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Immigration changes to stop “marriage fraud” increase risk of domestic violence
Proposed amendments to Canada’s immigration regulations will further endanger abused women and children

(Toronto, Ontario, Canada – April 23, 2012) Last week was Prevention of Violence Against Women Week, but recently proposed amendments to Canada’s *Immigration and Refugee Protection Regulations* could increase domestic violence by trapping women and children in abusive homes.

The proposed changes will affect sponsored partners who have been in a relationship with their sponsors for two years or less, with no children at the time of application. The sponsored partner and sponsor will be required to live together in a conjugal relationship for two years during a “Conditional Permanent Residence” period. If the sponsored partner leaves during that time, she could face deportation.

The majority of sponsored partners are women. Women are at highest risk of the most serious forms of domestic violence, including physical and sexual assault. While the proposed amendments include an exemption for people in abusive situations, it requires victims to prove the abuse, and the genuineness of their relationship before violence forced them to flee. In Australia and the UK, conditional permanent residence periods have created risk for women and children, and similar exemptions for people facing abuse have been criticized as an ineffective safeguard.

“It victimizes the most vulnerable – abused immigrant women – and puts all sponsored spouses in the position of being threatened with the possibility of deportation for two years,” says Wendy Komiotis, Executive Director of METRAC (the Metropolitan Action Committee on Violence Against Women and Children), a Toronto-based, not-for-profit organization that works to prevent violence. “A sponsor can call authorities at any time and claim their relationship is fraudulent. Fear of deportation is something immigrant women have identified as a barrier to safety. Now more than ever that fear will be warranted,” Komiotis adds.

The government already pre-screens and rejects 16% of all spousal sponsorship applications. While proposed amendments are purportedly designed to stop “marriage fraud”, no firm statistics about the scope of the problem actually exist. Immigrant women are among the most marginalized in Canada, especially those who are racialized, learning English or French, and in the challenging process of settlement.

The proposal for Conditional Permanent Residence will punish abused immigrant women and children, and force them to choose between safety and a new life in Canada. Alternative measures to reduce risks of harm to immigrant women and children must be identified and include:

- conducting research on the extent of “marriage fraud” and exploring other effective practices to address it, if warranted;
- elimination of gender inequality and conditions that allow for coercion and force that result from the proposed amendments; and
- direct assistance and legislation to facilitate permanent residency when sponsorship breakdown results from domestic abuse.

For METRAC’s full statement on conditional permanent residence, visit:
<http://metrac.org/about/press.room/downloads/statement.conditional.permanent.residence.10apr12.pdf>

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