

Canadian immigration officials falsified documents to bar refugees

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Recently published minutes of a secret review of the conduct of Immigration Canada agents shows that government officials fabricated a document to discredit an applicant for refugee status.

This revelation, and several others of a similar nature, are apparently only the tip of the iceberg. “Certain people responsible for applying immigration security measures think that people on the other side will do anything to get into the country; from that point on, they view it as right for them to do everything in their power to keep [the refugees] out of the country and impose no limit on their actions,” warns the past president of the Canadian Council for Refugees, immigration lawyer David Matas.

Immigration Canada agents fabricated a document to try to discredit a refugee claimant, Mr. Goven, whom the Canadian Security Intelligence Service (CSIS) had accused of being a “Kurdish terrorist.” Subsequently, the CSIS conceded Goven was not a militant of the Kurdish Workers Party, a bourgeois nationalist movement that has challenged Turkey’s systematic discrimination against its Kurdish minority.

During an interrogation lasting eight hours, Goven was threatened and manhandled by CSIS agents. Shocked and angered by these methods, Goven filed a complaint with the Canadian Security Intelligence Review Committee, the state body charged with overseeing the actions of the CSIS.

In an attempt to discredit Goven, Immigration Canada officials presented the Review Committee with a bogus copy of the letter it had sent to Goven ordering him to meet with the CSIS agents. The bogus order gave a later time for the start of Goven’s interrogation, thus suggesting he had lied about its length. It also gave an address different from his then place of residence.

“These modifications had as their aim to destroy

Goven’s credibility,” said his former lawyer, Sharryn Aiken.

Derek Hodgson, a spokesman for the Immigration Department and for federal Immigration Minister Elinor Caplan, nevertheless insists there was no wrongdoing on the part of the government or any government officials, although he does concede the document came from Immigration Department computers: “Immigration does not make false documents, does not use machines to decode secret messages or invisible ink.”

Hodgson blames the entire incident on a computer malfunction, claiming that the Immigration Department’s computer software produced the bogus order.

This explanation has been rejected by former Review Committee chairman and ex-Ontario Premier, Bob Rae. “Computers respond to human instructions. Someone made this computer produce this document—that is, made it produce a fake.”

“If they faked this document, lord knows how many others they may have falsified,” declared Goven, who fled to Canada precisely to escape such state tyranny.

Several other cases of Immigration officials abusing their extensive powers and stealing or fabricating documents so as to force people from the country have come to light. Last year, two senior Immigration officials were found guilty of repeatedly falsifying documents since 1990. According to the *Globe and Mail*, in 1996 two other Toronto-based Immigration agents admitted having falsified documents so as to trigger the deportation of an asylum-seeker from Liberia. In 1995, the head of the Immigration Canada center in Winnipeg was suspended after publicly admitting that he had twice falsified the signature of a deportee on official travel documents.

The Goven case has prompted renewed calls for greater surveillance of the action of Immigration officials from immigration lawyers and refugee rights organizations. Immigration officials “do whatever they want,” charges Janet Dench, head of the Canadian Council for Refugees. Her organization is petitioning for the Immigration Department to create an independent office with a mandate to investigate complaints of suspect actions by immigration officials.

Significantly, the corporate media has all but completely ignored the revelations of wrongdoing by Immigration Canada officials. By contrast, it routinely churns out reports suggesting that the country is being inundated by “bogus” refugees, based on the spurious distinction between those fleeing “true” political repression, and those merely trying to escape dire poverty.

Two years ago the media mounted a hysterical campaign reminiscent of the “yellow peril” scares of the early twentieth century after several hundred Chinese migrants were brought to the shore of British Columbia on derelict vessels and in unspeakable conditions. The federal Liberal government responded by taking the unprecedented step of ordering all the Chinese, children included, incarcerated pending the processing of their refugee claims. For much of the media this was not enough. A spate of newspaper editorials and comments demanded the Chinese be repatriated immediately. Ultimately, all but a handful were deported back to China.

Taking its lead from the *National Post*, the Canadian Alliance has repeatedly accused the Liberals of consorting with terrorists because Finance Minister Paul Martin attended a function organized by a cultural association of Sri Lankan Tamils that reputedly has ties to the LTTE (the Tamil separatist movement in Sri Lanka.) Needless to say, the *National Post* and the Alliance never make any mention of the historic oppression of the Tamil minority by the Sri Lankan state—oppression that has resulted in hundreds of thousands of Tamils fleeing to Canada.

In response to this campaign, the Liberals have scuttled still further to the right. Earlier this month, the House of Commons passed a new Immigration Act, Bill C-11. It makes the treatment accorded the Chinese migrants of 1999—i.e., incarceration—mandatory for anyone who enters Canada illegally. Those who are

“uncooperative” or who do not have proper travel documents can also be detained.

While the government justifies these measures on the grounds of preserving the refugee system for those subjected to political abuse, it is in fact moving to greatly circumscribe the definition of refugee, giving itself the power to deny asylum to those potentially most at risk.

Under Bill C-11, anyone who has ever been sentenced to a jail term of longer than two years is barred from applying for refugee status and is forced to petition a Federal Court judge to be allowed to seek refugee status. The legislation does not even guarantee that the courts accord the would-be refugee claimant a hearing.

Immigration Minister Elinor Caplan has conceded that those who have been incarcerated for challenging a dictatorial regime and/or engaging in civil disobedience could be denied the right to make a refugee claim. Yes, said Caplan, in a statement clearly designed to appeal to the right-wing and racist opponents of the right to asylum, a future “Nelson Mandela” might run afoul of the new rules, but Canadians can trust in the courts and or Minister to do the right thing. “The door that we want to close is the back door, to serious criminals, to terrorists, to those who pose a risk to Canada...”

The Liberals have also tabled legislation to strip charitable status from groups that the CSIS accuses of having links to terrorism.

While whitewashing the serious misconduct of Immigrant Department agents, the Liberals are, in the name of fighting abuse and criminality, gutting the most basic protections accorded refugee claimants.



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