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**Rights, Regularization, Status for All**

**All Out to Defend the Rights of All!**

**CALENDAR OF EVENTS**

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**Rights, Regularization, Status for All**

**All Out to Defend the Rights of All!**

On the eve of the opening of the fall session of Parliament, rallies and marches are called across

the country to demand equal rights and permanent resident status for all undocumented people, migrant workers, visa students, their families and refugees. The Trudeau government promised to introduce a regularization program and activists are taking to the streets to insist it must regularize the status of all, with no exceptions. They are opposing the creation of a partial, small and exclusionary program that will recognize some rights for a few and deny all rights to most.

The COVID-19 pandemic opened the eyes of Canadians to the injustices faced by all migrants living in Canada. At the height of the pandemic, migrants continued to perform essential work in hospitals, to care for children and the elderly, and to grow and deliver food, all the while facing ruthless exploitation, inadequate care and unsafe working conditions. The demand is for equal rights for all by extending permanent residence to the 1.7 million foreign workers, some 500,000 of whom are undocumented.



The call *Status for All!* is fundamental to the defence of the dignity and rights of all. Many have become undocumented over the years through no fault of their own as a result of the abuse of all kinds that they face. Abuse includes among other things arbitrary exclusion of applicants who seek refugee status; the increased use of temporary permits in study and work which makes them difficult to renew; unscrupulous activities of employment agencies, recruiters and consultants who misrepresent immigration options, mislead people and force them to become undocumented. Others are simply not able to navigate the complex immigration system without support, which can be difficult and expensive to access.

Non-status people are part of communities; they are neighbours, spouses, children, coworkers and caregivers. They experience insecure housing, abuse at work, poverty and fear. To face the uncertainty about the future, constant stress of making ends meet and risks of detention and deportation negatively impacts their health and has a psychological impact on the individuals and their families. It cannot be tolerated in a society which calls itself a model of human rights.

Living without status means a constant battle has to be waged every day, which requires tremendous resilience. To make existence so difficult in a country that is endowed with so many resources amounts to a call to action and to step up the fight for the rights of all.

Migrant rights' advocacy organizations point out that the regularization of status by getting permanent resident status is the most direct way for undocumented people to live a life of dignity and safety. The demands of the migrant rights' advocacy organizations deserve support. They call for a regularization program that is broad and simple with a clear and simple application process, that includes dependents, spouses and immediate family members, that forbids exclusions based on past failures or inadmissibility criteria, and prohibits detention or deportations. Full regularization and status for all must be the aim of the program.

There is one working class in this country. It is not divided on the basis of the arbitrary categories the government establishes to humiliate and criminalize applicants. To target vulnerable people in the name of high ideals is an abuse which must be ended.

***All Out for the Success of the National Day of Action for Rights,  
Regularization and Status for All!***

# Governments Must Stop Exploitation and Humiliation of International Students

– Philip Fernandez –



**Migrant students action at immigration headquarters in Toronto, April 23, 2022**

With the new academic year underway at Canadian colleges and universities, the abusive treatment and plight of international students, who are now footing more than 40 per cent of the operating costs of these institutions on average, come into sharp focus and require addressing.

To put this in context, the Canadian Federation of Students reported in April that over the last 20 years, federal funding to post-secondary institutions has decreased by 40 per cent. Post-secondary institutions have come to rely on international student fees to fill in this gap.

In the ten-year period between 2011 and 2021, the number of international students attending Canadian colleges and universities increased from 239,000 to 621,000. The Trudeau Liberal government has prioritized the recruitment of international students as one of the main pillars of their immigration policy, stating that international students bring skills and knowledge which can benefit Canada. International students currently contribute more than \$21 billion annually to the Canadian economy.



Private recruiters hired by Canadian colleges and universities and paid on commission, paint a rosy picture of life and future prospects for international students in Canada, dangling the prospect of citizenship, as does the Canadian government. In this way, many students from India and other places are enticed to come to Canada, Australia and other countries to better their future and in so doing, enhance the security and prosperity of their families.

Most of the students come from poor families. For example, 80 per cent of international students coming from the Punjab are from rural families who eke out an existence on an average of 10 acres of land. These students make up a majority of the more than 250,000 Indian study permit holders attending post-secondary institutions in Canada and the largest cohort of

international students coming to Canada each year.

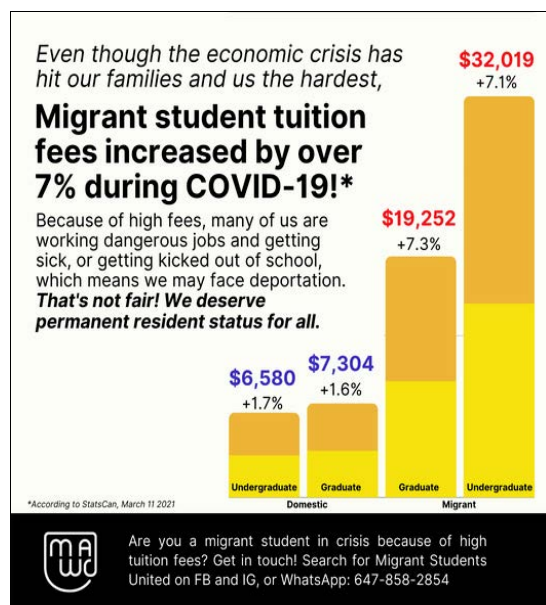
It is highly exploitative and unconscionable that international students are required to pay up to six times the tuition fees that Canadian students do for the same courses and instruction. Post-secondary institutions are able to set these fees as high as they want. At the University of Toronto for example, a Canadian undergraduate pays an average of \$6,100 per year, while for an international student the fees can be \$54,000, or higher, depending on the course.

Sarom Rho, an organizer with the rights group Migrant Workers Alliance for Change which advocates for the rights of international students, calls Canada's treatment of international students a "cash grab that targets racialized, poor and working-class families around the world." She also opposes what she calls the "bait and switch" tactics used by the federal and provincial governments to recruit these students, promising permanent residency and citizenship, but forcing them to fend for themselves every step of the way once they have paid their fees and secured their visa.

In addition to the high tuition fees they have to pay, their problems are compounded by the lack of affordable housing, health care and other social supports. This along with exploitative working conditions and a limit of 20 hours of paid work per week is simply not enough for the majority of international students to meet their living expenses, save for their tuition and send money home to support their parents. There have been cases of young women students being trafficked into sexual slavery to make ends meet.

These conditions for human trafficking and abuse created by the Canadian state and its governments are the reason why more than 50 per cent of international students are facing mental health challenges. It is also why, according to a recent article in the *Globe and Mail*, a funeral home in Brampton reports dealing with four to five deaths a month of international students, mainly from India. Most of these deaths are suspected suicides or overdoses.

Far from accepting this state of affairs, international students are fighting back. In the Greater Toronto Area, an organization called Najuwani Support Network has recovered hundreds of thousands of dollars in lost wages for international students who have been exploited by restaurants and other workplaces. Migrant Students United, part of the larger rights organization Migrant Rights Network, holds militant information pickets and rallies and is fighting for the rights of international students. Their demands include the reduction of tuition fees, the requirement for state supports such as health care and housing, the removal of the 20-hour per week limit on employment, and permanent status for all international students who wish to stay in Canada, so that they can live with dignity, stability and peace of mind.



Canadians do not want this abuse of international students to continue and demand that these future citizens who contribute to Canada from the moment they arrive here, be treated with respect and not be subjected to humiliating, arbitrary treatment.

On September 18, the Sunday before the resumption of the fall session of Parliament on Tuesday, the day after the funeral of the Queen, the Migrant Rights Network is organizing a

national day of action "to demand equal rights and permanent resident status for all undocumented people, migrant workers, students, families and refugees." The Marxist-Leninist Party of Canada calls on everyone to join in to make the day a success!

(With files from Migrant Rights Network, Canadian Federation of Students, Globe and Mail, Toronto Star, One Voice Canada Photos: TML, Migrant Rights Network.)

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## Stop Deportations of Undocumented Workers! Let Danilo De Leon Stay in Canada!

– Peggy Morton –

A removal order against Migrante Canada Chairperson Danilo De Leon has been postponed as a result of actions across the country. In a statement announcing the postponement of his deportation which was to have taken place on August 29, Migrante Canada explained, "The removal order has been postponed 'until the final determination of Danilo's application for leave and judicial review of the Decision' by the Federal Court in charge of Danilo's case." The threat of his deportation still exists.

Danilo is a founding member of Migrante Alberta and has been an outspoken advocate for migrant workers' rights in Alberta and in Canada. He is a valued member of the community who has made an important contribution in defence of the rights of all and as an advocate for the rights and well-being of migrant workers. He came to Canada in 2009 as a temporary foreign worker to work for a cleaning service contracted by the University of Alberta and has lived and worked in Edmonton since that time.

In 2010, he helped organize the "Justice for Janitors" campaign in his workplace at the University of Alberta and helped to successfully form a union. He has deep roots in the community and contributes in many ways including as an essential worker, through his community volunteer work and his strong advocacy for migrants' rights. He has worked hard to support his family with the hope that his daughters can join him and his family can be reunited. Danilo's application to extend his open work permit was refused in 2017, and with no status he, like thousands of other migrant workers, faces deportation.

Danilo has represented Migrante Canada in local, national, and international initiatives advocating for the rights and welfare of Filipino migrants.

"His life and experiences as a temporary foreign worker have enabled him to speak on the struggles and lived experiences of vulnerable and precarious migrant workers. This was captured in the Canadian documentary *The End of Immigration?* which was released in 2012," Migrante points out.

The thousands of migrant workers in Canada who have become undocumented have no path to permanent residency, little or no access to government services such as health care, and are



denied basic rights. Immigration Minister Sean Fraser has stated that his intention is to bring in a path to permanent residency for migrant workers who have been living and working in Canada for some time but nonetheless, Canada Border Services Agency is stepping up its deportation of undocumented workers. This must stop!



Migrante Canada's position is that Danilo De Leon should be allowed to stay in Canada because he faces the serious threat of political persecution, arrest and detention, harm to his life and safety from the Philippine government, the military and the national Task Force to End Communist Armed Conflict (NTF-ELCAC) because of his activity in Canada as a migrant rights activist who has been outspoken about the Philippines' poor human rights record. The Philippines' *Anti-Terrorism Act*, signed into law in June 2020, which has been strongly criticized by local and international human rights groups, could be applied to Danilo's migrants rights' advocacy. The law also applies to Filipinos living and working abroad who are easily labelled as 'terrorists' for simply speaking out about Filipino issues. Danilo's strong advocacy for migrant workers' rights puts Danilo and his family at grave risk, making his deportation

even more unconscionable.

Danilo has submitted a Pre-Removal Risk Assessment (PRRA) to Immigration, Refugees and Citizenship Canada (IRCC). The IRCC website states that the PRRA is used to make sure people are not removed to a country where they would be in danger of torture, at risk of persecution, or where there would a risk to their life or of cruel and unusual treatment or punishment. All these factors must be considered before removal takes place.[1] In the face of state persecution and state-sanctioned extra-judicial killings of rights activists in the Philippines, the responsibility of the Canadian government is clear, to make sure that this deportation does not take place.

Migrant workers are an integral part of the Canadian working class. Their interests are courageously represented by organizations like Migrante Canada and individuals like Danilo De Leon who fight for the rights of all migrant workers, including those who are undocumented, to permanent residency status in Canada.

The Communist Party of Canada (Marxist-Leninist) calls on all Canadians to raise their voices and to stand with the migrant workers who are waging a militant fight in defence of rights. Call on the Minister of Immigration to stop Danilo's deportation, end all deportations, and provide permanent residency to all undocumented workers on the basis of Status for All!

For information on how to support Migrante Canada's campaign to stop the deportation of Danilo De Leon and other undocumented workers and for a Regularization Program that will help provide permanent status to all undocumented workers in Canada, [click here](#).

## Note

1. When a PRRA application is successful, the applicant then becomes a protected person and can apply for permanent residence. If the application is rejected, the person must leave Canada. The person can also ask the court for a temporary

stay of removal. Unless a temporary stay of removal is granted, the person is required to leave Canada while the Court is reviewing the decision.

(Photos: Migrante Alberta)

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## Migrante Alberta Campaign to Stop the Deportations and Regularize All Undocumented Workers



August 18, 2022, Edmonton press conference

Migrante Alberta held a press conference on August 18 followed by a media release to bring to light that the deportation of undocumented workers continues and to demand a regularization program to provide undocumented workers with a path to permanent residency.

The text of the media release follows:

"Another Canadian child and her family face deportation this month, despite federal government promises to move ahead with a Regularization program to help undocumented migrant workers.

"Ricardo and Aurora Hernandez Macias and their three children, including a two-year old daughter born in Canada, have been ordered to leave by August 23.[1] The family fled Mexico in 2019 after being threatened by a known Jalisco cartel, hoping to find refuge in Canada. Since that time they have been working hard to make a new life. Aurora has worked cleaning homes and Ricardo has worked in construction. Their two older children have been in school.

"This summer, their application for refugee status was refused, and now they must leave. With threats to their lives still looming in Mexico, the whole family is terrified to go back.

"Migrante Alberta is calling on the Canadian government to stop deportations such as these until the promised new programs have been developed, as a gesture of good faith to all those that will be taking part in this regularization process.

"'Like the Macias family and especially their Canadian daughter Renata, we need compassion and a commitment from the Canadian government to regularize our status and give us permanent resident status,' says Danilo De Leon, Chairperson of Migrante Canada, who himself faces a deportation order later this month. [*Danilo's removal order was postponed by the Canadian*

*government following Canada-wide actions to 'Let Danilo Stay in Canada' -- TML Ed. Note]. 'We need a Regularization Program that is just and fair and includes everyone regardless of how they immigrated to Canada.'*

"Migrante Alberta has seen a fast track on deportations since COVID restrictions have been lifted. The Macias family, like Danilo and many other families, have chosen Canada in hopes to protect their families from harm. The government is working on a Regularization program to allow individuals and families who have contributed to Canadian communities to be able to access permanent status. But it also continues to deport hard working migrants. The fate of some 1.7 million people living without permanent status in Canada will depend on the Federal government's fulfilment of their commitments."

"Regularize all undocumented migrants!"

For more information visit the [Migrante Alberta website](#).

## Note

1. The Canadian government has not responded to the Macias family and their removal order remains in place. Like thousands of others, they face the "choice" of remaining in Canada as undocumented workers or returning to their home country despite the danger they face. Their plight underlines the "choice" made by so many undocumented people who have used all their resources, sold their belongings, and/or owe money to human traffickers (known as recruiters) to come to Canada and start a new life.

*(Photo: Migrante Alberta)*

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## Migrant Farm Workers' Win at Ontario Human Rights Tribunal

On August 15, the Human Rights Tribunal of Ontario (HRTO) ruled in favour of 54 migrant workers, most from the Caribbean, who brought a complaint alleging the Ontario Provincial Police (OPP) racially discriminated against them in carrying out its investigation of a sexual assault in 2013. The assault took place in Bayham, a small community in Elgin County in southwestern Ontario. The HRTO's ruling is the first human rights case of its kind in Canada to address allegations of racism, discrimination and racial profiling by police against migrant farm workers.

The applicant in this case, Leon Logan, is a farm worker who, like the other 53 workers, was brought to Canada on contract as part of the Seasonal Agricultural Worker Program (SAWP). Logan alleged that the manner in which the OPP conducted its investigation targeted him and the other workers on the basis of their colour, race and place of origin, which is a violation of the *Ontario Human Rights Code*.

In their defence, the OPP claimed they did nothing wrong and that the "DNA canvass was based on the description of the assailant as a migrant farm worker, the proximity of migrant farm workers to the scene of the crime, the urgency of the

**BREAKING NEWS**

### HISTORIC VICTORY FOR MIGRANT WORKERS IN ONTARIO!

August 18, 2022

After a nine-year legal battle, the Human Rights Tribunal of Ontario ruled that the **Ontario Provincial Police** engaged in racial discrimination against migrant farmworkers in a 2013 DNA sweep. This ruling is the first human rights case of its kind in Canada to examine allegations of systemic racial profiling and discrimination by the police towards migrant farmworkers.

#JusticeForMigrantWorkers  
#HumanRights #DestroyTheDNA



situation, and the voluntariness of the DNA request."

The OPP conducted a "sweep," collecting DNA evidence from close to 100 migrant workers working in the area. Many of the workers felt compelled to cooperate with the police for fear of losing their jobs. In fact, those workers who refused were told by their employers that their services would no longer be required the following season.

To provide context, in her ruling the HRTO adjudicator highlighted how the SAWP program, established by the federal government in 1966 to ensure a source of cheap labour for the agricultural sector of the economy, has been an instrument of racist discrimination and abuse. The exploitation of these workers and their temporary status year after year, along with their forced isolation from the communities they live in, criminalizes and dehumanizes them.

Expert testimony provided by Dr. Jenna Hennebury of Wilfrid Laurier University noted: "[M]igrant workers are tied to a single employer under the SAWP and employers are empowered to fire and deport migrant workers without reason at any time, creating a power imbalance in the employment relationship." She pointed out, "[M]ost SAWP workers are men from poor households who often have low levels of education, are socially isolated due to the structure of the SAWP, and face systemic barriers in protecting their legal rights and accessing justice."

On the basis of the evidence presented by both parties, the HRTO found that the OPP did not wrong in carrying out the DNA testing as an investigative tool but the manner in which the collection was done -- including workers who clearly did not remotely resemble the description of the assailant provided by the victim -- was unacceptable and constitutes racism and racial profiling. The ruling noted this was a serious problem of police intimidation and targeting of the Black community in Canada.

While Mr. Logan sought damages of \$30,000 as compensation for "his inherent right to be free from discrimination and for his injury to dignity, feelings and self-respect," the OPP proposed that the compensation should be no higher than \$2,000 which gives a clue as to the outlook of the police. The adjudicator found it "reasonable" based on the facts to award \$7,500.

The press release put out by Justicia for Migrant Workers following the HRTO ruling notes that the parties have reached an agreement that will create a pathway for the remaining 53 workers to receive the same monetary award as Mr. Logan. The HRTO will conduct meetings at a later date to discuss "public interest remedies" that include the potential destruction of the DNA data collected from the workers, as well as the need to ensure that future investigations comply with Ontario's *Human Rights Code*.

*TML* congratulates Leon Logan and all the other workers on their victory, and salutes their resolve and fighting spirit despite facing great obstacles including police pressure and intimidation as well as the risk of losing their livelihoods. Their lawyer Shane Martinez observed: "While this decision represents a landmark victory, it also reminds us of the significant work that remains to be done to understand and combat anti-Black racism and its impact on migrant farm workers across Canada. The oppression and exploitation endured by tens of thousands of racialized migrant farm workers in this country is a shameful part of both Canadian history and our present-day reality."

Chris Ramsaroop of Justicia for Migrant Workers added, "This is a significant victory by a group of courageous workers whose strength in numbers and a burning desire for change led to today's victory. These workers fought and will continue to fight to end criminalization and racist police practices."

(With files from [www.harvestingfreedom.org](http://www.harvestingfreedom.org). Graphic: J4MW)

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