

Recommendations for Canadian Policy
Relating to Claims of Religious Persecution

Refugee Policy



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Executive Summary

I. Introduction

One Free World International is a Toronto-based human rights organization focusing on the rights of religious minorities around the world. As a result of our advocacy on behalf of those suffering persecution or seeking asylum from persecution, we have discovered that serious flaws exist in the way that the Canadian system deals with faith-based persecution. The spread of religious extremism around the world demands a response from the Canadian government through effective foreign policy and urgent reforms to our refugee protection system.

II. Foreign Policy

Prime Minister Harper has indicated that Canadian values are not “for sale”. Canada must not be afraid to use all means at its disposal to make a stand for what is right. If a country is not willing to listen, then Canada must downgrade its relationship with that country. Disengaging does not prevent dialogue – in some circumstances it is actually the loudest form of dialogue.

Recommendations:

- Canada must use its relations with other countries to promote religious freedom
- Canada must reconsider and downgrade its relationship with violator states

III. Refugee Policy

Refugee policy is an important part of Canada’s identity as a country with humane values and a sense of responsibility within the broader world community. We must find a way to help the less fortunate while not being taken advantage of, but we must not forget that peoples’ lives are in the balance. Urgent reform of Canadian refugee policy is needed on both procedural and substantive fronts. Refugee protection procedures must be fair and must be seen to be fair while the unique circumstances affecting those fleeing religious persecution must be recognized and addressed.

Procedural Recommendations:

- the appointment process must ensure that decision-makers are qualified
- decision-makers must be unbiased both in fact and appearance
- claimants must be given a reasonable opportunity to present their claim and evidence
- safe third country provisions must be repealed

Substantive Recommendations:

- decision-makers must be educated about religious persecution
- the presumption of state protection and internal relocation must be revised
- the credibility of claimants must be addressed in light of the cultural context

IV. Conclusion

The price of ignoring religious persecution is too high. We must address violators of religious freedom directly and revise our refugee system urgently to assist those who are seeking asylum from persecution for their beliefs. Canadian values must not be for sale.

Recommendations for Canadian Policy Relating to Claims of Religious Persecution

I. Introduction

One Free World International is a Toronto-based human rights organization focusing on the rights of religious minorities around the world. Reverend Majed El Shafie, President and Founder of the organization, was born in Egypt into a prominent Muslim family of lawyers and judges. When he converted to Christianity and decided to work to pursue equal rights for his Christian countrymen he was arrested, severely tortured, and sentenced to death. He made a dramatic escape to Israel and was eventually accepted as a political refugee by the United Nations High Commissioner for Refugees. He finally made his way to Canada where he founded One Free World International in order to assist people of all religions around the world who are suffering for their faith.

One Free World International has discovered, as a result of our advocacy on behalf of those suffering or seeking asylum from persecution, that serious flaws exist in the way the Canadian system deals with faith-based persecution. For years our foreign policy has put a premium on commercial relations with trading partners and has ignored or dealt ineffectively with human rights abuses by those partners. On the other hand, our refugee system cannot adequately address the needs of those fleeing persecution for their faith.

Article 18 of the *Universal Declaration of Human Rights*, declares that:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Yet persecution of people because of their religion is a significant and underestimated problem and Christians are the main target. It is estimated that every three minutes somewhere in the world a Christian faces serious violations, ranging from severe discrimination to outright persecution, of their basic right to freedom of religion. Each year about 165,000 people are killed simply because they are Christians. In total, between 200 million and 300 million Christians worldwide live with the constant threat of persecution because of their faith.

After the collapse of the Soviet Union, state-sponsored persecution of religion does not seem the formidable threat it once was. Yet communist countries like China (with about 1/5 of the world's population), North Korea, Vietnam, and Cuba continue to control and even outlaw religion in favour of atheist ideology. Muslim states discriminate, persecute, and outlaw all religions other than Islam. But a more dangerous and worrisome trend is developing with the rise in religious extremism. Specifically, in some countries non-state actors are the primary violators while the state avoids responsibility by claiming to be a democracy and respect the human rights of its citizens all the while permitting the non-state actors to act with impunity. This development in religious extremism requires a re-evaluation of existing presumptions of state protection and internal relocation options.

Respect for human rights is one of the key Canadian values and religious freedom is certainly one of the most basic human rights. As a result, religious persecution demands a response from the Canadian government through effective foreign policy and urgent reforms to our refugee protection system.

II. Foreign Policy

Prime Minister Harper has indicated that Canadian values are not “for sale”. This statement is an important step and we would like to acknowledge the government’s efforts in this area, for example in standing up for human rights in dialogue with China. Still, more needs to be done and Canada must not be afraid to use all means at its disposal to make a stand for what is right. Specifically, Canada must:

- use its relations with other countries to promote religious freedom; and,
- reconsider and downgrade its relationship with persistent violator states.

We must stand on principle and not worry about the immediate political or diplomatic consequences. History will not judge us on whether we gained or lost a trade treaty in the short term. History will judge us on what we contributed to the long-term improvement of the human condition on this planet.

1. Promoting Religious Freedom through Dialogue

In this regard, Canada must confront states that engage in systematic violations of human rights and those that harbour, appease, or espouse islamist groups or ideologies or allow these groups to operate with impunity. The government must speak out and demand that countries live up to international human rights standards. In both bilateral dialogue and multilateral fora, as appropriate, the government must raise both general situations of human rights violations as well as specific instances of individuals whose rights have been violated.

2. Re-evaluation of Relationships

If a country is not willing to respond positively to Canada’s representations, then Canada must not continue its relationship with that country on a “business-as-usual” basis. Contrary to popular belief, disengaging does not prevent dialogue – it is in itself one method of dialogue. Under the right circumstances disengaging sends a very clear message of what we believe is acceptable and the behaviour we are prepared to tolerate. It is not the disengagement but the other state’s response that determines whether or not dialogue exists. Some examples of countries with which Canada has strong relations despite their poor human rights records and non-responsiveness to human rights dialogue are China, Egypt, and Saudi Arabia (fact sheets for each of these countries taken from the Department of Foreign Affairs website are attached).

a) China

China is the most populous country in the world with an exploding economy and growing global influence. It is Canada's second-largest trading partner after the United States. China's rapid economic and material progress has been precipitated by a gradual opening up to the west since the 1980s. It has been accompanied by an increased interest in religion and spirituality, but the communist government has not been open to expanded activity in this area. It continues to maintain a tight grip on society and severely repress civil and political rights including religious freedom. Christian churches continue to be outlawed unless they register and subscribe to the Three Self Patriotic movement controlled by the government. Reports continue of churches being shut down and leaders and parishioners being arrested and sent to forced labour camps or dying in suspicious circumstances under police custody. Recent human rights reports allege that members of the Falun Gong movement have been killed so that their organs could be harvested for transplant. Buddhist temples have also been shut down. More than 200,000 people are estimated to be detained without charge in forced labour camps for their religious convictions. Nevertheless, of a four-page Department of Foreign Affairs document on Canada-China relations, trade, investment, and development cooperation account for two and a half pages while human rights issues account for three paragraphs and religious freedom is not even mentioned.

b) Egypt

In order to develop an appropriate response to religious persecution, Canada must confront the reality of states that are bound together through formal or informal ties with Islamist and terrorist groups. These states will not take action against the Islamists because they know that these groups have widespread popular support while the governments are dictatorships or false democracies concerned with their own survival. To maintain its grip on power, the state chooses to appease the Islamists or co-opt their popular support. Moreover, from a religious perspective they tend to sympathize with the Islamist groups to the extent that their efforts are not aimed at taking power.

One example is Egypt, which has the largest population in the Middle East and promotes itself as a democracy even though it has been run like a dictatorship by successive presidents, including the current President Hosni Mubarak. Elections in 2005 resulted in 88 seats in parliament for the banned Muslim Brotherhood. Coptic Christians, six to ten percent of the population, are discriminated against in every area of life and must watch their every step in order not to attract the attention of Islamic fundamentalists who will pursue them relentlessly with physical attacks and attempts at forced conversion. The police, themselves often either afraid of or sympathetic to the Islamic fundamentalists, refuse to help or worse yet lay charges against the Christian victim, blacklist the victim, or pass information about attempted complaints by Christians on to the fundamentalists. State Security Intelligence services are widely known to torture prisoners. And yet Egypt is Canada's fifth-largest trading partner in the region with \$231 million of exports in 2003.

c) Saudi Arabia

Saudi Arabia is Canada's largest trading partner in the Arabian peninsula with two-way trade exceeding \$2.1 billion in 2005 and, according to the Department of Foreign Affairs web-site, "trade and economic interests continue to be at the forefront of our bilateral relations with Saudi Arabia". Nevertheless, Saudi Arabia does not permit religious activity other than Muslim worship according to its strict Wahhabi interpretation, even private worship is not permitted and home prayer meetings by foreigners are raided and participants arrested, and conversion from Islam is considered apostasy and punishable by death. The strict Wahhabi interpretation of Islam and sharia-law affect every area of life and severely restrict the rights of non-Muslims, Muslim women, and non-Wahhabi Muslims. Canada must make human rights and specifically religious freedom issues a priority on its agenda with Saudi Arabia.

III. Refugee Policy

Religious persecution is an important and growing cause of refugees around the world today and refugee policy is an important part of Canada's identity as a country with humane values and a sense of responsibility within the broader world community. While these provisions are open to abuse we must not forget that peoples' lives are in the balance and means must be found to keep those who do not have legitimate claims out and to allow those who do in. Aside from helping the refugees themselves, accepting refugees is also another way in which Canada can send an important message to violator states about their behaviour. Yet all too often legitimate refugees, and especially those fleeing religious persecution, get left out in the cold.

As religious extremism spreads, Canada must be prepared with an appropriate response. Currently Canadian Immigration and Refugee Boards do not address the issues adequately. Serious reform is needed on both procedural and substantive fronts. To reform refugee procedure, we must:

- ensure that we appoint qualified decision-makers;
- ensure that decision-makers are unbiased both in fact and appearance; and,
- allow claimants a reasonable opportunity to present evidence and make their claim, including being questioned by their own counsel first if they so wish,

With regard to the substance of refugee claims and how they are assessed, we must:

- educate decision-makers about the existence and dynamics of religious persecution;
- revise the presumptions of state protection and internal relocation; and,
- approach the credibility of claimants in light of the cultural context.

A note of concern regarding the need for procedural and substantive reform should also be raised about the role of overseas staff of consular offices. Visa officers act as gatekeepers and their decisions determine whether a person will be able to get to Canada to make a refugee claim yet the same concerns discussed below apply. Moreover, claimants are particularly vulnerable at overseas processing points for two reasons. First of all, they do not have access to the limited legal safeguards that are available in Canada. Secondly, interpreters and locally-engaged staff are involved at various points in the process. This is a particular problem in Muslim countries where

such staff are typically Muslim. For a person who has been persecuted by Muslims, the prospect of speaking through a Muslim interpreter (whether overseas or in Canada) or facing Muslim staff with access to their file is a very frightening prospect. It provides opportunities, if a particular staff member has his or her own agenda, for the claimant's application to be rejected for frivolous reasons and for news of their attempted escape to reach Islamic fundamentalists, providing further reason for the latter to pursue the claimant. Special consideration must be given to finding ways to mitigate these effects by ensuring that non-Muslim staff and interpreters are available and by carefully screening all locally-engaged staff for potential sympathies with Islamic fundamentalists.

A. Procedural Recommendations

Procedural fairness requires not only that justice be done in individual cases, but that justice be seen to be done. A refugee claimant must be able to approach the Immigration and Refugee Board (IRB) and other immigration or judicial officials secure in the knowledge that the decision-maker is approaching the case without preconceptions and that his or her claims and arguments are being heard and understood. (Unless otherwise mentioned, "judges" refers to all decision-makers involved in refugee determination cases, including visa officers and other overseas staff involved in the interview process, IRB panels, Pre-Removal Risk Assessment (PRRA) officers, as well as judges handling judicial review or appeal cases.)

1. The Appointment Process

Judges involved in the refugee determination process, from IRB panel members to PRRA officers and appeal judges as well as consular staff, must be qualified. Misconduct by IRB members such as has brought the IRB into the news numerous times recently must not be tolerated. These cases of misconduct did not necessarily involve religious refugee claims, but they certainly make it clear that it is time to make a wholesale review of the IRB's policies and appointment procedures.

Despite the fact that the CIC website states that: "Members of the Refugee Protection Division (RPD) ... are specialists in refugee law and are well informed about conditions and events in other countries" there is no requirement that members have any legal training. Only 10% of members are required by law to have a minimum of 5 years' standing as lawyers at a provincial bar or notaries in the *Chambres des notaires du Québec*. Even a university degree is not required if the applicant meets what is deemed to be an acceptable combination of education, training, and experience. The statement of qualifications posted by the Ministry (copy attached) indicates the experience required as a:

[m]inimum of five years professional experience: experience as a decision maker in a quasi-judicial administrative tribunal, or experience in presenting cases before a quasi-judicial administrative tribunal, or experience in cross-cultural communication, research and in writing in social sciences or law, or experience in the field of human rights or an acceptable combination of relevant experience in other fields.

Panel members, PRRA officers and judges determining refugee issues must be required at a minimum to have significant legal training and experience, extensive training in human rights, and specialized training in religious persecution issues.

2. Lack of Bias

In order that the claimant will be able to feel that justice has been served, he or she must have their case decided by a judge who does not have a bias in fact or appearance against the claimant's case. This means that the judge must not be predisposed toward or against refugees in general or from the claimant's country in particular. However, in the case of religious claims, it also means that the judge must not be predisposed toward or against people of the claimant's faith or their persecutors.

In this regard, one appointee was questioned in committee about her ability to decide cases free of bias because of her past work on behalf of racial and cultural minorities regarding a concern that she might be too willing to accept un-founded claims. Not once was she asked if she, a Muslim, would be able to decide without bias cases of Christians fleeing Muslim countries. Yet she had started her community organization in reaction to alleged racist incidents involving her own children and is married to a Muslim journalist who is highly outspoken in praising Islam and criticizing western society and policy toward Muslim states. Both of these factors could indicate a predisposition toward bias against claimants alleging abuse by Muslims. Yet this member decided several claims by Coptic Christians fleeing persecution by Muslims in Egypt.

In no way does One Free World International suggest that Muslims or people of other faiths should not be appointed as IRB members. Rather, sensitization training and education about the issues is not enough. We expect judges who have a conflict or potential conflict of interest on a case to recuse themselves. Certainly we would not force a Tutsi fleeing Rwanda to face a Hutu judge, regardless of any sensitization training the judge had undergone. In the same way, the IRB must provide procedural safeguards so that claimants will not be subjected to decisions by judges adhering to the religious identity of their alleged persecutors. The same treatment must apply to all claims of religious persecution, whether the claimant is Christian, Muslim, Jewish, Hindu, or of any other faith. Consequently, if a claim alleges religious persecution the decision must be made by a judge who is not of the faith of the alleged perpetrators. Thus, for example, a Muslim should not decide a case alleging persecution by Muslims, a Christian should not decide a case alleging persecution by Christians, a Hindu should not decide a claim alleging persecution by Hindus, and so forth.

3. A Reasonable Opportunity to Present Evidence and Make a Claim

In sub-section 170(e) the *Immigration and Refugee Protection Act* states that claimants must be given "a reasonable opportunity to present evidence, question witnesses and make representations". Yet, a common complaint in many of the cases is that the Refugee Protection Officer was permitted to proceed and the claimant was not allowed to be questioned by their own counsel until later in the hearing.

Where a claimant has learned to view representatives of the state with suspicion, requiring them to answer to the representative of the state before being questioned by their own counsel can prevent the claimant from putting forward their case in an adequate manner. In many cases the state has, at best, refused its assistance to the claimant or, at worst, actually tortured the claimant. In these circumstances, even the representative of a foreign state is a frightening figure to the claimant, especially if the representative has the power to help determine whether the claimant will stay or be sent back to face his or her tormenters. The resulting fear can prevent the claimant from presenting their story in a consistent and credible manner.

The claimant is familiar and comfortable with their counsel and knows that their counsel is on their side. Counsel knows the story and can help the claimant explain the events underlying their claim. Consequently, allowing the claimant the right to be questioned first by their own counsel if they so desire will allow the claimant to present his or her story in a less threatening atmosphere. This will help the claimant make a more adequate presentation of the facts and put the judge in a better position to judge the claimant's credibility as environment-related factors will be less likely to affect the claimant's credibility.

4. Safe Third Country Provisions

According to Article 14(1) of the *Universal Declaration of Human Rights*, "Everyone has the right to seek and to enjoy in other countries asylum from persecution." Canada implemented a Safe Third Country agreement with the United States which has been in force since December 29, 2004. This agreement effectively denies a refugee claimant consideration if the person has entered Canada through the United States, a so-called "safe third country". These provisions are very problematic because they allow the United States, with its own security and foreign policy agenda that does not always coincide with Canada's goals, to determine Canada's refugee policy.

This agreement was implemented in order to prevent "asylum shopping". However, it specifically denies the right of asylum recognized in the *Universal Declaration of Human Rights*. Legitimate refugees must have the right to seek refuge even if they have passed through or even been denied by a third country. This is particularly problematic when some people may have no choice, for a variety of reasons, but to fly through the United States to get to Canada. Other ways must be found to discourage asylum shopping by people with no real claim to refugee status while allowing legitimate refugees to pursue all possible options to reach a place of true safety.

B. Substantive Recommendations

Threats related to religious belief are subtle and often difficult to recognize, unlike most other refugee claims. Country information provided to decision-makers on this issue is often inadequate for a variety of reasons, including diplomatic considerations and the fact that specific incidents are often under-reported. Consequently, claims of religious persecution need to be understood and treated in a way that does justice to the claimant. This requires a comprehensive education of decision-makers on these issues, approaching the credibility of the claimant from a

culture-specific understanding, and a wholesale re-evaluation and revision of the presumption that state protection and internal flight are options for people fleeing religious persecution.

1. Religious Persecution Claims and Education of Decision-makers

Any attempt to deal appropriately with claims of religious persecution must start with the reality that the threat is difficult to identify and may or may not involve the state. In the case of war or natural catastrophe the threat is easy to identify and the only question is whether the claimant is among those affected by the calamity. In the case of political refugees, the state is usually the persecutor and typically openly prohibits opposition activity and takes action against political dissent. The individual claimant's fear can typically be traced to a specific, more or less public but usually well-documented, action or course of action taken by the claimant.

In the case of religious persecution the situation is not nearly as straightforward. Religious persecution exists in communist countries such as China, Vietnam, North Korea, and Cuba, and in Muslim countries. In both cases the persecution focuses on the very core being of the people involved, specifically their most basic and fundamental beliefs about their identity and the purpose of life. It can take several forms, including torture or imprisonment on false or religiously-motivated charges by state officials or the destruction of personal or religious property, attempts at forced conversion, death threats, assaults, or laying false charges by individuals, family members or local religious authorities with ineffective or no assistance from state authorities.

While religious persecution can have a precipitating event, typically it is encouraged and bred in a system and culture of pervasive discrimination and persecution that affects every area of the claimants' lives. People in these circumstances typically learn very quickly to manage. Coping mechanisms can include everything from accepting second-class citizenship and keeping a low profile to denial that problems exist and even leading double lives. Living a manageable existence can come at the expense of honesty to self and religion, making for behaviour and situations that defy easy explanations and can raise doubts about the claimant's credibility. Yet this does not make the claimant's experiences any less real or mean that they are any less in danger if they had to return. However, it does mean that proving both the threat and the foundation for the specific individual's fear can be difficult and requires specialized training as it cannot be easily understood by someone approaching the claim from a western worldview.

2. The Presumptions of State Protection and Internal Relocation

Refugee claims are determined in light of the presumption that state protection is available to the claimant unless otherwise proven. In the case of state-sponsored persecution of religious believers proving the lack of protection is not difficult. Yet a state may be fully capable of assisting its citizens only unwilling to do so in particular instances and ignores, condones, or even secretly encourages persecution by non-state actors. Moreover, some predominately Muslim countries claim to be democracies and to observe the human rights, including religious freedom, of their citizens, but the situation is very different in practice. In these cases it becomes

very difficult, if not impossible, to prove that an individual cannot avail themselves of the state's protection.

In this regard, it must be noted that the relationship between the state and Islamic extremists or terrorist groups is complex and highly interdependent. For example, in Egypt the banned Muslim Brotherhood holds 88 seats in the 454-seat parliament and members are present in all levels of government and police forces. Such states will not attack religious extremists because religious extremism is spreading rapidly and these groups have widespread popular support. The governments themselves are dictatorships or thinly-veiled democracies and afraid for their own survival. They are caught between sympathizing in principle with the basic religious beliefs of the extremists and the desire to retain power and legitimacy in the eyes of the world. The result is appeasement of the extremists. In these circumstances the presumption of state protection is simply not valid because the "clear and convincing" evidence that the state is capable of protecting its citizens is not available.

Relocation is another option that is not available in a country and culture where family and community are the highest priorities, everyone knows everyone's business, and newcomers in any community stand out and attract intrusive inquiries. Like state protection, though, the unavailability of safe options for relocation is difficult to prove. Islamic extremists exist in all communities and have very effective communication channels and state security services have internal watch-lists making it very difficult, if not impossible, to hide for any length of time.

3. Credibility in Cultural Context

The claimant's credibility in religious persecution cases is critical because, by their very nature, these claims rely extensively on the claimant's own evidence. Consequently, judges must not be quick to discard evidence as not credible, especially on the basis of western concepts of logical or rational behaviour. Yet most of the cases where judges have rejected the claimant's credibility it is precisely because they have applied western cultural paradigms that cannot adequately explain a claimant's responses in a culture where religion, family, and a form of honour based in religion demand the primary allegiance of citizens. Credibility is, of course, an important and necessary tool that judges use to determine the legitimacy of claims and, while we cannot address the credibility of individual claimants, we will comment on certain trends and problems that we have identified.

One of the most worrisome trends is comments regarding credibility of claimants which do not even fit our western worldview. Some of the comments would at the very least be questionable if they were made in the context of a domestic case involving spousal-, child-, or sexual abuse, bullying, organized crime, or gang violence. We have learned enough about the psychology and dynamics of these situations that certain actions on the part of the victim or perpetrator that otherwise seem illogical or irrational are understandable within the context. Religious persecution closely resembles the cases of bullying and organized crime or gang violence and we must not consider incredible in one case that which is accepted as credible in the other.

Judges have rejected the credibility of claimants for various reasons, including for example the lack of a prolonged history of abuse, a lack of subjective fear indicated by the claimant's temporary return to their country or by the claimant's stay in a first country of refuge beyond a negative refugee determination (effectively resulting in the bizarre situation that the claimant might not be believed regardless of whether they leave or stay), because the alleged perpetrators were "unknown colleagues", and because the claimant had not reported an incident to authorities (eg. police or university officials). In some cases judges appear to require the claimant to have actually done what their persecutors accused them of even though the persecutors cared only that the claimant was believed to have, for example, assisted someone in converting, regardless of whether the claimant actually had or not.

A judge looking through a western paradigm cannot see the circumstances the claimant was coping with and can only see contradictory evidence which leads them to determine a lack of credibility. For example, in one case of a Christian whose claim was based on a fear of persecution and torture because he was married to a Muslim and who travelled on a passport stating he was Muslim (in his explanation to avoid problems), the judge stated that the lack of a marriage certificate indicating the claimant's religion as Christian was evidence of his lack of credibility. Without commenting on the rest of the claim, clearly the non-availability of the marriage certificate was irrelevant in this case. If a non-Muslim man was travelling on a Muslim passport to avoid problems because of his association with a Muslim woman, he could hardly be expected to give his religion as anything other than Muslim, regardless of his true beliefs, on the very marriage certificate that would effectively be his death warrant. Yet a judge viewing this from a western perspective cannot understand this kind of behaviour and interprets the inconsistency as a lack of credibility; yet by its very adverse inference it may in fact support the credibility of the claimant.

All of these arguments betray a lack of understanding and education about the cultural context of religious persecution or an unwillingness to accept that a problem exists. As mentioned above, reporting incidents to the police can cause even greater problems for the claimant. Staying beyond a negative determination indicates the existence of a subjective fear of returning and a lack of obvious alternatives. Especially now that Canada has enacted safe third country legislation, refugees with a rejected claim and legitimate fear of return have no alternative but to stay illegally in a country that has rejected their claim and hope that they are not caught. Refugees do not have real alternatives and we must help them by educating our judges about the conditions that affect the credibility of claimants. Moreover, we must re-evaluate and repeal our safe third country legislation so that legitimate refugees are not left without alternatives.

IV. Conclusion

The point of refugee protection is to provide asylum for refugees when there is sufficient evidence that the person has a well-founded fear of persecution or cruel and unusual treatment, including the possibility of torture and risk to life. Where there are sufficient grounds for fear, we cannot wait for the danger to materialize nor can we eliminate refugees, religious persecution, or the problem of Islamist violence by pretending that they do not exist. We have accepted Muslim extremists and terrorists as refugees on the basis of their claim that they would face torture if

they were returned to their countries of origin. How much more must we help those innocent people whose only crime is to follow a religion that is not approved by their state or accepted by their fellow countrymen?

During the Nazi holocaust Canada had severely restrictive immigration policies that prevented Jews from immigrating to Canada. Rather than face the reality of what was happening in Europe and do something to help, Canada preferred to send Jewish refugees, like those who arrived on the *St. Louis*, back and the majority died in Nazi death camps. In the end, perhaps many allied soldiers who died fighting for the freedoms that we hold dear could have been spared if we had confronted the problem appropriately in the first place by standing up for truth and freedom. The price of ignoring the problem is too high. We must communicate clearly to violator states that their behaviour is unacceptable and revise our refugee policy to deal appropriately with those seeking refuge from religious persecution.

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