetings for women to help with integration. Translations and accompaniments. Linguistic integration

c. Ontario

Located in central Canada, the province of Ontario is home to the country's capital, Ottawa, and the largest urban centre, Toronto. With a total population of over 14 million, Ontario attracts more immigrants than any other province in Canada, including interprovincial migration.

Government of Ontario

<https://www.ontario.ca/page/citizenship-and-immigration>

- Manages Ontario Immigrant Nominee Program and provides funding for settlement and integration services, with a focus on “society and economy”

OCASI

<https://ocasi.org/>

- Collective voice for immigrant serving agencies to coordinate responses to shared needs and concerns.
- Facilitate resource development, public education campaigns, professional development and training, community-building, knowledge sharing, advocacy, and use of the arts to prevent and respond to GBV in immigrant and refugee communities. Anti-oppressive, anti-racist, intersectional feminist framework
- Specific initiative to end gender-based violence (prevention and support)
 - Graphic novel (written by immigrant and refugee women, deals with sexual violence and violence against women, translated into several languages)
 - Support booklet for survivors of sexual violence
 - Resource card series
 - Poster (visual message of support to clients and community members)
- Map and list of settlement services in Ontario. Of note are the clustering of services in southern Ontario
 - <https://ocasi.org/ocasi-members>

Settlement.org

<https://settlement.org/findhelp/ontario/>

- website with centralized information, including searchable database of services, organized by type and geographic location

d. Western Region

Western Canada consists of four Canadian provinces, spanning the prairies, Rocky Mountains, and Pacific coast. With a total population of 11 million people, the West is home to approximately 1/3 of Canadians and large urban areas of Vancouver, Calgary, and Edmonton.

(i) *Manitoba*

Immigration and Economic Opportunities Division (part of Manitoba Education and Training Department)

www.immigratemanitoba.com

- Provincial immigration department, which promotes the provincial nominee program

Manitoba Association of Newcomer Serving Organizations (MANSO)

<https://mansomanitoba.ca/>

- Umbrella organizations for settlement and integration service providers in Manitoba
- Website has a link to 70 members, as well as a map of service providers
- Provides map which details “snapshot” of settlement service providers divided in following categories, with a note that there are also many ethno-cultural community organizations that also provide supports and services (<https://mansomanitoba.ca/wp-content/uploads/2016/05/MANSO-Settlement-Service-Map.pdf>):
 - Refugee
 - Pre-arrival services
 - Centralized intake
 - Orientation
 - Language assessment and referral
 - Language training
 - Settlement and employment support
 - Family/parenting supports
 - Skills and social integration

(ii) Saskatchewan

Government of Saskatchewan

<https://www.saskatchewan.ca/residents/moving-to-saskatchewan/immigrating-to-saskatchewan>

- The provincial government describes settlement services using the language of *gateway* and *welcome centre*, clustering the services in one-spot in an effort to reach people outside of urban centres

Regina Newcomer Welcome Centre

<https://reginaneucomercentre.ca/faqs>

- Range of standard settlement services, meant to be first stop for newcomers, including those with temporary status

Regina Immigrant Women Centre

<http://www.reginaiwc.ca/>

- Settlement services, outreach programs, employment and education. Also links to services in area for family crisis:
 - EarthWords: Abuse information in over 70 languages
 - Family Service Regina
 - Mobile Crisis Services
 - Regina Food Bank

- YWCA of Regina- Violence, Abuse and Shelter

Global Gathering Place

<http://globalgatheringplace.com/welcome/>

- A mix of settlement programs and services including parenting group, counselling (one-on-one and group), life skills, accessing health care etc.

YMCA Prince Albert

<http://www.ywcaprincealbert.ca/>

- Support with initial settlement tasks such as government IDs and orientation to Canadian culture, transit, referrals to medical services etc. Gateway services which include referrals to community programs, language training, employment, health, schools etc.

Battlefords Immigration Resource Centre

<http://battlefordsimmigration.ca/home.html>

- “first stop welcome centre”. Help with immigration and visas, life resources (banking, health, family), studying, translation

The Humboldt Regional Newcomer Centre

<https://thehrnc.com/index.html>

- Settlement, interpretation, language assessment, school settlement, referrals to community services (health, housing, daycare and parenting)

(iii) Alberta

Alberta Provincial Government

<https://www.alberta.ca/immigration.aspx>

- Administers provincial immigration programs
- Website has specific links to international qualifications assessment
- Online settlement tools targeting “workers”
- Refugee resettlement supports

Alberta Association of Immigrant Serving Agencies (AAISA)

<https://aaisa.ca/>

- Umbrella organization, “amplifier of information” and knowledge centre

Centre for Newcomers

<https://www.centrefornewcomers.ca/>

- Has wide array of services, including employment, language, and community connections
- Indigenous education program

- Programs specifically for women and LBGTQ (targeting both newcomers and Alberta practitioners)

Immigrant Services Calgary

<https://www.immigrantservicescalgary.ca/>

- Settlement and integration support, including language training, career support, and community connections
- Family support and counselling

(iv) *British Columbia*

Welcome BC

<https://www.welcomebc.ca/Choose-B-C>

- Government of British Columbia, promotes province as place with high standard living, excellent health care, diverse culture, low crime rates, and range of work opportunities
- Includes links for supports for permanent residents, refugees and asylum seekers, and, significantly, temporary residents (<https://www.welcomebc.ca/getmedia/79d7d977-d5d1-4c27-a43b-4aac401c3000/Service-Providers-Temporary-Foreign-Residents-2019-2021.aspx>)

ISS of BC

<https://issbc.org>

- Settlement, language, and employment services
- Immigrant women peer support group

Settlement Orientation Services (SOS)

<http://www.sosbc.ca/en/>

- Settlement services for refugee claimants and health promotion

MOSAIC

<https://www.mosaicbc.org/services/counselling/stopping-the-violence/>

- Settlement assistance, language training, employment services, interpretation services, counselling, community outreach
- Stopping the Violence Counselling

S.U.C.C.E.S.S

<https://www.successbcsis.com/>

- Helps temporary workers find pathways to permanent residency

Immigrant Welcome Centre

<https://www.cvims.org/settlement-services/immigrant-settlement-services/>

- Information centre, translation services, settlement services (school, taxes, government benefits), referrals

Rainbow Refugee

<https://www.rainbowrefugee.com>

- Community group that supports asylum claimants seeking protection on the basis of persecution because of sexual orientation, gender identity, gender expression, or HIV status

e. Territories

Located in the north of Canada are three territories which differ in their political administration than provinces. While provincial government competencies are part of the Canadian constitution, territories receive their political powers from the federal government, meaning they may have less autonomy than provinces. Together, the territories have a population of just over 110,000 people.

(i) Northwest Territories

Government of Northwest Territories

<https://www.immigratenwt.ca/northwest-territories-living-here>

- Promote opportunities, highest income in Canada

Conseil de developement economique des Territoires du Nord-Ouest

<http://cdetno.com/en/support-for-newcomer-families/>

(ii) Nunavut

Carrefour Nunavut

<https://carrefournunavut.ca/en/immigrate/services-for-immigrants>

- Services begin with a caution to do research prior to moving about costs, weather etc.
- Offers links to government offices to obtain documents such as driver's license

(iii) Yukon

Multicultural Centre of the Yukon

<https://mcyukon.com/en/fqr>

- Of note is the centre's focus on credential recognition and career pathing for health care professionals.

B. Appendix Two: Frame Analysis Grid

<u>Document</u>	<u>Voice</u> Who is speaking? Who is audience?	<u>Diagnosis/Problem</u> What terms are used? What/who causes problem? Who is responsible? How is GBV explained?	<u>Solution/Prognosis</u> What solutions are suggested? Who should solve the problem?
Federal Government Documents			
Welcome to Canada (2013)	Booklet for newcomers published by Citizenship and Immigration Canada	<p><i>“Family violence</i> includes many different kinds of abuse that adults or children may experience in their families or homes. All forms of physical and sexual abuse (including unwanted sexual activity with your husband, wife, partner, boyfriend or girlfriend) are illegal under the <i>Criminal Code of Canada</i>. It is a crime to hit, punch, beat or kick a member of your family, or to threaten to hurt or kill someone. It is also a crime to have any sexual contact with a child. In addition, female genital mutilation and honour-based crimes are considered barbarous in Canada and are not tolerated. People found guilty of violent crimes against family members are subject to serious punishments under Canadian law, including incarceration. Family violence also includes neglect, financial and psychological abuse” (42).</p> <p><i>Child Abuse and Neglect</i>: “Parents must provide their children with the necessities of life and can be charged with a crime if they do not provide for their children under the age of 16. This includes feeding, clothing and housing a</p>	<p>Victims should call police or a support organization</p> <p>Family violence taken “very seriously in Canada”</p> <p>Newcomers warned child welfare officials can go into home and remove children Doctors, teachers, social workers, and police will take action if they think children are being harmed.</p> <p>“Help is Available for Victims” (43). Report suspected cases of human trafficking to police or Crime Stoppers Tip Line</p>

		<p>child, even after a divorce or separation. It is illegal in Canada to abuse your children. Abuse could be hitting your child with an object, touching them sexually or forcing them into marriage” (42).</p> <p>“<i>Human trafficking</i> is a terrible crime that usually affects vulnerable women and children who have often come to Canada as visitors or immigrants. It involves recruiting, transporting, or imprisoning someone against their will for exploitation, often of a sexual nature” (43).</p>	
<p>Zero Tolerance for Barbaric Cultural Practices Act S.C. 2015, c.29</p>	<p>Federal act to amend Immigration and Refugee Protection Act, Civil Marriage Act, Criminal Code</p>	<p>“Part 1 amends the <i>Immigration and Refugee Protection Act</i> to specify that a permanent resident or foreign national is inadmissible on grounds of practising polygamy in Canada.</p> <p>Part 2 amends the <i>Civil Marriage Act</i> to provide for the legal requirements for a free and enlightened consent to marriage and for any previous marriage to be dissolved or declared null before a new marriage is contracted. Those requirements are currently provided for in the <i>Federal Law — Civil Law Harmonization Act, No. 1</i> only in respect of Quebec and under the common law in the other provinces. It also amends the <i>Civil Marriage Act</i> to provide for the requirement of a minimum age of 16 years for marriage. This requirement is currently provided for in the <i>Federal Law — Civil Law Harmonization Act, No. 1</i> only in respect of Quebec.</p> <p>Part 3 amends the <i>Criminal Code</i> to</p> <p>(a) clarify that it is an offence for an officiant to knowingly solemnize a marriage in contravention of federal law;</p>	<p>Developing legal framework to both “keep out” and criminalize practices the federal government has termed “barbaric cultural”, namely polygamy and child marriage.</p> <p>The government’s legal framework is primary realm of protection, but this act also states that everyone is responsible for preventing child marriage (“provide that it is an offence to celebrate, aid or participate in a marriage rite or ceremony knowing that one of the persons being married is doing so against their will or is under the age of 16 years”)</p>

		<p>(b) provide that it is an offence to celebrate, aid or participate in a marriage rite or ceremony knowing that one of the persons being married is doing so against their will or is under the age of 16 years;</p> <p>(c) provide that it is an offence to remove a child from Canada with the intention that an act be committed outside Canada that, if it were committed in Canada, would constitute the offence of celebrating, aiding or participating in a marriage rite or ceremony knowing that the child is doing so against their will or is under the age of 16 years;</p> <p>(d) provide that a judge may order a person to enter into a recognizance with conditions to keep the peace and be of good behaviour for the purpose of preventing the person from committing an offence relating to the marriage of a person against their will or the marriage of a person under the age of 16 years or relating to the removal of a child from Canada with the intention of committing an act that, if it were committed in Canada, would be such an offence” (Summary, https://laws-lois.justice.gc.ca/eng/annualstatutes/2015_29/page-1.html)</p>	
Amendment to Immigration and Refugee Protection Regulations, Division 8 of Part 5	Repeal of Conditional Permanent Residency (Spousal Sponsorship) (i) In 2012, in an effort to deter fraudulent applications to the family reunification program, a conditional permanent residence was added to the	“A sponsored spouse or partner can potentially be vulnerable for many reasons, including age, gender, official language proficiency, isolation, and financial dependence on their sponsor. The two-year cohabitation requirement compounded these vulnerabilities, and spouses and partners who were victims of abuse or neglect were most at risk in these situations. While the conditional permanent residence provisions contained an exception to the cohabitation requirement in cases of abuse or neglect, there was a risk that sponsored spouses and partners could have	<p>This repeal is nuanced in that it recognizes that government policies can increase vulnerabilities.</p> <p>In the Canada Gazette, migrant women are identified as particularly vulnerable with conditional permanent residency “between</p>

	<p>Immigration and Refugee Protection Regulations. This required sponsored spouses/partner to cohabit with their sponsor continuously for 2 years</p> <p>(ii) In 2017 conditional permanent residency was repealed</p>	<p>remained in abusive relationships. This could have been due to a lack of knowledge about the exception, the perceived challenge of applying for and receiving an exception, or the fear of losing their immigration status”</p> <p>“Eliminating conditional permanent residence will facilitate family reunification, remove the potential increased vulnerability faced by abused and neglected spouses and partners, and support the Government’s commitment to combatting gender-based violence” (Immigration and Refugee Protection Act: Regulations Amending the Immigration and Refugee Protection Regulations, 2017).</p>	<p>January 1, 2013, and September 30, 2016, 597 spouses and partners requested an exception to the requirement to cohabit with their sponsor due to abuse or neglect. A majority (70%) of these requests were from women. Out of the 528 cases for which a decision had been made on the request for the exception, 78% were approved” (Immigration and Refugee Protection Act: Regulations Amending the Immigration and Refugee Protection Regulations, 2017).</p>
<p>It’s Time: Canada’s Strategy to Prevent and Address Gender-Based Violence (2017)</p> <p>Including</p> <p>Year in Review (2017-2018)</p> <p>Year in Review (2018-2019)</p>	<p>Government initiative aimed to eliminate gender-based violence through prevention, support, and strengthening legal and justice system</p>	<p>“Everyone has the right to live a life free from violence. But many Canadians across the country continue to face violence every day because of their gender, gender expression, gender identity or perceived gender. Experiencing any of these types of violence constitutes gender-based violence, which is a violation of human rights.</p> <p>GBV can take many forms: cyber, physical, sexual, societal, psychological, emotional, and economic. Neglect, discrimination, and harassment can also be forms of GBV” (2018-2019 Year in Review).</p> <p>“While violence affects people of all genders, ages, religions, cultures, ethnicities, geographic locations, and</p>	<p>“Over the past year, this whole-of-government collaborative approach has helped the Government of Canada meet survivors’ needs and strengthen access to necessary resources, including access to shelter and housing, health care, counselling, support within the legal and justice systems, education, employment, and information. Understanding the unique challenges for underserved, at-risk, and</p>

		socio-economic backgrounds, some populations are more at risk of experiencing violence because of historic oppressions, such as racism, sexism, homophobia, transphobia and ableism. Populations more at risk of GBV include women and girls, Indigenous Peoples, LGBTQ2 and gender non-binary people, racialized people, those living in northern, rural, and remote communities, persons with disabilities, newcomers to Canada, children, youth, and seniors” (2018-2019 Year in Review).	distinct populations—such as Indigenous women, youth, LGBTQ2 and military personnel, to name a few—has been a priority for the Government, subsequently resulting in the provision of creative and practical solutions to best serve these diverse communities” (2018-2019 Year in Review).
News Media Articles			
<p>“Quebec passes bill banning public servants from wearing religious symbols” Les Perreux, June 16, 2019, The Globe and Mail https://www.theglobeandmail.com/canada/article-quebec-legislature-expected-to-pass-bill-21-late-sunday/</p>	<p>Religious neutrality Bill in Quebec. Newspaper report in Canada’s most widely read national newspaper, classified as centre-right in its political inclination</p>	<p>“François Legault’s government passed a ban on some public servants wearing religious symbols in a final vote late Sunday night, enshrining into law a measure decried by opposition parties, minority groups and human-rights observers as an affront to personal liberty”.</p> <p>“the CAQ used its majority to push through Bill 9, a law that enables new French-language and values tests that the government says will protect Quebec identity while refocusing immigration on economic interests”.</p> <p>“Bill 21 will ban teachers, police, government lawyers and others in positions of authority from wearing religious symbols such as Muslim head coverings and Sikh turbans. Police officers, provincial jail guards and prosecutors who wear religious symbols are rare in Quebec but the province has dozens of female Muslim teachers . . . The law will also require people receiving or giving government services to uncover their faces for security purposes or</p>	<p>“The law includes the notwithstanding clause to prevent challenges based on religious freedom under Canada’s Charter of Rights and Freedoms”.</p> <p>“Religious groups and rights lawyers say they will try to strike down the law anyway. The law will most affect Muslim women and the notwithstanding clause cannot be used to shield gender-discrimination cases. Montreal school boards and some municipal leaders have said they will not apply the law. On the weekend, the</p>

		confirming identity – a measure that mostly affects Muslim women who wear a full-face veil.”	<p>School of Education at Bishop’s University became the latest group to reject the law, calling it ‘a dangerous precedent that creates a climate of suspicion, fear and hostility that serves to render the profession of teaching unsafe, and schools less safe, for everyone.’”</p> <p>“Mr. Legault’s government added a provision to allow inspectors to verify the law is being followed. ‘Secularism police!’ shouted Quebec Liberal member Marc Tanguay in one of the final outbursts of the debate.”</p>
<p>“Quebec passes bill to reform immigration system after government invokes closure” Sarah Leavitt, June 16, 2019 https://www.cbc.ca/news/canada/montreal/closure-bill-21-bill-9-national-</p>		<p>“Members of Quebec's National Assembly have passed legislation that would allow the government to cancel roughly 16,000 immigration applications, some from people who have waited in limbo for years as their files languished in the old processing system”.</p> <p>“Immigration lawyer Ho Sung Kim says he is ‘deeply disappointed in the government's decision to go forward with this law.’”</p>	<p>“Bill 9 sets out the framework for a Quebec values test that would-be immigrants will need to pass in order to become a permanent resident”. ‘We are changing the immigration system in the public interest, because we have to make sure that we have an immigration tied to the needs of the labour market,’ Immigration Minister Simon Jolin-Barrette</p>

<p><u>assembly-1.5177520</u></p>		<p>“The federation that represents chambers of commerce in Quebec says it is welcoming the news that the bill was passed.”</p> <p>““The concerted efforts of the government will lead to a better link between the skills of immigrants and what is required to fill positions in Quebec companies’ Stéphane Forget, the president of Fédération des chambres de commerce du Québec, wrote in a press release.”</p>	<p>said before the vote.become a permanent resident.”</p> <p>“Premier François Legault defended his decision to force the vote ‘I think as premier of Quebec, it's my responsibility to defend Quebec values in front of the rest of Canada,’ he said. ‘That's what I'm doing.’”</p>
<p>Ottawa announces immigration, refugee legal aid funding for Ontario, slamming Ford cuts Matthew Lapierre and Jeff Gray, Aug 12, 2019 https://www.theglobeandmail.com/canada/article-ottawa-announces-268-million-funding-for-immigration-refugee-legal/</p>		<p>“The federal government is providing millions of dollars for the legal costs of refugee claimants as Prime Minister Justin Trudeau continues to highlight Ontario Premier Doug Ford’s budget cuts with the fall federal election looming.”</p> <p>““Another Conservative government – the government of Doug Ford – is walking away from services to the most vulnerable,’ Mr. Trudeau told an event at the offices of a refugee- and immigrant-settlement agency in Toronto’s west end”. ‘Conservative politicians keep trying to move us back and make the most vulnerable hurt for decisions that they make.’”</p> <p>“Ontario’s sudden move prompted refugee lawyers and advocates to warn that people fleeing torture or other violence could end up facing refugee tribunals without lawyers to help them.”</p>	<p>“Lawyers who act for refugees welcomed the federal government’s announcement on Monday.”</p> <p>““Canada’s complex refugee system is nearly impossible to navigate without legal representation – all the more so for individuals who arrive in Canada with nothing, who are traumatized,’ Raoul Boulakia, an executive member of the Refugee Lawyers Association of Ontario, said in a statement”.</p> <p>“Charlene Theodore, vice-president of the Ontario Bar Association, called the recent lack of legal-aid funding for refugees and immigrants a</p>

			<p>crisis and said the federal response was timely”.</p> <p>““To be able to have this funding, to get the help on the ground where it’s needed, it’s just a great day for access to justice,’ she said.”</p>
<p>Maxime Bernier promises to cut immigration, build border fences in platform speech</p> <p>Lina Dib</p> <p>July 25, 2019</p> <p>https://www.theglobeandmail.com/politics/article-maxime-bernier-promises-to-cut-immigration-build-border-fences-in/</p>		<p>“Maxime Bernier says that if he becomes prime minister, his government would slash immigration and refugee numbers, build a fence to block asylum seekers from walking across the border, and end a program that lets immigrants sponsor their families to join them.”</p> <p>“I can understand why immigrants would want to bring the rest of their extended family here, including older ones who will benefit from our health-care system,” Bernier said in the prepared text for his speech Wednesday evening.</p> <p>“But we cannot be the welfare state of the planet.”</p> <p>“He pledged to reduce the number of immigrants admitted to Canada each year to 100,000 or 150,000 at most, if the economy and “other circumstances” allow that many. Canada currently admits about 350,000 immigrants.”</p> <p>“Bernier said Canada must look after its own citizens first, and focus on newcomers who bring economic value to the country.”</p> <p>“He denounced ‘mass immigration’ and ‘extreme multiculturalism,’ saying that these policies would lead to ‘social conflicts and potentially violence.’ These ideas have</p>	<p>“Bernier promised to make each immigration applicant go through a face-to-face interview with a Canadian official to judge the applicant’s values and his or her acceptance of Canadian ‘societal norms.’”</p> <p>“Finally, on refugees, he pledged to build fences at popular crossings for migrants between official ports of entry – including a popular one in Quebec – and to rely on private sponsorships for funding new immigrants rather than government support.”</p>

		<p>nothing to do with freedom, his speech said, but rather ‘a very dangerous type of social engineering.’”</p> <p>“He identified ‘Islamism or political Islam’ as a threat to ‘our values and way of life.’”</p> <p>On multiculturalism: “A lie based on the idea that all cultures are equal,” Bernier said. “A lie destructive of our Western Liberal democratic heritage, traditions, and values based on individual rights and freedoms.”</p>	
<p>Canada must adapt quickly to attract skilled workers, immigration minister says Kathleen Harris Aug 13, 2019 https://www.cbc.ca/news/politics/economic-labour-migration-hussen-oecd-1.5244416</p>		<p>“Hussen is welcoming a new report from the Organization for Economic Co-operation and Development (OECD) which praised Canada's economic immigration system as one of the most successful in the world. It said Canada is widely seen as a “benchmark” for other countries.”</p> <p>“On the eve of an election where immigration issues are expected to be up for debate, including the government's handling of border-crossing asylum seekers, the OECD report finds that when it comes to recruiting skilled labour, Canada is doing things right. It points to smooth integration and high public acceptance of migrants as signs of success.”</p> <p>“The report credits comprehensive data collection and analysis for Canada's ability to respond quickly to changing circumstances with policy changes. It also lauds marketing and recruitment efforts by Canadian diplomatic missions abroad, as well as a broad range of settlement services for newcomers.”</p>	<p>“But the report does find areas for improvement. Recommendations include:</p> <p>Streamlining, simplifying and standardizing the ranking system for skilled workers instead of having separate ‘pathways’ to entry; abolish the Federal Skilled Trades Program.</p> <p>Allow short-term visas for qualification to expedite licensing for professionals; enhance information and harmonization around the credential recognition process.</p> <p>Encourage growth of regional settlement outside major urban areas; build on success of Atlantic and rural immigration pilots.</p>

			<p>Consider introducing a trusted-employer scheme for companies that make heavy use of the Temporary Foreign Worker Program.”</p> <p>“The report also praises Canada as a leader in providing prearrival services and supports on the Canadian way of life, health and housing issues, and finding a job. But it notes only 8.5 per cent of economic immigrants eligible for these services actually accessed the supports.”</p>
<p>Trudeau vows action on MMIWG but declines to endorse inquiry’s genocide finding Gloria Galloway and Wendy Stueck June 3, 2019 https://www.theglobeandmail.com/politics/article-trudeau-vows-action-on-</p>		<p>“The National Inquiry into Missing and Murdered Indigenous Women and Girls, which was tasked with uncovering the systemic causes of the violence, released the 1,200-page document in an emotional ceremony at the Canadian Museum of History in Gatineau on Monday that included hundreds of family members of women who have been killed or vanished.”</p> <p>“Chief Commissioner Marion Buller told the crowd that the Canadian state has deliberately and systemically violated racial, gender, human and Indigenous rights. That was ‘designed,’ Ms. Buller said, ‘to displace Indigenous peoples from their lands, social structures and governance, to eradicate their existence as nations and communities, families and individuals, [and] is the cause of the disappearances, murders and violence experienced by</p>	<p>The federal government, which ordered the inquiry, pledged to act on its recommendations but did not endorse that key finding of the commission’s final report.</p> <p>“We will conduct a thorough review of this report and we will develop and implement a national action plan to address violence against Indigenous women, girls and LGBTQ and two-spirit</p>

<p><u>mmiwg-stops-short-of-calling-deaths-a-genocide/</u></p>		<p>Indigenous women, girls, and [two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual] people.”</p> <p>“Sharon McIvor, a lawyer and activist . . . said she supports the use of the term ‘genocide,’ saying government laws and policies resulted in Indigenous women being treated as lesser human beings.”</p> <p>“If you want to get rid of their people, you have to get rid of their women,” she said.</p>	<p>people,” the Prime Minister said.</p> <p>“The commission has outlined the way forward,” Mr. Trudeau said. “You have my word that my government will turn the inquiry’s calls to justice into real, meaningful, Indigenous-led action.”</p> <p>“The massive report makes recommendations on such diverse topics as culture, health, human rights, transportation, media and policing. It includes, for instance, a call for a “guaranteed annual livable income for all Canadians,” and for all governments to prevent the apprehension of children based on poverty or cultural bias.”</p> <p>“The report’s calls for justice are much more expansive than the TRC’s 94 calls to action. And, with a federal election scheduled for the fall, it will be difficult for the Liberal government to make</p>
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			<p>substantive progress toward implementing them.”</p> <p>“Laurie Odjick, whose teenage daughter Maisy went missing from Kitigan Zibi Anishinabeg First Nation in Quebec in September, 2008, said she hoped the report would ‘open the eyes of Canada to finally listen and finally see’ the violence that is taking place against Indigenous women and girls. ‘I know we as families won’t let them forget. And we are going to keep fighting for justice.’”</p>
<p>Shafia parents and son, convicted in honor killing of four family members, seek new trial National Post October 13, 2015</p> <p>https://nationalpost.com/news/canada/shafia-parents-and-son-convicted-in-</p>		<p>“The three were each convicted in January 2012 of four counts of first-degree murder in the deaths of Shafia sisters Zainab, 19, Sahar, 17, Geeti, 13, and Rona Amir, 52, Shafia’s first wife in the polygamous 10-member Afghan family that came to Canada in 2007 and settled in Montreal. The three were sentenced to life in prison with no chance of parole for 25 years.”</p> <p>“The case attracted international attention and was among events that sparked the Conservative government’s crackdown on what it calls ‘barbaric cultural practices.’”</p> <p>“Shafia was enraged because he felt his teenage daughters had violated cultural rules requiring sexual modesty, they were disobedient and the two eldest girls had boyfriends.</p>	

<p><u>honour-killing-</u> <u>of-four-family-</u> <u>members-seek-</u> <u>new-trial</u></p>		<p>Rona wanted a divorce and supported the girls in their pursuit of western lifestyles. Rona wrote in a diary entered as evidence that she and Tooba clashed frequently; she was abused, humiliated and isolated.”</p> <p>“Jurors were told that Shafia concocted a plan to murder the four in a bid to restore his tarnished honour, in an ancient cultural practice that places family honour above human life. This honour is rooted in the modesty and subservience of the female family members to the patriarch. Several witnesses testified during the trial that Shafia spoke openly, before the four died, of wanting to kill Zainab. Prosecutors told jurors that Shafia enlisted the help of his eldest son and second wife in the elaborate but flawed plot to conceal the killings as a car crash.”</p> <p>“Fearing jurors wouldn’t be able to fathom that a father would conspire to murder nearly half his family; prosecutors recruited an expert on honour killing. Despite defence objections, University of Toronto professor Shahrzad Mojab was permitted to testify about the origins of the practice.”</p> <p>““By reinforcing pre-existing stereotypes of violent and primitive Muslims, it created the risk that the jury’s verdict would be tainted by cultural prejudice,’ the document states.”</p>	
<p>Ottawa’s Refugee Health-Care Cuts ‘Cruel and Unusual’ Court Rules Fred Chartrand</p>		<p>“Justice Mactavish said the government's two-year-old policy of denying health care to certain classes of failed refugee claimants amounted to cruel and unusual treatment because it intentionally targeted vulnerable children and adults. She said it put at risk ‘the very lives of these innocent and vulnerable children in a manner that shocks</p>	<p>“The government argued that it had the right to try to deter bogus claimants from coming to Canada, or overstaying, by denying them medical care, except where they had</p>

<p>July 4, 2014 The Globe and Mail https://www.theglobeandmail.com/news/politics/ottawa-refugee-health-cuts-cruel-and-unusual-court-rules/article19459837/</p>		<p>the conscience and outrages our standards of decency.’ She gave the government four months to restore the health-care funding.”</p>	<p>diseases that could spread to others. It said the cuts would save \$80-million over four years, and those denied care could turn to charity, emergency rooms or private insurance.”</p> <p>“Immigration Minister Chris Alexander said the government will appeal the ruling. ‘Failed claimants and those from safe countries like the U.S. or Europe should not be entitled to better health care than Canadians receive.’ (The government would need to seek a stay of Justice Mactavish's order if it wishes to continue with the cuts while an appeal is being heard.)”</p>
<p>Liberals Restore Refugee Health Benefits Cut by Previous Government Michelle Zilio, February 18, 2016 The Globe and Mail</p>		<p>“The Liberal government has restored refugee health-care benefits cut by the previous Conservative government.”</p> <p>“The coverage will include hospital and physician services, while coverage for supplemental services, such as vision, urgent dental care and prescription drugs, will be similar to what provinces and territories provide to Canadians on social assistance.”</p>	<p>“The Conservative government scaled back refugee health-care benefits in 2012, arguing that the cuts would deter ‘bogus’ refugees from coming to Canada and save taxpayers money. The cuts included an end to almost all supplemental health-care benefits and to medical coverage for refugee</p>

https://www.theglobeandmail.com/news/politics/liberals-cancelling-controversial-cuts-to-refugee-health-care/article28797720/			<p>claimants, except when there was a public health concern.”</p> <p>“The Federal Court eventually found that the changes were unconstitutional and ordered the government to reinstate the benefits, leading the Conservatives to restore some. The Tory government launched an appeal of the court's decision, which the Liberals eventually dropped.”</p> <p>“Before 2012, refugee claimants had their health-care costs covered by the federal government until their application for status was decided or they became eligible for provincial health-care coverage.”</p>
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D. Appendix Four: Federal Legislation Pertaining to Family Violence

Relevant Federal Legislation Pertaining to Family Violence (Source: Department of Justice https://www.justice.gc.ca/eng/cj-jp/fv-vf/laws-lois.html)		
<i>Physical and Sexual Violence</i>	Section Criminal Code	
Assault causing bodily harm	265-268	
Kidnapping and Forcible Confinement	279	
Trafficking in persons	279.1	
Abduction of a young person	280-283	
Homicide	229-231, 235	
Sexual assault	271-273	
Sexual offences against children and youth	151-153, 155, 170-172	
Child pornography	163.1	
Criminal harassment (stalking)	264	
<i>Psychological or Emotional Abuse</i>		
Uttering threats	264.1	
Making indecent and harassing phone calls	372	
Trespassing at night	177	
Mischief	430	
<i>Neglect</i>		
Failure to provide necessities of life	215	
Abandoning child	218	
Criminal Negligence	219-221	
<i>Financial Abuse</i>		
Theft	322, 328-330, 334	
Misappropriation of money held under direction	332	
Theft of, forgery of credit card	342	
Extortion	346	
Forgery	366	
Fraud	380	
<i>Victim protections when charges have been laid</i>		
No contact	515	
Peace bonds	810	
Sentencing provisions when offence involves spouse, common law partner, or person under the age of 18	718.2	

Limits of conditional sentence which allows offender to serve sentence in community	742.1	
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