



கனடாவில் அகதி அந்தஸ்து பெற்றவர்கள், தங்களது சொந்த நாடுகளுக்கு, சொந்த நாடுகள் வழங்கிய கடவுச்சீட்டுகளுடன் அபிக்கடி பயணித்திருந்தால் அவர்களது அகதி அந்தஸ்து, நிரந்தரக் குடியுரிமை ஆகியன ரத்துச் செய்யப்படும் அபாயமுள்ளது. அதே சமயம் அகதி அந்தஸ்து கிடைத்தபின்னர், அவர்களது சொந்த நாடுகளில் சமாதானம் ஏற்பட்டிருந்தால், அகதி அந்தஸ்து நீக்கப்படும். ஆனால், நிரந்தரக் குடியுரிமை நீக்கப்பட மாட்டாது. அகதி அந்தஸ்து பெற்று பல ஆண்டுகள் கடந்தபின்னர் கட்ட அவர்கள் சொந்த நாடுகளுக்குப் பயணித்திருப்பது கண்டு பிடிக்கப்பட்டால் அவர்களது அகதி அந்தஸ்து நீக்கப்படும் அபாயமுள்ளது. ஒவ்வொரு வருடமும் குறைந்தது 875 அகதிகளுக்கெதிராக இவ்வாறான நடவடிக்கைகள் எடுக்கக் கனடிய எல்லைச் சேவை நிறுவனம் திட சங்கற்பம் கொண்டுவந்துள்ளது. அறிவிக்கப்பட்டவாறு மலேதிகத் தகவல்களுக்குக் கீழ்க் கட்டாயமான வாசித்துப் பார்க்கவும். Canadianimmigrant என்னும் இலவச மாத சஞ்சிகையில் வளையான கட்டுரையிது.

Government commits to initiate proceedings against 875 refugees per year

By Steven Meurens



May 2, 2014, In January 2014, the Canada Border Services Agency (CBSA) released Operational Bulletin: PRG-2013-59, which states that the CBSA has committed to referring a minimum of 875 refugee vacation or cessation cases per year to the Refugee Protection Division (RPD). News of this bulletin, and the apparent resolve of CBSA to reach its quota, puts many in the refugee community at risk. It is important that all refugees who became permanent residents, and refugees who are not yet permanent residents, understand its implications.

Vacating versus cessation

The “vacating” of refugee status occurs when the RPD determines that a refugee claim was successful as a result of the claimant misrepresenting or withholding material facts. A person whose refugee status is vacated loses both their permanent resident status and their protected person status.

In contrast to vacating, “cessation” of a refugee’s status can occur without fraud, which is why it has attracted criticism. The RPD may determine that a person’s refugee status has ceased if:

- 1.the person has voluntarily re-availed himself or herself of the protection of their country of nationality
- 2.the person has voluntarily reacquired their nationality
- 3.the person has acquired a new nationality and enjoys the protection of that new nationality
- 4.the person has voluntarily become re-established in the country that the person left before claiming refugee status in Canada
- 5.the reasons for which the person sought asylum in Canada have ceased to exist (for example, a country that previously persecuted an ethnic minority that a refugee belongs to no longer does) The first four examples can include refugees who return to their country of origin for extended periods to visit relatives or establish business relations, or refugees who acquire or renew a passport from their home country. The CBSA will normally initiate cessation proceedings when it discovers that a refugee has returned to their country of origin for an extended period of time.

Traditionally, the CBSA rarely initiated cessation proceedings because the loss of refugee status did not also lead to a loss of permanent residence status. However, as a result of changes to Canada’s refugee system in 2012, when the RPD ceases a permanent resident’s refugee status for any of the first four reasons above, then the individual also automatically loses their permanent resident status, and is inadmissible to Canada. (Note: a permanent resident who loses his or her refugee protection for the fifth reason will not lose his or her permanent residence status.)

There is no time limit on when the CBSA can initiate cessation proceedings, and there have been cases where cessation proceedings occurred 14 years after the refugee became a permanent resident.

It is important to note that cessation is not based on fraud on the part of the refugee; it is based on a change in circumstances or decision by the refugee to travel. One simply has to question

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the fairness of this, especially in light of the fact that the CBSA has a quota to initiate cessation and vacating proceedings.

Advice to refugees

The resolute manner with which CBSA is initiating refugee cessation applications means that there are several things that refugees should note. First, it is important that refugees apply for and acquire permanent residency so that a change in conditions in their home country will not result in them losing their refugee status and being removed.

Second, refugees who are permanent residents should apply for citizenship if eligible. If the refugee has spent extended periods of time in their country of nationality, they should seek advice before doing so.

Third, if a refugee does travel, they should use a Canadian Refugee Travel Document and not apply for a passport from their country of nationality. Finally, if a refugee must travel to their country of origin, they should ensure that it is for a short duration, and document their reasons.

As long as cessation and vacation proceedings are being driven by arbitrary quotas, it is important that all refugees understand their choices and the potential consequences.

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Courtesy: <http://canadianimmigrant.ca/news-and-views/government-commits-to-initiate-proceedings-against-875-refugees-per-year>