

Presentation to the UN special Rapporteur

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Background to the Filipino Community in Canada

Currently there are close to half a million Filipinos living in Canada. Compared even to the 1996 Census, preliminary 2001 Census data reveals that the number of Filipinos in Canada has risen significantly. As a relatively young community in Canada, Filipinos are now the fourth largest visible minority group in Canada.

In order to truly understand the reality of Filipinos in Canada and the critical issues that surround our community, we must understand the history of Filipino migration to Canada.

Filipinos first started coming to Canada en masse in the 1960s what is generally termed as the "First wave" of Filipino migration to Canada. While many came directly from the Philippines, many were professionals who moved from the United States after the expiration of their work permit in that country. Instead of returning to the Philippines where their opportunities for employment are slim, they migrated to Canada, which was encouraging the immigration of technical and professional people to help build the Canadian economy.

The "second wave" of migration spans the 1970s. During this time, the Philippine government implemented the Labour Export Program (LEP) as a component of structural adjustment programs of the IMF/World Bank. The LEP sparked a huge increase of Filipino workers leaving the country for jobs abroad.

Canada was in a period of economic growth and saw the continuing arrival of professionals to fill Canada's labour needs. There was a growing trend, however, of Filipinos entering Canada and becoming garment, sales, clerical and manufacturing workers. Also, a good number were family members sponsored by those who arrived in the first wave. Many of these family-sponsored members would have difficulty finding immediate work as they had no job placement prior to coming to Canada. This was the beginning of the cohesion of Filipino immigrants as a distinct ethnic community in Canada, with community groups and organizations (sports, regional groupings, cultural, etc.) being formed during this period.

The latest wave, from the 1980s onward, presents a new pattern in Filipino migration. While Canada continues to accept independent immigrants, the number of migrant service workers dramatically increased—especially domestic workers. A contributing factor to this is the fact that as the Canadian economy continues to grow, it draws out women from Canadian households and accommodates them in the workplace. While this brings Canadian women to the public sphere of the economy, it creates a demand for

replacement labour in the private sphere of the household. This brings about the formation of Canada's Live-in Caregiver Program (LCP), which replaces Canada's Foreign Domestic Movement (FDM).

The LCP is a program of Canada Immigration that imports highly educated and skilled professionals—majority women from the third world, and particularly the Philippines—as live-in domestic workers with temporary status. Under the LCP, women must work in the homes of middle and upper class families as domestic workers for a minimum of 24 months within a strict 3-year period, during which time they cannot study or take upgrading and/or refresher courses.

Filipino domestic workers who come in as migrant workers are required to have a minimum two-year level of college education. Thus, Filipino immigrants who are in their prime productive years and highly educated are a classic case of “brain drain” from the Philippines—professionals who are “de-skilled” and face a stalled development, with lack of proper opportunities to practice their profession. It is important to note here that women who are trained as nurses in the Philippines are not given the direct opportunity to work as nurses, despite Canada being in the midst of a nursing shortage.

Their right to economic stability is not the only point in question. Within the 24 month period, because the women have only a temporary status, they have no access to health and other benefits. And because they are required to live with their employers, the women can be called to work anytime, day or night, resulting in nearly 24-hour work days without overtime. With labour standards being violated, many Filipino women are kept silent about addressing the issues, for fear of being fired and in many cases, deported.

The nature of the program also leaves women vulnerable to various forms of abuse when in their employers household, including verbal and physical abuse, and in some cases, rape.

There is a lack of support from the Philippine Consulate, whose office is unfortunately closed on weekends—the only time that domestic workers have off.

There is an equal lack of support from Citizenship and Immigration Canada, who have failed to take a critical look at the LCP, and its impacts on the women and the larger Filipino community.

The Issue of Family Separation and Re-unification

With the majority of migrant women coming under the LCP, this gives more meaning to the term, the “feminization of migration.” Under the LCP, Canada immigration dictates that Filipino women must enter alone, without their families. In addition, high immigration fees and a lengthy immigration process make it difficult for Filipino women to sponsor their children and families. Only after finishing their work contracts with Canada Immigration can the women begin the process of sponsoring their children and families.

However, even after completing the LCP and acquiring landed immigrant status, the women continue to provide cheap labour as cleaners, care aides, and other cheap labour similar to domestic work.

Therefore, high immigration fees pose a major barrier for women to sponsor their families. Typically, it will take at 5 years or more for families to finally be reunited.

It is in this context of underdevelopment and legislated poverty that newly-arrived youth find themselves. Uprooted from the Philippines and brought into a family situation where parents continue to struggle for the economic survival of their families in Canada, Filipino youth must face a wide range of challenges. First of all, after being separated for many years, they must adjust to new family dynamics. They are forced to adapt to a new culture, and in doing so, face isolation and loneliness as they struggle with racism and discrimination at school and in the community. Finally, they become caught up in the cycle of underdevelopment and poverty of their families. Many are forced to enter the work force to help support their families. The majority of newly-arrived Filipino immigrants end up working at fast food chains and factories, following the line of cheap labour of their parents. Because of the broken family structure, Filipino youth often find that they do not have a proper support network to express their issues, particularly around racism.

On Racism

Various forces serve to keep our community backward, silent and underdeveloped. Our community's experience with racism in Canada clearly demonstrates how certain tools are used to keep our community as a segregated pool of cheap labour.

As Filipino youth, racism pervades every aspect of our lives. From being questioned about our abilities, to being called names or told go "back to where we came from" or as targets of police harassment to being violently attacked, racism is a daily struggle. As we continually experience the attacks and barriers put up by racism, the blanket of silence spreads over our community. Without a space to genuinely express and analyze these experiences, our inequality and underdevelopment is kept intact.

Racism in Canada functions on two different levels. On one level, we experience personal racism, a more blatant form of racism where we are attacked personally because of our language or the colour of our skin. For example, being told to "go back to where we came from," or being physically threatened or attacked. Many youth in our community face this kind of racism on a daily basis, on school grounds where they are continually being harassed and picked on.

On another level, we experience systemic racism, a more insidious form of racism that plays out in Canadian institutions. A concrete example of this is the severe personal attacks that happened to Filipino youth in a Vancouver high school. In September 1999, Filipino youth were facing intensifying attacks of personal racism from Caucasian students, which included intimidation, threats and physical harassment, to graffiti on the bathroom walls saying "all Flips must die!" Systemic racism served to silence these experiences. As a community, when we tried to bring out these experiences, we were simply told that racism could not be the spark of violence at schools because the Vancouver School Board (VSB) promotes the policy of "Multiculturalism." Furthermore, a community liaison police officer tried to pass off these attacks by telling us that the reason our youth are under increasing harassment simply because we are "becoming more visible." This suggested that we should let this wave of racist attacks pass, justifying the attacks on our basic human rights.

These actions by the VSB and the Vancouver Police show just how deeply rooted systemic racism is in Canadian society.

The use of both personal and systemic racism in Canadian society to silence and maintain our inequality and underdevelopment is clear in the case of our youth. Impacted by the intensifying onslaught of personal and systemic racism in schools and in society, Filipino students are dropping out of high school at an alarming rate. Now coined as "the disappeared," referring to the shocking numbers of youth dropping out of the education system in BC, and other major cities across Canada.

Burdened by systemic racism, the exploitation and marginalization of our community continues to deepen.

Canada's policy of Multiculturalism, while boasting the seemingly positive aspects of diversity, is used to dampen our efforts in organizing and making vocal the issues of our community. We are continually being told that because we live in a "multicultural society" that racism cannot be that prevalent. More concretely, in our work in the Filipino Canadian Youth Alliance in trying to conduct civil and human rights workshops for Filipino youth in high schools, we are told by the VSB that we must "diversify" our program, ultimately ignoring the specific characteristics and the needs of our community. We are told this despite the fact that we have conducted previous workshops in high schools in 1998. Currently, with the unfortunate state of affairs for Filipino youth in high schools, it is appropriate now more than ever to educate high school youth about their rights. Yet, we are denied. So continues the cycle of silence and underdevelopment of our community.

Review

Various Community based research and surveys, academic research, books and films, and legal cases note the major impacts of the racist and anti-woman LCP, which include the economic segregation of women and the poverty of the entire community, the de-skilling and underdevelopment (particularly in the case of Filipino nurses), forms of violence and abuse, systemic racism and discrimination, including the denial of basic benefits, and arbitrary deportations. In addition, the LCP builds the social construct of Filipino women as domestic workers, even as mail-order brides, contributing to the trafficking of women to Canada.

This program perpetuates modern-day slavery, and is a setback for women's equality, and is used as a rationale for the lack of a national childcare program.

The policy of Multiculturalism acts as a smokescreen, covering up the seriousness of racism in Canadian society. This needs to be reviewed particularly in its implementation in schools and other institutions, as it fails to understand the needs of specific ethnic communities, and acts as a barrier to the right to education.

Your support and action is needed

We believe that a thorough investigation and critical review of the LCP is needed. This would include an economic assessment and a look at the human rights violations of women and youth in our community.

Also, we must critically examine Canada's policy on Multiculturalism as a barrier to genuine development and equality.

As the UN Special Rapporteur, we kindly request your assistance and ask that you approach Honourable Denis Coderre, Minister of Citizenship and Immigration Canada, and Honourable Jean Augustine, Secretary of State responsible for Multiculturalism and the Status of women, and other similar departments to conduct a genuine review of the LCP and Multiculturalism, with full participation and dialogue with community groups, and to make the LCP, particularly the mandatory live-in requirement, a priority issue for policy analysis from a human rights, gender and race perspective.

We would like to continue a positive dialogue with UN and raise these issues to an international level, as currently, nothing has been done by Citizenship and immigration Canada to address these critical issues.

For further information, please do not hesitate to contact us
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