



FCJ Refugee Centre

Walking with Uprooted People

UNDERSERVED COMMUNITIES NON-STATUS POPULATIONS

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FCJ REFUGEE CENTRE
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NON-STATUS POPULATIONS (INCLUDING EMERGING GRADATIONS)

Changes to Legislation

Changes that impact Non-status Populations (Including Emerging Gradations)

❖ Regularization of Non Status Persons

❖ Mandatory Arrest, Detention, and Deportation

❖ Barriers to Rights of Non Status Persons

Definition of a Non-status

Access Alliance:

“Non Status Immigrants are People who do not have legal status which would allow them to live in Canada”.

- People usually becomes non status when their visa expires or refugee claims are rejected, or they lack documentary evidence to prove that they are legal in Canada.
- Persons staying in the country without legal permission.

Non status (Continued)

- **Issues:** non-status persons work, raise families, pay taxes and contribute to the local communities but the government does not collect information about them.

Regularization of Non Status Persons

- The regularization of non-status migrants is a human rights concern.
- Regularization is an issue of justice and self-determination.
- 200,000 to 500,000 people live without status in Canada

Mandatory Arrest, Detention, and Deportation

- Changes to legislation provides for mandatory detention of illegal migrants for up to one year.
- This detention policy is often seen as arbitrary and as violating the *Charter of Rights and Freedoms*.
- Non status people live in fear of deportation, particularly if they are from a Designated Country of Origin.
- Canada deports between 10,000 to 13,000 people per year, many of whom are sent to countries where their wellbeing is at risk.

Barriers to Rights of Non Status Persons

❑ Without legal status, persons do not have:

- the right to vote and participate in the electoral process;
 - lack workers' rights to join unions,
 - often work for minimum wage or less.

❑ Language is also a barrier for many who experience verbal rather than physical abuse.