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Tamil Canadians: Reform and Compassion Needed

While reform is essential to clear up the backlog of refugee claims, Tamil Canadians are concerned about the creation and implications of a list of "safe" countries and the reduced time under the proposed system to acquire effective legal representation.

"Reform is needed but the question is whether certain elements of this bill will not inadvertently end up endangering the lives of genuine refugees?" said David Poopalapillai, National Spokesperson for the Canadian Tamil Congress. "There remain key areas of concern that need to be raised and worked out, including the unrealistically short time available under the proposed system to get legal representation and the concept and implications that come with a list of 'safe' countries."

With the government's Balanced Refugee Reform Act, a newcomer would be referred for an IRB interview within eight days and have a hearing within 60 days. Refugees, upon arrival in a new country, are still grappling with the trauma of their experiences and with orienting themselves with being in a foreign environment. As such, the eight-day and two-month time frame is unrealistic in enabling the refugee claimants to acquire effective legal representation and ensure a fair hearing.

"Refugees, in Canada and around the world, are among the most vulnerable people in the world," Poopalapillai said. "Precautions should be taken to ensure that the timeline is fast yet realistic and accords refugee claimants reasonable time to acquire effective legal representation to ensure a fair hearing,"

The idea of a list of safe countries should be also carefully examined for its ramifications. If such a list must be implemented, political decisions on 'safe' versus 'unsafe' countries should be avoided, and the UN recommendations and input on such a list should be strictly followed. The inability of claimants from "safe" countries to appeal a negative ruling to the new refugee appeal division is also problematic.

"Everyone deserves to have a fair hearing, regardless of what country they come from," said Poopalapillai. "Canada is known for being one of the most compassionate countries in the world and we strongly believe compassion and reform can exist hand in hand. We urge the government to use compassion and to change the bill to ensure no genuine refugee claimant is inadvertently endangered under the new system."

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