

Published in The Dominion (<http://www.dominionpaper.ca>)

Mar 3 2006 - 1:50pm

Bordering On Apartheid

Challenging immigration control in Canada

by [Hillary Bain Lindsay](#)

Abdelkader Belaouni is telling me about his day. "Every day I wake at seven," he begins. "Ten after seven at the latest. I make my bed, listen to the news. Around seven twenty or seven thirty I head down to the kitchen." He methodically lists his daily activities. "I play the piano - I'm getting lessons now. Around one - after lunch - I use the stationary bike for fifteen or twenty minutes."

Belaouni can't get his exercise outside. He can't go outside.

Abdelkader Belaouni has not left St. Gabriel's Church in Montreal since he took sanctuary there on January 1st 2006, defying Immigration Canada's deportation order.

The nights are the hardest. "I have a lot of nightmares." His voice is quiet. He explains that he can't sleep without medication; even with the medication he often wakes at 3 in the morning. "I think a lot... I think too much."

Belaouni has a lot on his mind. On November 21st, 2005 Immigration Canada notified him that on January 5th 2006 he would be deported; forced to abandon a life and community that has taken him three years to build and over a decade to find.

Belaouni fled Algeria, his country of birth, in 1996. He left behind a civil war that took the lives of over 100 000 people and a country where he no longer felt safe. He moved to New York City, but after September 11th 2001, he no longer felt safe there either. Belaouni crossed the border, filed a refugee claim, and became one of more than 200 000 people in Canada living without status.

Refugee claimants will wait months or even years to learn whether Canada will award them permanent status. In the meantime, "you're a second class citizen," notes Jordan Topp, a member of The Committee to Support Abdelkader Belaouni. Lack of permanent status makes finding work extremely difficult, "even if you're a professional - a nurse or an engineer - your degree doesn't mean anything once you get here," she explains. "[Non-status people] end up doing the shit jobs that no one else wants." Belaouni reports that many of his non-status friends also suffer from stress and depression - as he does - while living under the constant threat of deportation. Non-status people (like refugee claimants) are only covered for essentials and emergencies under Canada's medical system, and some - like Belaouni - are not covered at all.

Living in such a precarious state is not a choice that many people make willingly, says Topp. "People generally don't want to leave their homes and families," she says. "They don't want to uproot their entire lives and move." But many people - like Belaouni - do. They do, says Topp, because they're fleeing--among other things--war, poverty, and oppression. And although many refugee claimants may count themselves as 'lucky' to be here, Topp says Canada is partly to blame for many people's initial displacement.



Abdelkader Belaouni (centre) before taking sanctuary in St. Gabriel's Church in Montreal. CMAQ

Canada's foreign policy and immigration system contribute to what Topp calls the 'global apartheid:' a system where a minority of the world's population controls a vast majority of its wealth and power, a system where capital can move freely but the majority of people cannot. "Canada's economic and geographic interests take priority over people's well-being," she asserts. Topp gives the example of mining projects in the global south that benefit Canadian multinationals: people are displaced and livelihoods lost due to Canada's economic interests, "yet we won't let them into Canada because they don't fit the bill" says Topp. "Immigration Canada makes boxes that you have to fit into," boxes into which few people can fit.

One of these boxes used to assess Humanitarian and Compassionate Applications for permanent residence is based on whether or not an individual has "established" themselves in Canada. According to Immigration Canada, the fact that Belaouni does not have a job, and does not have a wife and child here means that he has failed to establish himself in Montreal.

Belaouni argues, however, that he does have a family in Canada: he has a family of friends and supporters. His connections and contributions to his community are reflected in the over 40 organizations in Montreal that are supporting his demand for status, most recently the French-speaking branch of Amnesty International in Canada. Belaouni also says that he was working, he just wasn't being paid. For over a year he had been volunteering with The Multi-Ethnic Association for the Integration of Persons with Disabilities. His involvement with that particular organization points to another reason he couldn't find paid work despite his best efforts: Belaouni is blind. According to Topp, this, along with his non-permanent status means that he's facing "huge systematic barriers [to employment]."

According to a study conducted by the Canadian National Institute for the Blind last year, only 25% of blind and visually impaired people are employed - and only 30% of those people have permanent employment. As a non-permanent resident, Belaouni didn't qualify for government programs that may have increased his chances of employment. "We ask people to prove that they're established," explains Topp, "but then create a system where it's next to impossible for them to become established." Topp is tired of the hoops non-status people are expected to jump through, and the boxes they are expected to fit into, in order to prove that they deserve to stay in Canada.

Topp is not alone. Last June up to a thousand people took part in the No One Is Illegal March On Ottawa. The 200 km march from Montreal to Ottawa was organized by Solidarity Across Borders, a network of self organized migrants, refugees, immigrants and their allies. With a rallying cry of "No Borders, No Nations, Stop The Deportations!" Solidarity Across Borders asserts that all people - not just wealthy and educated people- should be able to decide where they wish to live and work. To this end, they call for an end to deportations and the regularization of all non-status people.

Belaouni and his supporters have reframed the debate. Instead of focusing on risks he may face if forced to return to Algeria they are making the case that he should be allowed to stay based on his right--on the rights of all human beings--to choose where he lives his life. But won't Canada's borders be flooded with refugees? "That's exactly the point," says Topp.

Topp's analysis is shared by Samir Shaheen-Hussain, a member of the NoOne Is Illegal collective in Montreal. "Because of the primal injustices that exist globally, people should be able to move wherever they wish," says Shaheen-Hussain. "So long as wealthy, powerful corporations and nation-states continue to benefit from the oppression and exploitation of those living in the global South, those people who are displaced should have the freedom of movement to determine where they will live"

This economic and political analysis of the immigration system may seem radical to some, and the proposed solutions may be dismissed as 'unrealistic', but the No One Is Illegal movement is gaining ground; No One Is Illegal groups have been established across Canada and around the world.

Besides, argues Topp the normalization of immigration controls is a relatively new phenomenon.

"Until recently, people have been able to migrate to where they are best able to live and survive. Today, that's not possible unless you have a bank account with over \$200 000 in it or are one of the

people who meet the very narrow criteria of persecution required for refugee status."

This narrow criteria is also applied in an arbitrary manner, continues Topp. In the last two years Belaouni's refugee officer sat on the Immigration and Refugee Board he accepted only one person. "That's why people call it a lottery," she explains. "It has little to do with the actual case and more to do with the person you end up in front of."

Although The Committee to Support Abdelkader Belaouni is doing everything it can to help Belaouni win the legal 'lottery' for permanent status, it is also trying to shift the terms of debate about refugees from ideas of charity to ones of justice, dignity and autonomy; from benevolence to solidarity. At a press conference announcing his intention to take sanctuary in St Gabriel's Church, Belaouni was clear. "I'm not hiding from Immigration Canada, but I want to tell them clearly, I will not be presenting myself for deportation. I've been able to achieve autonomy and dignity in Montreal, and I don't want to lose that. My family are my friends here. I am here to defend myself; I am here to defend justice".

Source URL:

http://www.dominionpaper.ca/features/2006/03/03/bordering_.html