

Canada

Lawyers rap govt. for refugees' entry problems

HALIFAX (CP) — While the federal Department of Immigration tackles a massive backlog of refugee claims, some immigration lawyers say proposed reforms of the refugee process may end up denying adequate access.

The department's administrative review, announced about a month ago, is an effort to deal with about 21,500 longstanding refugee claims in one fell swoop. Immigration officials say proposed changes to the refugee determination process will discourage fraudulent claims.

In the Atlantic region alone, there are 58 people claiming refugee status whose cases are subject to review. They've come from such countries as Iran, Sri Lanka, Syria, Pakistan, Poland, Algeria and the Sudan.

Richard Alanthwaite of the federal department's New Brunswick office says the current system lets

false claims plug the process and stalls legitimate claims. Alanthwaite says the proposed system has speed, efficiency and reasonable access on its side.

Halifax immigration lawyer Davies Bagambiire counters that the Immigration Department has created the problems, not the claimants. "Now, you have a five-person committee somewhere in Ottawa taking four years to render decisions," adds Bagambiire, a member of the Standing Conference of Canadian Organizations Concerned for Refugees.

"If we had a good system, a fair and efficient one, it would take care of the abuses," he adds.

The department is proposing a streamlined system for new claimants with appeals allowed strictly on questions of law.

Canada's elaborate and chaotic system for refugee determination would be replaced with an inde-

pendent two-member board whose decision could be appealed to the Federal Court, but only on questions of law rather than the content of the case. A claimant would be given refugee status if one board member gives a positive recommendation.

"The appeal system is very weak," Bagambiire said. "The proposed changes recommend grounds for appeal to the Federal Court that are very narrow. To fit oneself into one of the categories is very difficult." He added: "The government has lost an opportunity here to develop a specialized immigration court."

Bagambiire pointed out that political unrest, persecution and imprisonment are on the rise around the world and Canada must prepare for dealing with more and more refugee claims.

"The country is ready to have put in place a mechanism for a

quick, expeditious system," he said. "Sending appeals to an already bogged down Federal Court will only create another backlog."

Bagambiire has other complaints, especially with immigration officers at points of entry who make crucial decisions.

"It's very intimidating to arrive in a foreign country," he said. "At the point of entry, you have two to three minutes to state your case to an immigration officer. It's there that the entrant needs legal counsel."

Government policy says people coming into the country may be turned away if they've landed in another country without seeking status there. The problem with that policy, says Bill Powroz, another immigration lawyer, is that it fails to recognize that countries can accept a fleeing person, but because of domestic conditions deny them status.