



Mouvement Ontarien des Femmes Immigrantes Francophones

[Ontario Movement for Francophone Immigrant Women]

**ANALYSIS OF THE ISSUES FACING FRANCOPHONE IMMIGRANT
AND REFUGEE WOMEN LIVING IN ONTARIO AND SEPARATED
FROM THEIR CHILDREN**

Report presented to MOFIF

March 2008

Funded by *Status of Women Canada*
Research: Émile Grenon, Michèle Kérisit and Françoise Magunira

Acknowledgements

A very big thank you to all those who wished to participate, directly or indirectly, in our research work. In particular, we address our deepest thanks

To all the women who have accorded us their confidence and accepted to testify about their experience of familial reunification. In speaking of their difficulties, their sufferings and their hopes, they showed us that their journeys were also those of courageous, strong, and determined women, full of resources.

To the service providers who accepted patiently responding to our questions. We think especially of the Centre francophone, at the Auberge francophone d'accueil et de services aux réfugiés de Toronto, of the Association des femmes du Congo de Hamilton, of the Conseil Économique et Social d'Ottawa-Carleton (CESOC), of the Sexual Assault Centre - program for survivors of organized violence and of the Maison d'Amitié d'Ottawa and of the Centre des femmes of the Centre de Santé communautaire de Hamilton/Niagara

To the contact people who wished to provide us legal information on family reunification. We think especially of lawyers at the Ottawa South Community Legal Clinic and of the Centre des Services Communautaires de Vanier.

To all the organizations who put their offices at our disposal, to allow us to meet and interview participants:

- Centre de santé communautaire de Hamilton/Niagara
- Oasis Centre des femmes
- Centre francophone de Toronto
- École de service social de l'Université d'Ottawa.

To the members of the MOFIF coordinating committee: Jeanne-Françoise Mouê, Florence Ngenzebuhoro, Parvin Bahramian, Françoise Maguinira, Josette Rutababiza, Nafée Nelly Faïgou, Loubna Moric, Nassima Nacer and Ichraq Ayad (former and current COCO) for all the support they have given us.

Research and production of this study were financed by the Women's Program of Status of Women Canada.

The opinions expressed in this document are those of the authors and do not necessarily represent the official policy of Status of Women Canada.

This document may be reproduced, provided the source is cited.
This document is available at: www.mofif.ca/accompl.htm

MOFIF
200, Wolverleigh Blvd (bsmt)
Toronto, ON M4C 1S2
Tel: (416) 461-0485
Email: mofif@bellnet.ca
Website: www.mofif.ca

Also available on the website of Action ontarienne contre la violence faite aux femmes (AOcVF): www.francofemmes.org/aocvf, under the heading "Publications".

ISBN 2-9808456-1-1
Legal Deposit – Library and Archives Canada, 2009

Date of publication: March 2008

TABLE OF CONTENTS

Summary.....	i
1. Objectives of the report.....	1
1.1 Organization of the report	2
1.2 Methodology of the study.....	3
1.2.1 Group interviews with women who have experienced difficulties in reuniting their families	3
1.2.2 Meetings with service providers who work with women having difficulties.....	4
1.2.3 Literature search	4
1.2.4 Limits of our study	4
2. Context and consequences of the obstacles to family reunification	4
2.1 The situation of newcomers who primarily speak French	5
2.2 Women and families.....	6
2.3 The consequences of family separation.....	8
2.3.1 For parents and children	8
2.3.2 Threat to the family structure	10
3. The steps in the family reunification process	11
Figure 1	13
4. The obstacles to family reunification.....	15
4.1 A dehumanized process.....	16
4.1.1 Delays and slowness of the steps in the process	16
4.1.2 Loss of documents.....	17
4.1.3 Communication problems	18
4.1.4 Bad information or lack of clarity	19
4.1.5 Officers apparently insensitive to the mothers' distress.....	20
4.2 Expenses and costs associated with completing the steps.....	20
4.3 Recognition of children.....	22
5. Sources and forms of support mobilized by the women.....	23
5.1 Instrumental assistance.....	24
5.2 Emotional, social and psychological support	25
Conclusion	28
Five recommendations	31
Bibliography	33

SUMMARY

Aim of the report

This research report takes stock of the difficulties that Francophone immigrant and refugee women living in Ontario face in bringing their children and, to some extent, their spouse to Canada, and thereby reconstitute their family on Canadian soil. Although section 3(d) of the *Immigration and Refugee Protection Act* clearly indicates that family reunification is one of the pillars of immigration policy, since it guarantees the autonomy and economic well-being of newcomers, it sometimes takes many years before mothers and fathers can be with their children again and spouses can be reunited.

Many studies have documented the consequences of these delays. In order not to repeat them, we have preferred to closely examine

- the obstacles preventing rapid family reunification, and
- the strategies used by mothers to accelerate or improve the process.

This report therefore proposes certain paths of action that the **Mouvement ontarien des femmes immigrantes francophones** (MOFIF) could undertake to remedy this situation.

Study Methodology

We have framed our research into family separations in several ways:

- Group interviews with women who had experienced, or were still experiencing, difficulties in bringing their children to Canada. We conducted four group interviews, two in Ottawa, one in Toronto and one in Hamilton, in which we spoke to a total of 21 persons. All the women encountered were originally from Sub-Saharan Africa. All had French as a second language, and the interviews were conducted in French. Afterwards, we organized what they had told us into a table indicating (a) the reasons for the difficulties they had encountered, (b) the authorities they had turned to for help with these difficulties, and (c) the strategies they had employed to overcome them.

- Interviews with service providers who, through their work, were meeting women involved in the process of family reunification.
- An in-depth search of the literature, in order to understand the context and consequences of prolonged family reunification.

Limits of our study

- The small number of women we met might lead one to think that we were unable to identify all the dimensions of the obstacles encountered in the reunification process, and indeed, each case seemed to involve highly individual situations. Nonetheless, we very quickly reached saturation in our data; in other words, the women's testimonies all pointed to the same obstacles and the same strategies. The complementary information provided by the literature search and by the interviews with service providers was invaluable.
- The difficulties described here primarily concern women of Sub-Saharan African origin who were living in Ontario after obtaining refugee status (within the meaning of the Geneva Convention) and permanent residency. Two types of cases in particular would require further, complete research:
 - Women who are separated from their spouse and who are natives of countries where the legislation preferentially gives custody of children to men/husbands.
 - Live-in caregivers who can apply for permanent residence after working for two years for the same employer.

Context and consequences of the obstacles to family reunification

In Canada, even though family reunification is historically one of the objectives sought by immigration policies, the steps required to proceed with this reunification can be very long and very complex. Africa is affected by these long delays, as there are only six offices for the entire continent (Nairobi, Abidjan, Accra, Johannesburg, Cairo and Rabat).

The delays and difficulties of family reunification are experienced in a context characterized by:

- difficulties of admission as refugees, and the long delays in admission on humanitarian and compassionate grounds,
- difficulties in entering the labour market, and discrimination in employment, and
- income that is often below the poverty line.

Isolation, poverty and insecure status thus form the backdrop to the experience of family separation

Women encountered in this study ALSO found themselves in a particular situation regarding the process of reunification:

- **They are Francophones in a province where the majority of the population speaks English.** The personnel to whom they could have recourse, in particular in legal services or immigration, is largely Anglophone. This adds to their isolation and their problems in accessing the labour market.
- **As women**, they invest a great deal in their identity as a mother. In the report, we therefore dwell more specifically on these two aspects in our description of the context in which the obstacles to family reunification are experienced.

The consequences of family separation

- **Emotional distress.** The long delays in reunification bring about an emotional distress characterized by a feeling of powerlessness and stress that adds to the traumas associated with persecution and with the challenges of adapting to the new

country. **This makes the process of integration more arduous, and compromises it.**

- **Feelings of guilt or social devaluation.** The maternal role is greatly affected during separation, provoking feelings of guilt and unworthiness. When a mother cannot assume the care of her children, she must transfer this responsibility to others or must leave them in a dangerous situation (refugee camps). She faces a certain social disapproval, and suffers an injury to her identity, since she is not fulfilling the responsibilities of a “good” mother. Separation is perceived by the mothers as a break with cultural and social norms.
- **Doubt and mistrust** can develop among members of the family who have remained in the country of origin, and who think that if the woman really wanted to bring them to Canada, the process would not take so long.
- **Family breakdown.** Long separations result in the reconfiguration of roles for each member of the family, and often lead to **a dislocation of the family unit**, even after reunification.
- **Separation has harmful effects on the physical and mental health** of mothers.

Long periods of separation have an elevated physical, psychological and social cost, as much for the members of a family who are already settled in Canada as for those who have remained in the country or region of origin. This cost is particularly high for persons who fled their country to seek refuge in Canada. It is also very high for the host country: by destabilizing family structures, delays in reunification impede successful integration of families into their new society.

Complex processes that can result in impasses

There are two principal ways to bring one’s family into Canada.

Process 1: designation of members of one's family as "accompanying" the application for permanent residence in Canada.

Process 2: sponsoring members of the family who were not "covered" by the application for permanent residence or did not meet the criteria of Citizenship and Immigration Canada.

Initially, a refugee must obtain refugee status, within the meaning of the Geneva Convention, if she claims asylum at the Canadian border (this was the case for the women we met). In accordance with the *Immigration and Refugee Protection Act*, **the process of family reunification begins when the refugee applies for permanent residency, in other words, seven months to one year after their arrival in Canada**, if all goes well. When the application for permanent residency is submitted, the refugee must include, in her application, the names and addresses of her spouse and of her dependent children, whether they be abroad or in Canada. The members of the family are thereafter, theoretically, treated as "accompanying" the principal applicant (process 1), and the applicant is therefore not subject to the obligations of financial support that sponsorship would require.

If she fails to do so or if she does not have information about the exact addresses of the members of her family within one year following her application, the members of the family are forever excluded from the process of family reunification.

Also, **if the names and addresses of the persons to be reunited are included, but the person fails to specify that these people are "covered" by her application for permanent residency, she will have to reunite the members of her family through the process of sponsorship**, which implies obligations—in particular financial—in respect to the sponsored individuals and the principal applicant, in the event of a breach of sponsorship.

Once the application is complete and fulfills the criteria of admissibility, it is sent to the Case Processing Center at the Mississauga Immigration Office, which will forward the information and the file to the visa office that serves the country where the family members are staying, and will pursue the processing of the application.

Application processing times do not reflect the real and total duration of the family members' separation, since they are counted only from the moment when the application is

received by the regional visa office, hence when all the requested documents and funds have been sent in. These times do not reflect the length of the migratory voyage or the time taken to be recognized as a refugee within the meaning of the Convention.

The obstacles to family reunification

A dehumanized process

Bureaucratic sluggishness is central to the concerns expressed by all the women we met. This includes the following aspects:

- **An inadequate and overly complex system of preserving and transmitting files**, which lengthens the time required to process applications and increases the **risks of losing documents**.
- **A compartmentalized assignment of tasks and responsibilities** for each CIC entity involved in the process, which renders communication difficult and prevents consistent application of guidelines by “anonymous” officers who have no consideration for a woman’s particular situation.
- Delays and slowness of the process are associated with the **many stopping points that files must go through** before finally arriving at the visa office serving the applicant’s country of origin.
- These long delays seem to occur primarily in the visa offices, especially when they are located in Africa.
- **The length of the process sometimes makes reunification impossible**, in particular for children who were less than 22 years of age at the time the initial application for family reunification was made, but attained that age while awaiting their visa.
- **A number of women reported the loss of documents**, which disappeared after having been mailed. In several cases, responsibility for the loss is imputed to the mother, although the error took place while the file was being processed by the immigration

offices. These losses can be catastrophic for women who are waiting to be reunited with their children or their spouse.

Complex and anonymous communication

- **There exist few means for women to have access to their file and ensure follow-up to their family reunification process.** Many women confided in us that after filling out the forms, a letter was sent to them asking them not to contact an immigration officer for a period ranging from several months to a year.
- The majority of women have difficulty knowing where they are in the very complex process of family reunification **even if the information is supposedly accessible.** Often, **too much information is given at the very beginning of the process** and, as delays occur, the women can no longer remember the details associated with each of the steps.
- A number of women also described the problems they had in trying to **understand complex information, written in legal language or in mediocre French**, and mailed to them by Immigration Canada. As we know, the housing situation of many newcomers is precarious, and this factor can cause additional delays, since these letters do not always arrive at the right address.
- Many of the women we met criticized immigration officers for their lack of compassion regarding their personal and family situation. They thus feel that they are misunderstood, that their suffering is ignored, and that they are victims of unfounded judgments.
- **The anonymity of immigration officers is a contributing factor to the dehumanization of family reunification procedures, and leads to a feeling of powerlessness.**

Elevated fees and costs

Many women spoke to us of the heavy financial burden that reunification represented, while they found themselves in a situation of insecure employment or without work.

- **Expenses incurred by the reunification process itself**
 - fees for processing the file
 - obtaining medical and security certificates
- **Additional expenses**
 - traveling to visa offices or medical offices designated by CIC
 - overseas communications
 - authentication of documents not valid in the eyes of the Department
 - mailing documents by private courier service (UPS)
 - medical analyses (to be annually renewed if the file is not processed in time)
- **Family expenses**
 - care and maintenance of children remaining in the country of origin
 - travel costs to bring family members to Canada once the visa is issued
 - costs of verifying the genetic connection by DNA testing (for some)

These expenses must be incurred in addition to daily living expenses of survival and the costs associated with settling in a new country. These costs are very heavy for women who, in particular during their first years of residence in Canada, live in a context of poverty due to the structural obstacles to employment that have been documented in other studies.

The definition of “family”

The strict definition of family in the *Immigration and Refugee Protection Act* has the effect of preventing some mothers from being reunited with children whom they consider to be theirs, but who are not directly related to them by blood. This is the case for children whom they have raised, but for whom they do not have official adoption papers. This may be due to the customs of their country of origin, the absence of a state capable of providing such papers, or the loss of documents when they fled. Such cases are frequent in countries that have experienced genocide (Rwanda) or widespread massacres.

Even if the children are part of the family class as prescribed by the *Immigration and Refugee Protection Act*, in order to proceed with family reunification, CIC sometimes requires proof of biological family ties among the individuals to be reunited, and demands that they undergo DNA testing. A number of the women we met thought it bizarre that they would have to prove their relationship to their children, and such demands intensify their distress.

Sources and forms of support mobilized by the women

According to data gathered in this study, there is no specific program to help parents separated from their children, and even less a specific program to help Francophone women, despite the fact that they are affected by long family separations.

- **Available help**
 - **Community organizations offering services to immigrants** provide material, and sometimes psychological, support to women who are experiencing family separation, in particular regarding their application. When we know that the slightest error on a form can delay processes by several months, this aid becomes essential for many women. Despite the desire of these organizations to help the women communicate with those responsible for their file in visa offices outside Canada, this help is often ineffectual because of the anonymity described above.
 - **The offices of MPs** are often unofficially involved in the process of family reunification. It is generally through these intermediaries that the women are able to find out what is happening.
 - The women sometimes **call upon their doctor** to write a letter concerning the risks of depression associated with family separation, in order to speed up the process. Other women retain the **services of a lawyer** to help them when the processes are complicated, in particular due to the loss of documents.

- In a less formal manner, a number of women have sought assistance **from friends or a member of their community**. Their experience suggests that the information circulating in these communities is not always reliable.
- **Strategies**
 - Faced with the difficulty of maintaining hope, most of the women we met think that they have found, in spirituality, an essential form of support. **Faced with the distress and uncertainty of the situation they are experiencing, a number of them turn to their church**, notably through prayer. The practice of spirituality also seems to allow the women to build a social network from which they draw encouragement, support and advice.
 - According to the women encountered, it is necessary to talk to all the people who are ready to listen to them, as they do know where the solution will come from. **The difficulty of accessing reliable information before and during the reunification process is a problem.**
 - The women need to talk about their situation, to overcome isolation. To do this, **they must battle the prejudices** of those who think they have “abandoned” their children.

Certain women also developed communications strategies that enabled them to challenge the anonymity of immigration officers. But these are isolated cases, which depend solely on the goodwill of the officers concerned.

Conclusion

The difficulties specific to the family reunification process have considerable effects on the women who are separated from their children. The barriers imposed and the slow, technocratic, administrative and anonymous treatment of the family reunification process are in fact deeply upsetting to the strongest of human feelings: those between mothers and children. The distress suffered by the women involved is immense. The procedures also lead to the destructuring of

families, and in the end run counter to the Canada's stated objectives of integrating individuals and families who have newly arrived in this country. Through the statements of the women we met, we have perceived an immense "social suffering" brought about by what specialists of the refugee question call "clean violence."

Five recommendations

Concerning the process of family reunification in general:

- **That MOFIF campaign to have the spouses and children of individuals determined to be refugees in Canada brought immediately into this country, so that their files can be processed here.** This type of activity could be pursued in concert with the Canadian Council for Refugees, which has been conducting such a campaign since 2004.
- **That MOFIF foster the transfer of knowledge, in French, concerning the legislation and regulations on family reunification**
 - **by organizing workshops or contributing to the organization of workshops**
 - for women separated from their children
 - to assist service providers working in the organizations that are most often in contact with these women (community resource centers, etc.)
 - in community associations that bring together nationals from specific countries.
 - **by elaborating a dossier of clear information**, easy to read and translated into several languages (French, Swahili, African languages, Arabic, etc.), describing the process and the "traps" in applications for family reunification.
 - **by fostering the formation of support groups** in the social agencies involved in helping separated mothers.

- **So that the current procedure may be streamlined and speeded up, that MOFIF pursue actions with the competent authorities in order to**
 - **reduce the number of documents requested**, in particular as far as security certificates are concerned;
 - **recognize the age of the child** at the time the application for reunification is made, not when the visa is issued;
 - **make known the financial supports** that exist, to lighten the immediate expenses required by the process; and
 - **increase the number of visa offices or decentralize them**, so that they can process files within a reasonable timeframe.

- **In order to combat anonymity and arbitrariness in the processing of files, that MOFIF itself advocate:**
 - Creation of positions of referral liaison officer in Citizenship and Immigration centres, so that these officers can rapidly obtain information on the status of files being processed and transmit this information to the mothers.
 - Creation of a position of Immigration Ombudsman, who would be responsible for receiving complaints from individuals whose family reunification file has been delayed for no apparent reason, after six months of waiting.

- **That MOFIF develop an action plan to present its demands systematically to the competent organizations and authorities within the next 12 months.**

Among us, the family, it's the most important thing, more important than eating and drinking.

(A participant in the study)

1. Objectives of the report

To immigrate is to leave one's country, voluntarily or involuntarily. It is to accept to live elsewhere with one's dreams, hopes, and disappointments, and also with the fear of not being able to overcome certain obstacles. While a certain number of newcomers immigrate alone to Canada, the majority come to settle with their family, or at least to hope that their family will join them soon. This means that dreams, hopes and fears are lived as a family, not just by each individual. Migration thus brings into play the mechanisms that modify internal relations in the families of newcomers; however, it is also marked by a certain number of external constraints determined by laws, rules and policies specific to Canada, which either facilitate or frustrate family reunification.

This research report describes the difficulties that immigrant and refugee mothers encounter in bringing their children to Canada and in reconstituting their families on Canadian soil. Although article 3(d) of the *Immigration and Refugee Protection Act* clearly states that family reunification is one of the pillars of immigration policy, since it guarantees the economic autonomy and well-being of newcomers,¹ sometimes many years pass before mothers and fathers see their children again and spouses can be reunited.

Many studies have documented the consequences of these delays. We will quickly summarize them at the beginning of our report to show how serious they are. However, to avoid repeating the many studies that have been done in this field and that will be cited throughout the report, we have primarily sought to understand in detail what the obstacles are to rapid family reunification, and to document the strategies employed by mothers to accelerate or improve the process. This report therefore proposes certain courses of action that the **Mouvement Ontarien des femmes immigrantes francophones (MOFIF)** could pursue in order to remedy this situation.

¹ Section 3(d). The statement of objectives in the *Immigration and Refugee Protection Act* specifies that one of the aims of the Act is "to see that families are reunited in Canada."

This study reflects MOFIF's mandate, which is to improve living conditions for Francophone immigrant and refugee women living in a minority situation in Ontario, to facilitate their full integration and participation in Canadian society, and to create a framework of consultation to ensure that they achieve equality rights. MOFIF had already understood, for some time, that a major obstacle to this integration was the difficulty the women faced in bringing their children to Canada within a reasonable time. Having seen the frustrations and depressions caused by this difficulty, MOFIF decided to add its voice to those of other associations fighting for quicker and easier family reunification (Canadian Council for Refugees, INTERCEDE for the Rights of Domestic Workers, Caregivers and Newcomers). To this end, MOFIF is also working in concert with many organizations—Francophone in particular—that welcome Francophone newcomers by offering them settlement, health or social services (such as the Centre francophone in Toronto, the Centre de santé communautaire in Hamilton, and the Maison d'Amitié in Ottawa).

1.1 Organization of the report

Before analyzing the data we have gathered on situations where families are separated, we need to describe the contexts in which these situations occur, and the consequences that difficult family reunification procedures have for women. In the first part of our report, we will quickly describe this context and the consequences of family separations, which have been described by many authors. We think it necessary to summarize the effects of these separations, to clarify what an impact they have on the lives and on the integration of immigrant and refugee women.

In the second part, we will analyze in detail the steps that immigration policies and regulations lay down for a Canadian resident who wants to bring their family into this country. This process is very complex, and an overall view is necessary so that the readers of this report can fully understand the various stages in the process.

The third part of this report discusses the problems that the women have during the family reunification process. Two aspects of the problem are highlighted: the particularity of the situation of women who have arrived in Canada as refugees, and the problems specific to immigrant and refugee women whose language of communication is French and who live in Ontario.

A fourth part will throw light on the strategies that the women use to ensure the reunification of their families. In our opinion, the persons who undertake this process do not passively accept the circumstance imposed on them, but are active subjects searching for a solution. Moreover, the action strategies employed by the individuals concerned are the basis on which MOFIF can develop recommendations for putting an end to the painful situations that the women are experiencing.

The fifth part of the report will thus be devoted to the recommendations that MOFIF can bring to the attention of the various actors involved in the policies and practices of family reunification.

1.2 Methodology of the study

We have approached the study of family separations in various ways. We thought this multiplication of viewpoints necessary, to ensure that our data are complete.

1.2.1 Group interviews with women who have experienced difficulties in reuniting their families

Initially, we met with women who had experienced, or were still experiencing, difficulties in bringing their children to Canada. We therefore conducted four group interviews, two in Ottawa, one in Toronto and one in Hamilton, involving a total of 21 people. Due to the current composition of Francophone immigration in Ontario, and because, as we will see, the difficulties are much greater for people coming from Sub-Saharan Africa, all the women we met were from that continent. All had French as a second language, and the interviews were conducted in French. The great majority of the women we met had received permanent resident status after obtaining refugee status. Moreover, age and income varied from one woman to another.

Two researchers conducted these interviews, taking turns leading the group and to taking notes. These notes were then collected, and were analyzed thematically using a reading grid that highlighted (a) the reasons for the difficulties encountered, (b) the authorities the women turned to, to deal with the problems they met, and (c) the strategies they employed to get around these difficulties.

1.2.2 Meetings with service providers who work with women having difficulties

To complement what the women had told us of their difficulties, we met with people who, through their work, often met women involved in the family reunification process. Two of these people were lawyers, and two were service providers who usually worked with refugees.

1.2.3 Literature search

As we have mentioned, there are many studies on the subject of family reunification, dealing in particular with the psychosocial consequences for the members of the affected family. An in-depth literature search was therefore carried out by one of the researchers in order to understand the context and the consequences of prolonged reunification processes.

1.2.4 Limits of our study

There are, obviously, several limits to our study. For one thing, the small number of women we met might suggest that we were unable to gather information on all the dimensions of the obstacles encountered during family reunification processes. While each case does, in fact, seem to involve very individual situations, we very quickly reached a saturation of data; in other words, the women's stories all pointed to the same obstacles and the same strategies. The additional information provided by the literature research was invaluable, as were the interviews with service providers.

The difficulties described here primarily concern women who are natives of Sub-Saharan Africa and who remained in Ontario after obtaining refugee status (within the meaning of the Geneva Convention) and permanent residency. Two particular types of cases would seem to require additional studies of their own:

- The case of women who are separated from their spouse and who come from countries whose laws preferentially award custody of children to men/husbands.
- Home helpers who can apply for permanent residence after working for two years for the same employer.

2. Context and consequences of the obstacles to family reunification

In Canada, although family reunification is historically one of the objectives sought by immigration policy (Daniel, 2005; Côté, Kérisit and Côté, 2001), the processes one must go through to achieve it can be very long, and very complex. In its campaign against delays in

family reunification delays, the Canadian Council for Refugees (2004) clearly shows that in some of the visa offices authorized to deal with reunification applications, the average timeframe for processing is 36 months. The CCR also shows that wait times vary greatly from one region of the world to another, resulting in systemic inequalities among immigrants and refugees, depending what part of the world they come from. Africa is especially affected by these long delays, there being only six offices for the whole of the continent (Nairobi, Abidjan, Accra, Johannesburg, Cairo and Rabat).

At present, this difficult aspect of the migratory experience is added to other factors that confront immigrant women and refugees: difficulties obtaining admission as refugees; long delays of admission on humanitarian and compassionate grounds; difficulty in entering the labour market; discrimination in employment; and incomes often below the poverty line. These factors often form the backdrop of the experience of separation. We must therefore note that the multiple structural obstacles (unemployment, poverty, isolation) encountered by the women are intimately connected to the way in which family separation is experienced, and overcome (Bassolé *et al.*, 2004).

In addition, the women we met in our study are oddly positioned in relation to the reunification process. In the first place, they are Francophones in a province where most of the population speaks English, including the people to whom they can turn for help in the world of legal services, and even in immigration offices. Secondly, as women, they suffer the separation from their children differently than many men do. We will therefore study more specifically these two aspects in describing the context in which the obstacles to family reunification are lived.

2.1 The situation of newcomers who primarily speak French

At the heart of its mandate, MOFIF has placed a concern to better understand and help women whose primary official language is French and who live in a host environment where the predominant official language is English. Particular attention must therefore be paid to the situation of those who form a “minority within the minority.” This is all the more important as the number of women and men whose roots are in the international French community (*la Francophonie*) is growing in Ontario (Office of Francophone Affairs (OFA), 2005).

Moreover, according to the study, approximately 75% of Francophones who are members of an ethnic and racial minority were born outside Canada, compared with 27.9% of the general population in Ontario.

Though some newcomers are from European countries, most come from either North Africa or Sub-Saharan Africa. We should also point out that it is among Francophone newcomers that we find the highest percentage of refugees (CIC, 2006a: 19). While some of these people initially acquired permanent residency in Quebec, a significant number have moved to Ontario, settling primarily in Ottawa, Toronto, and Hamilton, and to a lesser extent, in cities like Sudbury. Consequently, although official figures indicate only a few Francophone newcomers to Ontario, this number needs to be revised upwards because of internal migrations within Canada.

Our analysis of the socioeconomic situation of Francophone newcomers belonging to a visible minority also shows great disparities in relation to the Francophone population born in Canada and living in Ontario. For example, unemployment is much higher among the newcomers, despite their higher scores and levels of formal education (OFA, 2005).

As far as immigration policies are concerned, the Canadian federal government now has an obligation to maintain a balance among new immigrants who speak one of Canada's official languages, to ensure equilibrium in the linguistic makeup of Canada. This new policy will certainly have the effect of increasing the number of Francophone newcomers in Ontario. However, all the observations that have been made indicate that not many services are dispensed in French to help settle these new Canadians. In addition, because of the newness of the phenomenon, few social and health services are adapted to these newcomers. For example, although many Francophone refugees are natives of countries convulsed by war, there are as yet few organizations that offer counselling services in French for the survivors of mass murder or torture (*Bassolé et al.*, 2004).

2.2 *Women and families*

There are two major reasons why the problems of family reunification and separation are a major issue for immigrant women and refugees: their central role in maintaining family ties, and the

government's obligation to think through its immigration policies in a perspective of comparative analysis of the sexes.

It well known that in all societies and cultures, women have played, and continue to play, a pivotal role in maintaining in institution of the family.² The large majority of women have played, and continue to play, a primordial role in the care and education of children and young people, as has been shown by many works on motherhood in the countries of both the South and the North (Descarries and Corbeil, 2002).

On the one hand, this responsibility, assigned or chosen, as the case may be, is part of the social recognition enjoyed by women in societies that put the accent on the family as the place of socialization, and of personal and collective well-being. Consequently, as many women see it, their identity as mother enables them to attain some social recognition in patriarchal societies, and this can sometimes “compensate” for the various forms of oppression that they may suffer. Not being able to assume one's role of mother is thus profoundly painful for a large number of women who find themselves deprived of this opportunity due to external factors, over which they have no control and in the face of which they feel powerless.

On the other hand, the women's movement in Western countries has often criticized the assignment of women to the role of mother, in so far as this role imprisons them in an exclusive identity. In the name of their real or potential responsibility as mother of a family,³ many rights are denied them: the right to divorce, to enjoyment of personal property, to choose a husband, etc. This assignment to family life has also been seen as responsible for a division, in Western countries, between “public” life, involving participation in public life and in the labour market, and “private” life, associated with women who are confined to their familial and domestic tasks. Many feminist authors have, however, shown how false this division is, since the voluntary or involuntary work performed by women as mothers (and spouses) sustains the public and economic life of a country. The family dimensions of human activity (caring for children and the elderly, and socialization), for which most women are responsible, are profoundly important for

² This does not exclude the support of fathers.

³ Which Marie Blanche Tahon (2007) calls the “presumption of maternity.”

the creation of policies of equality between women and men and for the development of society as a whole.⁴

As we will show, Canadian regulations and practices regarding family reunification, by depriving many women of their full experience of motherhood, is detrimental to the well-being of these women, and causes identity damage that prevents them from experiencing successful integration, and hence full participation in the prosperity of Canadian society. However, this successful integration is also one of the stated objectives of the *Immigration and Refugee Protection Act* (section 3). By not taking into account the specificity of these women's situations, these practices and regulations run counter to this second objective.

It is all the more important to emphasize this point because, since 2002, the *Immigration and Refugee Protection Act* requires that an annual accounting be made of the implementation of the Act itself and of its regulations, in a perspective of comparative analysis of the sexes, which is made every year in the report that the Minister of Immigration submits to Parliament (Association for Canadian Studies (ACS), quoting CIC's annual report to Parliament on immigration, 2007).

If we have taken some time to evoke this political and societal context, it is because it seems to us that the position of the immigrant and refugee woman whose official language is French, and the specific obstacles she encounters in her integration process, reflect, in a particularly dramatic way, the contradictions specific to immigration policies, which on the one hand aim at rapid integration of newcomers, and on the other hand prevent the achievement of integration through the practices and regulations we are examining in this report.

2.3 *The consequences of family separation*

2.3.1 For parents and children

Separation from their children has many consequences for parents. The CCR (2004) mentions that lengthy delays in reunification cause emotional distress marked by feelings of powerlessness and stress, which are added to the trauma associated with persecution and with the challenges of

⁴ As shown by the accent currently placed on development programs taking into consideration the education and control by women of certain socio-economic levers by the United Nations.

adapting to a new country. All these factors make the integration process all the more arduous. The women we met often alluded to such feelings of distress and powerlessness.

Field studies have recently confirmed their claims. For example, Suarez-Oroco et al. (2002) note that many immigrant parents have reported much anxiety and stress associated with leaving their child behind in a country where living conditions are difficult (economic realities, wars, dangerous situations, etc.). Rousseau et al. (2001), in their longitudinal study of family separation and reunification following immigration, remind us that for refugees, family separation means that some family members may be living in a dangerous situation. The family members settled in Canada, because they have left other members behind, may experience feelings of guilt, powerlessness and depression.

In a previous study of the impact of family separations on the mental health of refugees, Rousseau et al. (1997) noted that separated individuals had more emotional problems than people who arrived with all their immediate family. It is also harder for these separated individuals to rebuild a meaningful world in the host country (due to feelings of being at loose ends, disoriented, in an absurd situation, powerless, guilty), and they have little or no future prospects (uncertainty about the future of their children, loss of identity). In addition, family separation can exacerbate the negative effects of traumas experienced before exile (Rousseau et al., 1997). These authors note that for separated individuals, the memories of trauma are more invasive and destabilizing. For individuals not separated from their families, family life occupies a highly important place. It seems that the presence of the family anchors emotions and identity, and authorizes feelings of continuity and permanence of significant values, and the idea that the project of the family is continuing (Vatz Laaroussi, 2001).

In their study of 40 mothers separated from their children following immigration to Canada, Berhhand, Landolt and Goldring (2005) mention that the social pressures regarding the mother role can negatively impact women separated from their children, cause them to have guilt feelings. If a mother cannot assume care of her children and must transfer this responsibility to others, she faces social disapproval and stigmatization, since people think that she is not fulfilling her responsibilities as a good mother. The separation is perceived by the mothers as a

rupture of cultural norms, because they feel that they are depriving their child of a tie that cannot be replaced.

A study of Congolese refugees in Canada (Arsenault, 2003) highlights the particular difficulties of family members who were left behind and found themselves in a dangerous situation. Refugee mothers seem to be particularly worried about the fate of their child who is overseas, in conditions that are often precarious.

The CCR (2004) also mentions that doubt and mistrust can develop in family members who have stayed in the country of origin, and who believe that if the spouse or parent really wanted to bring them to Canada, the process would not take so long. The study by Moreau, Rousseau and Mekki-Berrada (1999) suggests that people left behind may feel abandoned and even betrayed. Because of Canada's image as a developed country with quick and efficient government procedures, "family members may conclude that their parent is not making the necessary effort" (CCR, 2004: 4). In some cases, reunification is no longer even discussed as a plan for the separated children, as these children have sometimes rebuilt a life in their country of origin, without their mother (Bernhardt, Landolt and Goldring, 2005). Sometimes, there is even a risk of losing parental authority during the separation, and this can have a negative effect on the relationship between parent and child (Rousseau, Rufagara, Bagilishva and Measham, 2003). Finally, children left behind may develop negative feelings towards their parent in exile. For example, in an empirical study, Glazcow and Gousse-Sheese (1995, quoted in Suarez-Orozco, Todorova & Louie, 2002) reported feelings of abandonment and rejection of the mother in children from the Caribbean who had been separated from their mother during their migratory journey to Canada.

2.3.2 Threat to the family structure

Long family separations lead to the temporary reconfiguration of the roles of each member of the family, and the family equilibrium is often difficult to reestablish following reunification (Rousseau, Rufagari, Bagilishva and Measham, 2004). In particular, the reincorporation of members left behind in the country of origin may affect the temporary equilibrium established in the host country (Falicov, 2003).

In a study of the situation of temporary migrant workers in Western Europe and the Mediterranean, Pekin (1989) concludes that the principal danger of family separation following immigration is the destruction of the family unit. Other studies have since documented the difficulties that arise during family reunification after a long separation. For example, according to Rousseau et al. (2003), the longer the separation, the more difficult it is to strike a balance once reunification is completed. We could believe that this reunification is a joyous moment in the life of a family. However, the fact is that reunification often disturbs the equilibrium established during the wait time (Rousseau, Rufagari, Bagilishva and Measham, 2004). For example, Macksoud and Aber (1996) report that separation from parents is one of the factors that have the most negative impact on the development of Lebanese children who have experienced war.

Finally, for Berhhard, Landolt and Goldring (2005), the long delays may have the effect that family members need more services. Consequently, family separation results in higher social costs during reunification, because the children need more support in school or have greater needs in the area of healthcare.

As we have seen, the difficulties encountered during family reunification, and in particular long periods of separation, have a high psychological and social cost, both for family members already settled in Canada and those who have remained in their country of origin. This cost is especially high for individuals who have fled their country to seek asylum in Canada. It is also very high for the host countries, especially since the destabilizing of family structures and delays in reunification prevent the integration of families into their new society. It is thus very important to understand, in detail, how delays are “manufactured” family reunification practices, so that we can more effectively propose avenues of action. The goal of the following section is to better understand how the family reunification process works.

3. The steps in the family reunification process

There are two major ways to bring one's family into Canada.

Process 1. The first process, apparently the simplest, is to designate family members as “accompanying” the application for permanent residence in Canada. Here the immigration visa allowing entry and settlement in Canada also permits close family members to accompany the principal applicant. This process, which is the most common, often concerns classes of immigrants accepted outside Canada as “skilled workers,” investors and entrepreneurs, or as refugees sponsored by the Canadian Government, now referred to as government sponsored refugees (GSRs). Most of these newcomers come to the border with a visa issued in their country of origin, accompanied by family members or in circumstances involving no delays other than the ability of the family to arrive within six months following settlement in Canada (CIC, 2007).

Process 2. The second process allowing entry of family members into Canada involves “sponsoring” the family member. This process, used by many people in Canada, applies to individuals who came to Canada alone and then decided, for various reasons, to bring a member of their family here after obtaining permanent resident status, or who, as Canadians born in Canada, want to bring in a non-Canadian spouse. Sponsorship of members of the immediate family entails obligations both for the applicant and for the person who is sponsored.⁵

The family reunification class officially includes close relatives of the sponsor in Canada, consisting of: their spouse, common-law partner or conjugal partner; their biological or adopted dependent children who are less than 22 years of age, and unmarried; their brothers, sisters, nephews, nieces or grandchildren who are orphans and are less than 18 years of age; and any other relative, if the sponsor has none of the above-mentioned relatives, either in Canada or outside Canada. Members of the extended family are thus not qualified to benefit from this process, which requires no minimum level of income. Sponsorship of members of what Canada considers “extended family” requires proof⁶ of income sufficient to support the sponsored individuals. The analysis we offer here focuses on the reunification of “close family.”

⁵ There is no income threshold for sponsoring a spouse or dependent unmarried children less than 22 years of age. In the event of a breach of sponsorship, however, if the sponsored individuals are receiving social assistance (Ontario Works, for example), the “sponsor” must repay to the government any amounts received by these individuals.

We can readily imagine that the second way of bringing children and spouses into Canada entails difficulties that have been documented elsewhere. The process is particularly complex for people who applied for permanent residency after arriving in Canada. These include people who claimed refugee status after coming to Canada, as most of our women did. In these circumstances, the process can lead to many impasses, summarized below in Figure 1.

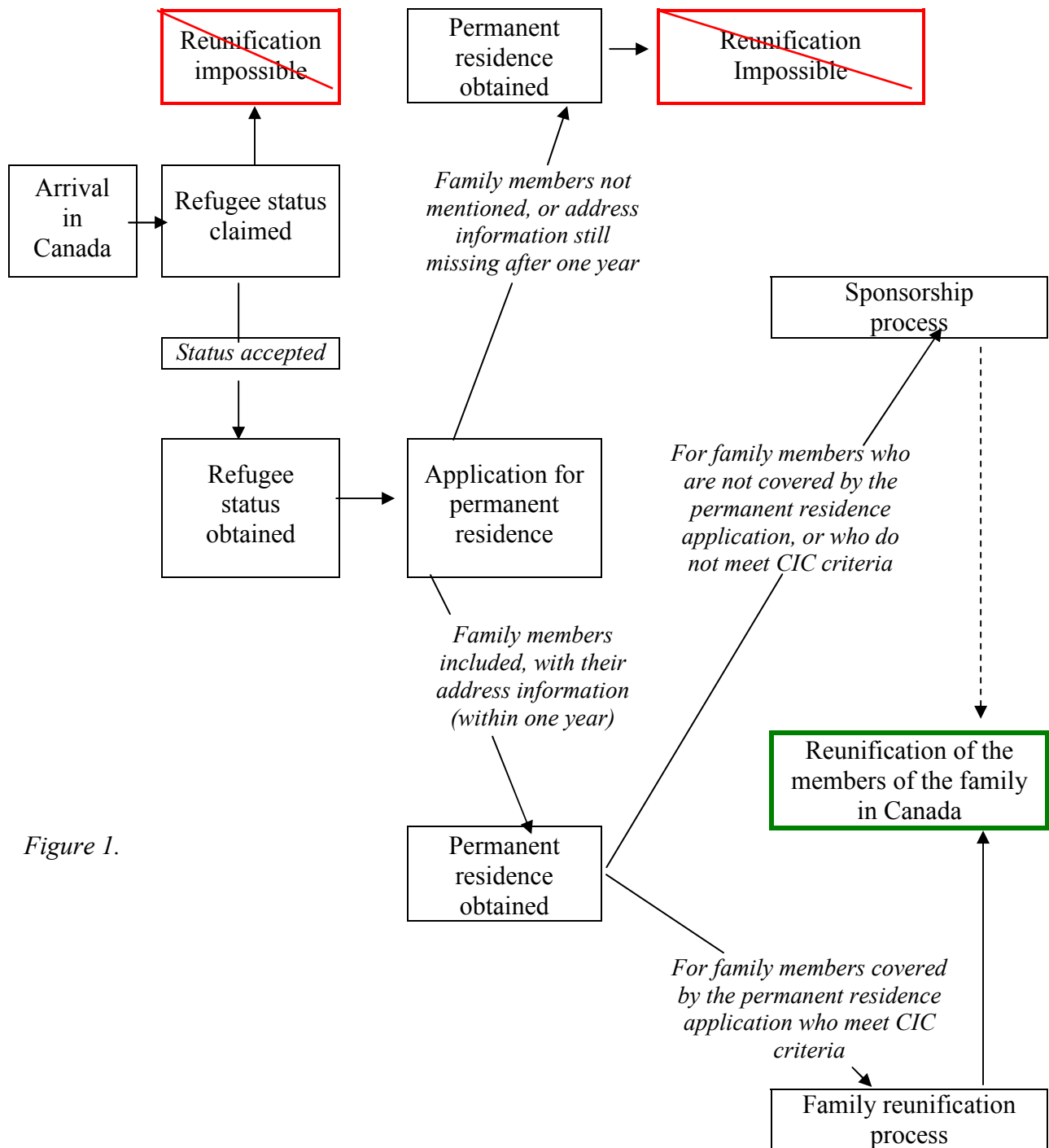


Figure 1.

In the first place, a refugee must be determined to be a refugee, and must obtain Convention refugee status. Under the *Immigration and Refugee Protection Act*, the steps in the family reunification process begin when the refugee applies to be a permanent resident. When the application for permanent residency is made, the refugee must include, in her application, the names and addresses of her spouse and dependent children, whether they are in Canada or outside Canada. The members of the family are then treated as theoretically “accompanying” the principal applicant (Process 1), and the applicant is therefore not subject to the obligations of financial support that Process 2 would require.

If the applicant fails to provide, or does not have, the precise address information for her family members within a period of one year from the date of her application, her family members are forever excluded from the family reunification process.⁶ Section 117(9)(d) of Canada’s *Immigration and Refugee Protection Regulations* stipulates that, for immigration purposes, a person is not deemed to be a member of the family, and therefore cannot be sponsored, if “the family member was not examined by an immigration officer when the sponsor immigrated to Canada” (CCR, 2008). The Canadian Council for Refugees gives precise examples of family situations that led parents not to declare this or that child in their application. Knowing as we do the many situations in which families can find themselves, particularly when they are seeking a land of refuge, we can understand that there may well be many situations of this kind. It is, of course, possible to lodge an appeal on humanitarian and compassionate grounds. However, the time required for this process prolongs the period of separation, thus causing the mother distress and jeopardizing the ties between parents and children.

Moreover, if the names and addresses of the people to reunite are included, but the applicant fails to specify that she wants these people to be “covered” by the application for permanent residence,⁷ she must reunite her family through the sponsorship process, which implies obligations—financial in particular—regarding both the sponsored individuals and the principal applicant.

⁶ This happens, in particular, when people have lost track of their family members due to a conflict raging in their country and the disorganized flight that it has brought about. Some family members wind up in different refugee camps, or wrongly believe, due to the lack of communications, that one of their family members is dead.

⁷ Because of the sometimes incorrect information that circulates in immigrant communities, people may be advised to resort to sponsorship to reunite with their children and/or spouse, in order to speed up the process.

Once the application is completed and meets the admissibility criteria,⁸ it is sent to the Case Processing Centre in Vegreville, which will forward the information and the file to the visa office serving the country where the family members are staying. From this point on, it is the visa office that will pursue the processing of the application.

Statistics show that 50% of the family members of refugees can expect to wait more than ten months before their application is finalized. Africa and the Middle East, where most of Ontario's Francophone refugees come from, is the region where the delays are longest, with 50% of cases finalized in 12 months and 80% in 21 months (CIC, 2006b).

As the CCR recalls (2004), it is important to mention that statistics on application processing times do not reflect the total duration of separations of family members, as these times are counted from the moment when the application is received by the regional visa office, hence when all the requested documents and amounts of money have been sent.

Furthermore, these statistics do not take into account the length of the separation during the migratory journey, before arrival in Canada, nor the time required for the refugee determination process. In these circumstances, and because of the constraints associated with the steps preceding receipt of the application by the regional visa office, we can easily imagine that family separations can drag on for years.

4. Obstacles to family reunification

In this section, which presents the results of our survey of the women, we will begin by analyzing the obstacles encountered by the women during the reunification process.

4.1 A dehumanized process

Bureaucratic red tape is central to the concerns expressed by all the women we met. This includes an inadequate and overly complicated system for keeping and forwarding files, which increases application processing times and the risks of losing documents; a compartmentalized

⁸ The admissibility criteria are as follows: a period of 180 days accorded after refugee status is obtained; processing fees of \$550 per adult and \$150 per child; a medical examination proving that the sponsored individuals do not constitute a danger to the health or safety of the public; the sponsored individuals are not a security threat (criminality); assurance that the family members are really relatives of the refugee, in the eyes of the immigration officer.

assignment of tasks and responsibilities to every CIC entity involved in the process, making communication difficult; and guidelines universally applied by “anonymous” officers, with no consideration for the particular situation of women.

In her study of Congolese women refugees separated from their children, Arsenault (2003) affirms that the principal reasons identified by the women to explain the slowness of the reunification process are administrative delays and the high costs of implementing their plan. According to this author, “the weight and complexity of the administrative procedures for obtaining status, and for achieving family reunification, are harmful to the harmonious integration of the affected persons” (Arsenault, 2003: 128). Moreover, “Canadian administrative procedures and the costs required are also partly responsible for the difficulties raised by the plan to bring in adopted children who were part of some Congolese families before exile” (Arsenault, 2003: 129). Other researchers have also identified several shortcomings in government procedures and regulations where family separation and reunification are concerned (Berhhard, Landolt and Goldring, 2005; Rousseau *et al.*, 1997). For example, the time consumed, in the reunification process, by visa applications varies greatly depending on the location of the visa office from which the application is made (CIC, 2006b). In this regard, the CCR (2004) denounces the lack of staff, in these visa offices, to process applications. Again according to the CCR (2004), the steps in the family reunification process are acutely affected by problems of communication. It is thus very difficult to communicate with CIC, to address obstacles and delays in reunification. The only means of communication is checking the status of the file on line, or contacting the CIC call centre. These efforts produce information that is “rather limited,” and sometimes even incorrect. This is how the women we met described to us their experience of all these obstacles.

4.1.1 Delays and slowness of the steps in the process

One of the problems encountered is the amount of time that elapses even before the family reunification process begins. In the specific case of refugees, as we noted above, they must first wait to obtain their refugee status, then their permanent residency, before they can proceed with family reunification.

On the subject of a bureaucracy that they perceived as inadequate and overly complex, many of the women we interviewed mentioned the delays associated with the many points where their file had to stop before it was finally delivered to the visa office serving their country. These many stops are yet another factor contributing to delays and increasing the risks of losing documents. The processing of files seems fragmented, and immigration offices do a poor job of coordinating this work. Consequently, as one of our key informants told us, one person handles permanent residency while another deals with the file at the visa office, and each must await the reply of the other before moving ahead with the file.

Once the family reunification process *per se* gets underway, long delays seem to occur in the visa offices, particularly when they are located in Africa. “*So we really have to talk about the visa office, that’s where the problem lies*” concluded one immigrant woman, who lives in Hamilton.

In certain cases, the slowness of the process can make reunification impossible. This is the case, in particular, for children who are now over 22 years of age, but who were less than 22 when the initial request for family reunification was sent. One mother, who has settled in Hamilton, explained it to us this way:

If the child was declared well before his 22nd birthday, and due to the slowness of your process the child has attained the age where he can no longer enter, how can this child be brought into the country? Because you are his parent, he remains your child. You can’t be a parent over here while your child is somewhere else. You declared him when he was of an age to enter. (Hamilton, 1: f)

4.1.2 Loss of documents

Many women reported the loss of documents, which disappeared after being mailed in. In a number of cases, responsibility of the loss was imputed to the mother, while the error actually occurred during the processing of the file by the immigration offices. These losses can be catastrophic for women who are waiting to be reunited with their children. This was the case of a mother we met in Ottawa, whose file had been misplaced by the immigration offices and whose reunification procedures had been suspended without her being informed: “*Loss of documents, and refusal to recognize their responsibility. Not only did they lose the documents, but they refused to acknowledge the fact.*” (Ottawa, 2: 1)

She continued:

Yes, for example, it happened that they lost my husband's police certificate. Immigration lost it, and the police certificate, it takes a huge amount of time. Especially in the case of a person who lived abroad, who was an adult. It took us two years to get those documents. And today, we have to start all over again. Immigration told us until the documents are found, the file is stopped. Will this take yet another two years? Is my husband going to agree to repeat the processes he has already gone through? It's totally discouraging. And immigration might very well tell us that they have lost the documents again. (Ottawa, 2: i)

4.1.3 Communication problems

Cumbersome bureaucracy is also associated with problems of communication between the women and CIC officers. It seems that the women have few means of accessing their file and following up on their family reunification process. Many of them told us that after filling out the forms, they received a letter asking them to not communicate with an immigration officer for a period ranging from several months to a year. When they tried to communicate, they were often unable to speak to an agent: *"You call the officer, but you don't even get to speak to them. (...) You talk to the answering machine,"* explained a woman living in Hamilton, whose words summarize the essence of the testimonies we heard. Often, the only means of communication is to check the status of the file on line, or telephone the CIC call center. However, the women found it difficult to access these sources, which provided information that was "rather limited" and sometimes even erroneous.

The problems of communication with the immigration offices inevitably results in a lack of traceability about where the processing of family reunification files is at. Although this kind of information is accessible to immigration agents (some women confided to us that they succeeded, by means of insistent visits to immigration offices, in clarifying some facts about their files that the officers had refused to give them over the telephone), it is very hard for the women, and for community-based service providers, to know the state of advancement of their file. This feeds the despair that haunts the mothers during the period of separation.

In this regard, a settlement officer working in Ottawa testified to his experience as follows:

After this letter has been received, six months can go by. Not a word. No news. And should the lady dare to call to find out what's going on with her file, all we're gonna tell her is "your file is being reviewed, Ma'am". That's it. (...) When talk to her like that, she's gonna go home, she's not gonna call us back that day, and she's not gonna sleep real good. And the kids who are over there, in the camp, are suffering. (...) After a week, after a month, she'll call again to say "I'd like to know what's happening with my file," and we're gonna give her the same answer: "Your file is being reviewed, Ma'am." But hey, you gotta ask yourself, "Your file is being reviewed," what the hell does that mean? (Ottawa, 4:i)

Though communications are difficult enough for mothers, they are not really facilitated when a service provider gets involved in the process. A number of our informants who were service providers described their own problems in communicating with immigration officers. Moreover, an experienced immigration officer told us that when he tries to intervene to clarify difficult communications between Immigration and a refugee woman, he is immediately told that it is impossible to provide any clarifications as to how the file is progressing. The answer is always the same: "The file is being reviewed."

4.1.4 Bad information or lack of clarity

In addition to the problems of communicating with people who could tell a mother something about how the processing of her file is progressing, the women denounced the lack of clarity of the information they received. Most of the women have great trouble finding their way around in the highly complex process of family reunification, even if the information is allegedly accessible. Too much information is often given at the very beginning of the process and, as time drags on, the women can no longer remember the details associated with each of the stages. A number of women also described the problems they had in understanding the complex information that is sent by Immigration Canada. It thus seems clear that there is a flagrant lack of reliable sources of information:

In their correspondence, it's hard to understand what they're asking for. We have to go to the Catholic immigration service to ask them what this or that sentence means. I don't know whether it's their French. Maybe it's the computers. They use a French that is hard to understand, long, complicated sentences that are difficult to read. Instead of short sentences. Yes, that's really a big problem! Sometimes, it can even get you all upset, it makes you so anxious.

Moreover, there is a lack of access to information about things that can be done to move the immigration process along. Women that we met in Toronto explained that the advice given by friends or acquaintances is often contradictory and not always reliable, and this has a very negative impact on the rapid resolution of the separation.

4.1.5 Officers apparently insensitive to the mothers' distress

Many of the women we met criticized immigration officers for lacking compassion for their personal and family situation. They thus feel that they are misunderstood, are ignored in their suffering and are victims of unfounded judgments. Since their husbands and children are still living in very difficult circumstances in their country of origin, they perceive a lack of empathy and insensitivity towards their situation. As one informant explained: "They think that if people have left their country, it was just for the hell of it." (Ottawa, 4: i).

The anonymity of immigration officers also seems a factor that contributes to dehumanizing family reunification procedures. As one respondent we met in Hamilton maintained: "They don't want to give us their names." This practice seems detrimental to good service delivery, since by remaining anonymous, immigration officers can do their work with no fear of being criticized or questioned if they do not do what is necessary or are otherwise negligent.

4.2 *Expenses and costs associated with completing the steps*

The women we met in connection with this study cite financial problems as a major obstacle to rapid reunification with their children in Canada. For example, all the women we met agreed that a major obstacle is the expenses that they are required to make to send documents and to stay in touch with the visa offices, the embassies and the family members who have remained in their country of origin. Apart from the expenses incurred to pursue the reunification process itself (costs of processing the file, obtaining medical and security certificates, and traveling to visa offices or places designated by CIC⁹) and those associated with the separation (overseas communications), the women are called upon to amass considerable amounts of money for various purposes: obtaining the requested documents (which sometimes no longer exist because

⁹ For example, at the present time, CIC has authorized three doctors' offices in the Democratic Republic of Congo to deal with medical files; all three are located in Kinshasa. Another three have been authorized in Ivory Coast, and all of them are likewise in Abidjan.

they were destroyed during the war or lost in the flight from the country of origin); authenticating documents that the Department regards as invalid; mailing documents; medical analyses (which must be renewed annually if the file is not processed in time); care provided for the children who have remained in the country of origin; and the travel expenses involved in bringing family members to Canada once the visa has been delivered. All these expenses are added to daily living expenses and the costs associated with getting settled in a new country. A woman we met in Ottawa described these financial obstacles as follows:

Correspondence between Canada and Africa is very difficult. If you want to send a large document to the Congo, you have to send it by DHL, and it's going to cost you \$100. The document leaves the country to be delivered to Abidjan, and that costs you \$100. For two children, it's \$200 because each child has to have their own envelope. The steps that have to be taken to get medical examinations, passports. This and that. You have to spend a huge amount of money. So, you have problems all around. (Ottawa, 2: f).

According to Kofman (2004), refugees are much more affected by problems associated with delays in achieving family reunification, or the impossibility of attaining that reunification, than immigrants in other categories. Structural conditions, combined with the obstacles associated with immigration policies, adversely affect the family reunification of immigrants. For example, Kofman mentions the difficulties of finding one's footing in the economy and the lack of social housing as factors detrimental to the reunification of immigrant families. Since a number of individuals live in precarious conditions, it may be difficult to meet the requirements for sponsoring a family member or assuming the costs of family reunification. Moreover, we know that immigrant women are particularly affected by their low integration into the economy, and that this has direct effects on their high rate of unemployment and increasing poverty (Pierre, 2005). One dynamics emerges in which a combination of sexism and racism results in a systemic discrimination that particularly affects immigrant women (ICREF, 2002). For Kofman (2004), this precariousness, which affects women particularly, is a major structural obstacle to family reunification. In this regard, the words of one of our informants speak volumes:

When the women have just arrived, they have no work and are unable to meet the needs of the children they have left behind. This is an additional stress factor. As a result, they feel powerless. They can talk to their children on the telephone, and the children tell them that they have not eaten. Think about what that means, with

the unsafe conditions that exist in their country of origin. Think about what they can do about it... It's enough to make you weep... (Ottawa, 3: i)

Furthermore, the difficulties that immigrant women in Canada encounter during the family reunification process insidiously affect their integration into social and economic life. Their precarious situation makes family reunification difficult, and the separation caused by a reunification that is slow to materialize plunges some women once again into poverty:

Because you don't know what's going on in the mind of a human being, in their soul, when a person is separated and the wait is long. She may be—how shall I put it—depressed. She may not have found a place for herself in the economy. Because when you are a depressed person, you can't work; you can't find, within yourself, any ambition to go and look for work, and move ahead. So, this is something that they still have to take into account. Because in Canada, once we have arrived, they give us the papers easily. Once we are here, in this country, there are really no problems. But then there are the people in our family who are on the other side. Why do they have to put on so much pressure? Because, as my husband said to me two days ago: “You have Canadian citizenship, why aren't things happening more quickly?” (Toronto, 1: f)

4.3 *Recognition of children*

To these difficulties, we need to add the problem associated with the definition of family (Rousseau et al., 1997), which legally consists of the spouse and children less than 19 years of age. According to Kofman (2004), the Western definition of family causes a problem because the networks of support that refugees have often lie outside the canonical relationships of the nuclear family, and are thus excluded from family reunification procedures. This is, indeed, the conclusion we have reached after analyzing the interviews we conducted with women in Ottawa, Hamilton and Toronto. Consequently, the narrow definition of family given in the *Immigration and Refugee Protection Act* has the effect of preventing some mothers from being reunited with children whom they consider to be theirs but who have no direct blood relationship with them (in cases of adoption, for example), or with their own children who are over 22 years of age. Consequently, the strict criteria of the family reunification program, and the predominance of the biological definition of family relationships, do not allow these persons to be reunited in Canada. The women are thus obliged to resort to sponsorship—which is much more expensive—to be reunited with their children. A mother living in Hamilton told us how helpless she felt at not

being able to be reunited with a child who was over 22 years of age, despite the fact that the application for reunification had been submitted before the child had reached the cut-off age:

If the child was declared well before he was 22 years of age, and if, due to the slowness of your process, the child has reached the age where he cannot enter this country, how am I to bring him in? Because you are a parent, he remains your child. You can't be a parent here and have your child somewhere else. You declared him when he was of an age when he was able to enter. (Ottawa, 1: f).

Furthermore, even though the children are part of the family class as prescribed by the Act, in order to proceed with family reunification, CIC must make sure of the validity of the family ties among the persons who are to be reunited. A number of the women we met thought it absurd that they should have to provide proof of their relationship with their children. They feel a keen sense of injustice when their maternity is called into question and, for the reasons we have cited above, it may prove difficult for mothers to amass and send the documents requested to authenticate the identity of their child.

5. Sources and forms of support mobilized by the women

Faced with the many obstacles they have encountered, immigrant women involved in a reunification process develop a variety of strategies. In the first place, the women explain that they receive instrumental aid directly associated with the process of family reunification. The purpose of this assistance is to help them with the family reunification procedures, as established by Canadian immigration policy. Secondly, to cope with the many obstacles they have met and with the consequences of the separation from their children, the women draw on various sources of emotional, social and psychological support. There are, obviously, cases where the two forms of support are combined, but to simplify matters, we will deal with them separately.

5.1 Instrumental assistance

According to the data collected in this study, there is no specific program to help parents separated from their children and, of course, it is all the more certain that no such program exists for Francophone women though they are affected by lengthy family separations, as we can see from the CIC statistics and the words of women that have been gathered together in this study.

In spite of this lack of official resources, most of the women we met turned to various individuals or organizations, to help them understand and carry out the necessary steps in the family reunification process. Community organizations that provide services to immigrants also seem to offer instrumental support to women who are going through the family reunification process. Counsellors and other workers in the field help the women to fill out the documents requested by CIC. Given that the slightest mistake in completing the forms can delay the proceedings by several months, this assistance is essential for a number of women.

It seems that the people who work in the offices of Members of Parliament are involved in the family reunification process, in an unofficial capacity. For the great majority of the women, the help received from their federal MP has been invaluable; in particular, they can go to the office of their MP to obtain an update of their file, and to facilitate communications with immigration officers. Many of them have therefore asked their MP for help in getting a matter that was going nowhere started again, or to facilitate the search for documents lost in the CIC maze. The key informants encountered also confirm that MPs are useful in fostering quick reunification of families. A lawyer who works in a legal clinic in Ottawa explained to us why, in his opinion, people turn so often to the offices of MPs:

In the first place, I think that immigration officers feel obliged to respond much more quickly to politicians than to clients or to ourselves, since we are representatives of the clients. But politicians represent power. The officers respond to power more than they do to the individual; or perhaps it's just a habit that has become ingrained in the system. That's how I explain it to myself.
(Ottawa, 4: i)

We note that the women exhibit great coping skills when it comes to getting the support they need to cut down reunification wait times. For example, a settlement officer explained to us how some mothers go to their family doctor to get him to write a letter about the risks of depression associated with separation from the family, in order to speed up the process. Other women have used a lawyer to help them when the process was becoming too complicated, in particular because of lost documents. Finally, in a less formal way, a number of women turned to friends or members of their community for information that could help them in their efforts. However, information obtained from friends or acquaintances is often erroneous, and the women said it was important to remain vigilant and alert before accepting help or advice from these sources.

5.2 *Emotional, social and psychological support*

Faced with the difficulty of keeping their hopes up, most of the women we met said that they found, in spirituality, a form of support that was essential to them. In their distress and in the uncertainty of what they are experiencing, a number of them turn to God or some other higher force, particularly through prayer. Practising their spirituality also seems to help the women build a social network that provides them with encouragement, support and advice, and that helps them get through the time when they are awaiting reunification with their children. For some of the women we met, their life revolves around places of worship, which they attend on a weekly basis and which provide them with an important source of support. In these places, they can not only escape the isolation they feel, but also draw support from a source of divine strength. As one woman we encountered in Ottawa put it: “Going there every Sunday gives lifts my spirit. People are speaking my language, people are singing my language. So it’s a great comfort to me, it’s a great support.” (Ottawa, 2: f).

Some individuals who are providing support of a more instrumental kind have personal qualities, and an empathetic presence, that enables the women to feel emotionally supported as well. That was the case, in particular, of a family doctor who, through his attitude and his openness, allowed the woman to talk about her plans and her children. In his office, she found a place where she could express her suffering, in spite of her feelings of shame and guilt. For other women, it was the lawyer or worker helping them to fill out forms who supported them, by listening to them and by offering encouragement. This keeps hope alive in women awaiting reunification. One female informant who works directly with the women told us: “The relationship is very friendly. I am there as a resource person, a support. They feel that I’m on the same level as they are, and it’s easy for them to approach me without feeling that they’re dealing with someone in authority (...) I have to keep renewing their hopes every day.” (Ottawa, 1: i). The fact that the suffering she is experiencing is acknowledged provides a woman with a kind of support that is hard to find in the official immigration personnel she comes into contact with through the family reunification process.

For some women, who do not feel the need to share their situation with someone else, sport and work provides another form of support by allowing them to think about something other than the

obstacles they are confronting. One woman we met in Ottawa put it this way: “As for me, I try to go to the YMCA and do sports, and then I really try to focus a whole lot on my studies, so I don’t feel I have time on my hands” (Ottawa, 2: f). A job offers the mothers the double benefit of helping them to change their ideas and providing them with money they can use to maintain their relationships with their children and pay the costs associated with the family reunification process.

Another important source of support is the women’s informal social network. A male informant working in an immigrant intake service explained it to us this way: “What is the mom going to start to do? She’s going to start to contact all the people she knows...” When the women feel that they are with people they can trust, they are able to share their experience with their friends, and feel supported and understood. Some women do, however, remain isolated. Either they do not dare talk about their situation, for fear of being judged for having abandoned their children, or they simply do not yet have a social network because they have recently arrived in a new country. Their isolation exposes them to the risk feeling all the more keenly the consequences of the separation. A woman we met in Ottawa explained to us how women who are separated from their family may wind up being judged by other members of the community:

(...) They may call you a woman who is just out for pleasure, a woman who is not proper, who is not serious. So you become, really,...they challenge your self-esteem, and your confidence in yourself. That’s bad for us. It’s one more thing that can make a woman depressed. It’s hard on your pride...

Conclusion

Historically, immigration has always been a controversial political issue in Canada, and the Canadian immigration bureaucracy plays a central role in controlling admissions of immigrants (Lacroix, 2005). Moreover, the international discourse favouring the control of undesirable immigrants is endorsed by the Canadian authorities. In this regard, Boyd and Pikkov (2005) note that in recent years, the number of immigrants in the “humanitarian” and “family reunification” categories has declined. This could be explained by changes to Canadian immigration policy.

A series of Canadian regulatory changes in the 1980s and 1990s quietly restricted immigration based on family reunification, and emphasized the intake of those who would make economic contributions. By the end of the 1990s, the majority of new immigrants to Canada consisted of “economic immigrants” and their immediate families. (Boyd and Pikkov, 2005).

Since 1976, family reunification has been a central theme of Canadian and Quebec immigration legislation. Nonetheless, in spite of these stated intentions, there are many obstacles to reunification (Rousseau et al., 1997). In 2004, the Canadian Council for Refugees denounced the “systemic cruelty that dishonours Canada” by imposing barriers that result in delays in family reunification for refugees. Likewise, Rousseau et al. (2004) speak of “clean violence” to describe the technocratic and administrative treatment that affects the lives of refugees in Western countries. The effect of immigration policies on immigrants separated from their families could also be understood as a kind of “structural violence” (Castro and Framer. 2003), which has its roots in immigration policies and procedures, whose orientation is essentially economic and which make family reunifications long and difficult for immigrants and refugees (Rousseau, Rufagari, Bagilishva & Measham, 2003).

This “intrinsic” or “structural” violence is expressed in three types of logic that affect how Canada organizes family reunification: a logic of suspicion, a bureaucratic logic and a logic of reproduction of inequalities, following a pattern that reflects the current globalization of trade.

A logic of suspicion

This logic is visible in the way CIC justifies delays and in what the women have told us: files are held back or examined, to verify whether the children declared on the application for reunification are in fact the “biological” children of the parent who is making the application; marital relationships are looked at “under the microscope”; police certificates are requested for any country in which the applicants have spent more than six consecutive months; and so forth. The effect of this logic of suspicion is to prolong the time required to settle cases, and to multiply the opportunities to ask once more for documents whose date has expired. The justifications given for these procedures are regularly presented in government documents which, under pressure from organizations that advocate for the rights of immigrants and refugees, must justify the way that the whole family reunification process is dragged out. For example, on December 5, 2006, five fact sheets were submitted to the Standing Committee on Citizenship and Immigration in a presentation by senior executives Citizenship and Immigration Canada on refugee-related issues. One of these sheets, which concerns family reunification, explains the medical and security requirements imposed by the Act and Regulations due to the prevalence of tuberculosis in the countries of origin (requiring greater medical monitoring), the significant extent of trafficking in children, and the difficulty that Canada would have in removing a person “inadmissible for security reasons”, since such a person would have access to the same remedies as other foreign nationals seeking to obtain a stay of their removal.

Nonetheless, the fact remains that this widespread suspicion produces, in women who have already been made vulnerable by their exile, their migratory experiences and their problems of integration, a feeling of inadequacy and of not doing “what has to be done”. Their inability to explain to their children who have remained in the country of origin (or in camps) the reasons why they cannot come to Canada immediately multiplies difficulties in family relationships.

A bureaucratic logic

As we have noted, the women we encountered cited several major obstacles to the processing of their file: the multiplicity of documents to be produced; the fact that communications written in a very formal language can be virtually unreadable; the impossibility of communicating with officers; stock responses (“your file is being considered”) given to mothers who want to know

where their case is at, or whether they have to provide other papers; and the anonymity of the individuals responsible for their file. This dehumanized bureaucratic logic increases the frustration and helplessness felt by mothers whose separation from some or all of their children is being experienced in terms of emotions and feelings.

A logic of reproducing global inequalities

If we look carefully at the justifications given for maintaining a ponderous bureaucratic machinery and for scrutinizing medical and security files, and if we also examine the disparities among continents in terms of the human resources devoted to visa officers, we very quickly realize that problems caused by the various steps in the family reunification process are particularly severe in the countries of the South, especially in Africa and some of the poorer countries of Central and South America (Guatemala, Bolivia). Most of the applicants and families who have difficulty achieving entry for family members thus come from countries which, until the 1970s, were not among the immigration countries “preferred” by Canada. Although the nationals of these countries are, at present, accepted as refugees or immigrants, they experience structural difficulties of integration in terms of employment, and since the 1990s, have been likely to experience high rates of poverty, despite their occupational qualifications as recognized by CIC (Picot, Hou and Coulombe, 2007). This all seems to suggest that despite Canada’s declarations concerning respect for human rights and equality rights as guaranteed by legislation, current practices in the area of family reunification were still reproducing both the old racial, ethnic and economic discriminations of the immigration policies prior to the 1970s and the inequalities that we observe every day between the industrialized countries and the so-called Third World countries.

Five recommendations

Concerning the process of family reunification in general:

- **That MOFIF campaign to have the spouses and children of individuals determined to be refugees in Canada brought immediately into this country, so that their files can be processed here.** This type of activity could be pursued in concert with the Canadian Council for Refugees, which has been conducting such a campaign since 2004.
- **That MOFIF foster the transfer of knowledge, in French, concerning the legislation and regulations on family reunification**
 - **by organizing workshops or contributing to the organization of workshops**
 - for women separated from their children
 - to assist service providers working in the organizations that are most often in contact with these women (community resource centers, etc.)
 - in community associations that bring together nationals from specific countries.
 - **by elaborating a dossier of clear information**, easy to read and translated into several languages (French, Swahili, African languages, Arabic, etc.), describing the process and the “traps” in applications for family reunification.
 - **by fostering the formation of support groups** in the social agencies involved in helping separated mothers.
- **So that the current procedure may be streamlined and speeded up, that MOFIF pursue actions with the competent authorities in order to**
 - **reduce the number of documents requested**, in particular as far as security certificates are concerned;
 - **recognize the age of the child** at the time the application for reunification is made, not when the visa is issued;

- **make known the financial supports** that exist, to lighten the immediate expenses required by the process; and
- **increase the number of visa offices or decentralize them**, so that they can process files within a reasonable timeframe.
- **In order to combat anonymity and arbitrariness in the processing of files, that MOFIF itself advocate:**
 - Creation of positions of referral liaison officer in Citizenship and Immigration centres, so that these officers can rapidly obtain information on the status of files being processed and transmit this information to the mothers.
 - Creation of a position of Immigration Ombudsman, who would be responsible for receiving complaints from individuals whose family reunification file has been delayed for no apparent reason, after six months of waiting.
- **That MOFIF develop an action plan to present its demands systematically to the competent organizations and authorities within the next 12 months.**

Bibliography

ARSENAULT, Stéphanie (2003). “La séparation et réunification familiales de dix femmes réfugiées congolaises”, *Service social*, 50, pp.122-144.

BASSOLÉ, Angèle, HAMBOYAN, Hoori, KÉRISIT, Michèle, PLANTE, Nathalie and YOUNG, Marta (2004). *L’impact du conflit sur l’intégration des femmes immigrantes et des réfugiées francophones en Ontario*, MOFIF research report, for Citizenship and Immigration Canada.

BERNHARD, Patricia, Judith LANDOLT & Luis GOLRING (2005). *Transnational, Multi-Local Motherhood: Experiences of Separation and Reunification among Latin American Families in Canada*. CERIS Working Paper No. 40, Toronto: CERIS.

BOYD, Monica and Deanne PIKKOV (2005). *Gendering Migration, Livelihood and Entitlements: Migrant Women in Canada and the United States*, Occasional Paper 6, United Nations Research Institute for Social Development, Geneva.

CASTRO, Arachu and Paul FRAMER (2003). “Violence structurelle, mondialisation et tuberculose résistante”, *Anthropologie et Sociétés*, 27, 2, pp.23-40.

CITIZENSHIP AND IMMIGRATION CANADA (2006a). *Strategic Plan to Foster Immigration to Francophone Minority Communities*. Ottawa:
[on line] <http://www.cic.gc.ca/english/resources/publications/settlement/plan-minorities.asp>.

CITIZENSHIP AND IMMIGRATION CANADA (2006b). “Renseignements statistiques : Demandes traitées dans les bureaux canadiens des visas. Personnes à charge des réfugiés Octobre 2005 à septembre 2006”, [on line] <http://ci.gc.ca/francais/ministere/delais-int/12-ref-charge.html>

CANADIAN COUNCIL FOR REFUGEES (2004). *More Than a Nightmare: Delays in Refugee Family Reunification*. [on line] <http://www.web.ca/ccr/nightmare.pdf>

CANADIAN COUNCIL FOR REFUGEES (2008). *Families Never to be United: Excluded family members*. [on line] <http://www.ccrweb.ca/documents/famexcluprofilsEN.pdf>

CÔTÉ, Andrée, KÉRISIT, Michèle and CÔTÉ, Marie-Louise (2001). *Qui prend pays ... l’impact du parrainage conjugal sur les droits à l’égalité des femmes immigrantes/Sponsorship...for Better or for Worse. The Impact of Sponsorship on the Equality Rights of Immigrant Women*. Ottawa, Research report, Status of Women Canada.

DANIEL, Dominique (2005). “The debate on family reunification and Canada’s Immigration Act of 1976”, *American Review of Canadian Studies*, winter, 683-703.

DESCARRIES, Francine and Christine CORBEIL (eds) (2002). *Espaces et temps de la maternité*. Montréal, Éditions du remue-ménage.

FALICOV, Celia Jaes (2003). "Culture and family Therapy. New Variations on a Fundamental Theme", in Sexton, G.R, Weeks, M.S and Robins, M.S (eds) *Handbook of Family Therapy. The Science and Practice of Working with Families and Couples*. New York: Brunner-Routledge, pp. 37-55.

CRIAW (Canadian Research Institute for the Advancement of Women) (2003). *Immigrant and Refugee Women*. [on line] http://www.criaw-icref.ca/indexFrame_e.htm
Analysis of the issues facing Francophone immigrant and refugee women living in Ontario separated from their children. MOFIF - March 2008 33
Analysis of the issues facing Francophone immigrant and refugee women living in Ontario separated from their children. MOFIF - Mars 2008 34

KOFMAN, Eleonore (2004). "Gendered Global Migrations. Diversity and Stratification", *International Feminist Journal of Politics*, 6, 1, pp. 643-665.

MACKSOUD, Mona and Lawrence ABER (1996). "The War Experiences and Psychosocial Development in Children in Lebanon", *Child Development*, Vol. 67 (1), pp. 70-88.

MOREAU, Sylvie, Cécile ROUSSEAU, Abdelwahed MEKKI-BERRADA TCMR & ÉRASME (1999). "Politiques d'immigration et santé mentale des réfugiés: profil et impact des séparations familiales", *Nouvelles Pratiques Sociales*, 11(2) – 12(1), pp. 177-196.

Ontario Office of Francophone Affairs (OFA) (2005). *Francophone Racial Minorities in Ontario – Statistical Profile*, Toronto.

PEKIN, Huseyn (1989). "Effects of Migration on Family Structure", *International Migration*, 27, 2, pp. 281-293.

PIERRE, Myrlande (2005). "Les facteurs d'exclusion faisant obstacle à l'intégration socioéconomique de certains groupes de femmes immigrées au Québec", *Nouvelles Pratiques Sociales*, 17, 2, pp. 75-94.

ROUSSEAU, Cécile, Jocelyne BERTOT, Abdelwahed MEKKI-BERRADA, Toby MEASHAM & Aline DRAPEAU (2001). *Étude longitudinale du processus de réunification familiale chez les réfugiés*. Montréal: Conseil québécois de la recherche sociale.

ROUSSEAU, Cécile, Marie-Claire RUFAGARI, Déogratias BAGILISHYA and Toby MEASHAM (2004). "Remaking Family Life: Strategies for Re-Establishing Continuity among Congolese Refugees during the Family Reunification Process", *Social Science and Medicine*, 59, pp. 1095-1108.

ROUSSEAU, Cécile, Sylvie MOREAU, Aline DRAPEAU and C MAROTTE (1997). *Politique d'immigration et santé mentale: impact des séparations familiales prolongées sur la santé mentale des réfugiés*. Report presented to the Conseil Québécois de la Recherche Sociale.

SUAREZ-OROZCO, Carola, Irina TODOROVA and Josephine LOUIE (2002). "Making up for Lost Time: The Experience of Separation and Reunification Among Immigrant Families." *Family Processes*, 41, 4, pp. 625-643.

TAHON, Marie-Blanche (2003). “La présomption de maternité”, in Tahon, Marie-Blanche (ed.), *Famille et rapports de sexe*, Montréal, Éditions du remue-ménage, pp. 13-36.

VATZ LAAROUSSI (2001). *Le familial au coeur de l'immigration : les stratégies de citoyenneté des familles immigrantes au Québec et en France*, Paris: L'Harmattan.