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... an opportunity to be a university student has helped me to boost my self-esteem. It is an excellent moral support for refugees to undergo through psychological recovery as each one of us has their own negative feelings to be forgotten. ... We want and can be equal members of Canadian society in every meaning of this.

Five years after the need to extend federal student loans to refugees in Canada was recognized, the change to allow this to occur was included in the 2003 federal Budget, to a standing ovation in the House of Commons. This achievement – a small legislative change costing a small amount of money, but with huge, long-term implications for the persons affected – took an enormous amount of time, patient follow-through and persistent, partnered effort by a wide range of stakeholders.

The process to this change was jolted by political circumstances throughout: a review of refugee legislation; 9/11; three different immigration ministers; staff changeover in government departments and ministerial offices; an election and a Throne Speech; Budget delays and then a security-focussed Budget. Through it all, the partnership persisted and grew, and so did the “obviously this is the right thing to do” feeling.

Some of these political circumstances seemed overwhelming. It’s hard to underestimate, for instance, how September 11 changed the political and public policy world and what effect this has had on refugees and refugee issues. Even as one barrier to refugees in Canada comes down, fewer refugees are able to enter Canada due to other, less compassionate policies that have been adopted at the same time.

This paper celebrates the achievement of access to student loans for refugees and lays out

strategies and principles for taking other issues forward.

Student loans a natural choice

I have lived in Canada for seven years with no landing in sight. ... I have been turned down by employers in the government and non-government sector for lack of employable skills. ... These are crucial years in my life and those of countless others here in Canada, where a higher percentage of jobs require an average three years of post-secondary education to survive.

The story starts with limbo. Refugees in limbo are those who have already gone through the process of being determined as recognized refugees but, for any number of reasons – system backlog, questions about identity documents or security checks – are still waiting to be landed. Lacking status as permanent residents, they’ve been stopped in many ways from getting on with their lives. Landing can take a year, but often it takes much longer. That waiting period is called “legal limbo.”

When the Maytree Foundation undertook a deliberate process of focussing its anti-poverty mandate in 1997, refugees in limbo emerged as a strong emphasis of its new Refugee and Immigrant Program. An early task of tackling limbo was to identify its cause and effects. One of the effects was that university and college were prohibitively expensive for most refugee families, and they didn’t have access to government student loans.

No one had set out to bar refugees from student loans. The problem was an oversight, and one that could be fixed. From the beginning, Maytree’s focus was both on achieving access to student loans and on seeing colleges

and universities charge these students domestic fees, not the higher international tuition rates.

A strategy was created. Maytree built a case for change beginning with those affected. It did the research, told the stories, checked the facts and dollars and cents, and found others with the same commitment to champion the cause.

Maytree partnered with groups like Citizens for Public Justice/The Getting Landed Project, using the organization's passion and experience to go to Ottawa and to coordinate the efforts of others. In 1999, Maytree exhibited leadership by creating the Education Access Program for Convention Refugee Students in Limbo, awarding \$51,655 that first year to students going through the landing process. In its four years, the program has helped 60 students. It continues, at least for the 2003-2004 school year.

While the scholarship program has been a concrete illustration of Maytree's commitment to refugees in limbo, it also has had a policy change thrust. When asked whom this policy affects, those working on the project could say: Faisal. Uitsile. Sadia. Tahir. It was a compassionate move, and also a strategic one – a means of hearing stories, collecting data, having real people come forward. Their stories were told, for example, in a brief to the House of Commons Standing Committee on Finance during pre-Budget consultations.

Documenting the case

I came here at the age of 17 back in 1996 with all my family, graduated from high school in 1998, we also got accepted [as refugees] in that same year. I wasn't able to go to university not up until last year, thanks to the Maytree Foundation. ...If it

wasn't for that I would have been waiting because I'm still not landed yet, a 23-year-old with a lot of potential but not going to school...

A series of public papers by Andrew Brouwer, published by the Caledon Institute of Social Policy, laid out the case for change, first from the big picture of limbo and then down to the specific issue. His February 2000 paper, *Equal Access to Student Loans for Convention Refugees*, estimated that extending access to the approximately 1,000 recognized refugees who would use the program would cost an estimated \$4.5 million in loans – a tiny amount given that Canada already grants \$1.6 billion to 350,000 students. The refugee students are given no special advantages – they must qualify for the loans, and they must pay them back – but at least now they have that chance.

Before the *Equal Access* paper was released, it was reviewed by many of those who had a stake in the change, including government. This led to widespread acceptance of the paper because all those concerned had a chance to argue the numbers and dollars in advance.

Partners of all kinds

The UNHCR [United Nations High Commissioner for Refugees] Office in Canada has been following with concern the situation of young people in Canada who have been recognized as refugees ... We urge you to consider including in the 2003 Federal Budget the funds needed to enable refugees to have access to student loans...

Campaign 2000 is a Canada-wide network of 87 organizations committed to the implementation of the 1989 House of Commons resolution to end child poverty in Canada. ... We would like to take this opportunity to

show our strong support to the Access to Student Loans for Refugees campaign.

Allies were thick on the ground. In November 1998, a resolution was passed by the Canadian Council for Refugees (CCR), the large umbrella organization of refugee-supporting bodies. This resolution acted to sanction the issue, prompting Jane Stewart, Minister of Human Resources Development Canada, to single the resolution out as “very helpful” to achieving success.

A series of partners became the Multi-Sectoral Advisory Group, formed to show that the issue was one of equity and equality. Members included the Canadian Council for Refugees, the Canadian Federation of Students, anti-poverty advocates such as Campaign 2000, and political and government interests. *Toronto Star* columnist Michele Landsberg agreed to act as a media advisor. World University Services of Canada also came on board, as did the Canadian Association of Student Financial Aid Administrators, representing those who administer student loans.

Early meetings with Toronto-area Liberal MPs Sarmite Bulte, John Godfrey, Maria Minna and Bill Graham also bore fruit throughout the process of achieving change.

Citizens for Public Justice took a lead role in 2000, following a successful campaign to have the Right of Landing Fee, the so-called Head Tax, rescinded for refugees in that year’s federal Budget.

In the end, the community of partners and supporters was wide. It included people in and out of government, directly connected to refugees and those not, future administrators of the change, non-refugee students, members of faith groups, ordinary citizens of many stripes

and refugee students themselves. All played a role and persisted through the ups and downs of the process to achieve change.

A first bold attempt

I came into this country as a refugee with high hopes of entering into university. These hopes were forestalled by my inability to apply for an Ontario Student Loan due to my refugee status, forcing me to delay my education. This had a very large and very adverse effect on me. I found myself compelled to remain another year in high school and resented the fact that although I was qualified to continue I was hindered by my birthplace and my origin. I was only able to enrol in university with the help of NGOs and awards geared toward refugees. However these awards are very limited.

The turning point in the five-year battle for change was an attempt by Graham, now Minister of Foreign Affairs, to see a private member’s bill pass through the House of Commons in June 2000. The bill, C-487, called for the simple addition of three words – “and Convention refugees” – to the Canada Student Financial Assistance Act which granted access to student loans only to Canadian citizens and permanent residents. The bill garnered the support of the four opposition immigration critics as well as the tacit support of the government, which allowed the bill to proceed. Ultimately, the bill didn’t get passed for partisan reasons – no one disagreed with it, but there was tension about a government member using a private member’s bill.

“This (bill) was a good thing,” recalls Graham, who had encountered the student loan problem among the many refugees in limbo in his riding. “It doesn’t represent a huge drain on the treasury. This is something for the people

who are the future of our country. They are our future citizens, our future society. It's in our self-interest to help them. It seemed to me to be self-evident. I was thrilled to be part of it."

Losing the bill was horribly disappointing to Graham and other advocates. But while it was a setback, it also put the issue on the table in Ottawa.

Pursuing other avenues

This young man who came to British Columbia from Togo is very anxious to get the education he needs to begin a career in Canada, but almost three years after his arrival in this country he is not yet eligible to get a student loan. He is unable to save money for tuition fees on his current wages, and he worries that this time in his life for schooling is passing him by.

The private member's bill got wheels in motion in the two departments concerned – Citizenship and Immigration and Human Resources Development Canada (HRDC) – which began talking with each other. By early fall of 2000, HRDC staff held meetings with staff from Maytree and CPJ/The Getting Landed Project, creating optimism that progress was being made.

Then, new immigration legislation that would have an impact on the issue was introduced, followed by a late fall election that further stalled progress. Finally, in February of 2001, the new immigration legislation was re-introduced into the new session of Parliament.

All along, access to student loans had been concerned primarily with Convention refugees. The new immigration legislation created a new category, "persons in need of protection,"

to add to the categories of Convention refugees and humanitarian classes. This confused matters for some time. It also brought to a head the question of which department would now shepherd through the change. Eventually it was determined that the issue would stay with HRDC, which would simply add the words "and protected persons" to the legislation, to round up all the sub-categories of Convention refugees and other persons in need of protection.

HRDC Minister Stewart reflects back on that time: "I had been working and quite supportive of Bill's private member's bill, and immediately after I went back to the department and forced the issue. It's such a logical thing for us to do to provide that avenue of recognition and support to refugees. And it dovetailed with other priorities of our government, such as with the skills and learning initiatives. It was absolutely apparent that this was an obvious first priority."

She also praises those pressing for change, saying how the work of making a case – outlining the benefits, the dollars, the need – had been done before the government had been asked to act. As well, the government received a strong and consistent message from many. Minister Stewart says this made it clear there was broad support and the change would be well received.

9/11

Living in Canada as a refugee for over nine years, I found that it would have been impossible for me to pursue post-secondary education if it were not for foundations such as The Maytree Foundation. As a "Canadian in waiting" I think it is only right if we all get an equal opportunity towards post-secondary education.

Faisal's story

When civil war forced Faisal to leave Somalia, he travelled to Kenya first. He went to high school there and even spent a year at the university in Nairobi. He came to Canada in 1996, when he was 24, and applied to be recognized as a refugee. It took a year and a half to get that first level of status in Canada. Faisal settled in Toronto and applied to the University of Toronto as a student. There was good news, and there was bad news.

The good news was that the university was willing to transfer his credits from Kenya. "That was a big head start," he says. The bad news was that without refugee status, he would be charged international student rates, which are a good deal higher than the tuition Canadian students pay.

So Faisal applied for a work permit and when it came, three months later, he went to work. He took the night shift at a business supplies warehouse, his goal to earn enough for a course or two at a time. "I was very motivated and focussed," he recalls. At the same time, as most immigrants and refugees do, he sent money home to his family as well.

A year later, keeping the full-time night shift, he took three courses by day. He had refugee status now and so he paid regular tuition, but he still wasn't eligible for student loans. It was hard. He got a break the year after that, qualifying for a bursary. "It helped."

Then he heard about the Maytree scholarship – "I was fortunate to get a scholarship." He was able to finish the last two years of his four-year science degree full time. "Overall I was very lucky. A lot of my friends were in similar circumstances, but some couldn't get their education recognized. Some were forced to go back to high school. For some it was hard to come up with the money."

Faisal goes on, "That is a very big deal for refugees, it's very difficult, if not impossible, to pay tuition without help."

Faisal had hoped to be a doctor. His one year of studies in Kenya was at a medical school. Today he works for a pharmaceutical company. He is philosophical: "It was not possible to go to medical school part time. They're not set up that way."

With the regret for that dream, there's also contentment. And Faisal, 31 and married, has offered to mentor any other Maytree scholars interested in his industry.

All efforts were then aimed at an expected February 2002 Budget and there was every reason to believe it would contain the desired policy. Canada was well into surpluses and the Prime Minister was speaking publicly about social programs and social spending. Then it was September 11, 2001, and everything changed. Security concerns took over the public agenda and, for the next six months, the public purse.

Given the new federal priority, advocates turned their focus to the provinces and territories, which also offer student loans in conjunction with the federal government. They had already been asked to mirror the federal policy change, and the answers tended to be yes. Attempts were made to cement the resolve.

The home stretch

As a refugee student at the University of Calgary under one year sponsorship by the World University Service of Canada, I have the opportunity to meet those refugee students who came before me, and it is disheartening to find out that their chances of pursuing education are at stake since they can't get loans.

When rumours started to circulate as early as spring 2002 that Parliament might be dissolved and a new session begun in the fall with a Throne Speech setting out a new social policy agenda, hearts began to lift and a final push was made. Many letters were written and many personal contacts made. There were media stories, opinion pieces, an information pamphlet sent to every MP and calls to Cabinet ministers. An ad was placed in the influential newspaper on Parliament, the *Hill Times*, calling for action. Every stone was turned. Still, the outcome was uncertain for a good while.

Internal turmoil in the Liberal party led to the appointment of a new finance minister, John Manley. This was going to be Mr. Manley's first and possibly only budget. It would be carefully guarded. Meetings were held with his staff, but there was the fear that it might not be enough. That's when Chris Killoran entered the scene. As office manager at the policy-oriented South Ottawa Community Legal Services, Chris had just completed a video on the challenges young refugees faced – and, more importantly, Manley was her MP.

It took a few months for Chris Killoran to get a meeting with the new minister, but when it happened, she told him about a high-achieving young man who had to abandon his acceptance in astrophysics at York University because he couldn't afford to go and had no access to loans. The story must have stayed with Manley, because he repeated it soon after in Calgary. The *Globe and Mail* caught wind of this and began to follow it up. When calls came from the Minister's office trying to find that student to speak to the *Globe and Mail* reporter, it seemed clear that student loans would be in the budget.

The story ran on the front page of the *Globe and Mail* on February 15, 2002 and, three days later, Manley prompted a standing ovation in the House of Commons when he read these words: "We are amending the Canada Student Loans Program. We are doing more to help students better manage their debt loads and we are now making protected persons in Canada, like convention refugees, eligible for student aid."

So, after five years of effort, access to student loans at the federal level has been achieved. As of August 1, 2003, refugee students are eligible for federal loans, although it will likely take a year to get everything in motion. Work continues to see the provinces adopt

similar legislation, and efforts are under way to inform colleges and universities across the country and to enjoin them to charge only domestic tuition rates to these “Canadians-in-waiting.”

But the story doesn't end there. While access to education will make a significant difference to refugees already in Canada, there remain other blocks that keep many in limbo. Work continues to eliminate these barriers. At the same time, other concerns have grown. Andrew Brouwer, long connected to this work through Maytree and Citizens for Public Justice, reflects on this:

It's important to see this wonderful victory in context. Canada, like the US, Australia, the UK and much of Europe, is increasingly shutting its doors to refugees, especially since 9/11. The so-called Safe Third Country Agreement with the USA, once it comes into effect, will cut off access to Canada for thousands of refugee claimants each year. Canada's overseas interdiction program prevents another 5,000 to 8,000 undocumented men, women and children, many of whom are fleeing persecution, from coming to Canada and seeking protection. For those asylum seekers who do manage to make it into Canada, there is a growing likelihood that they will be thrown into detention if they are undocumented.

One of the strengths of the student loans advocacy was that it educated and mobilized a fairly diverse range of actors, some of whom were not previously aware of the situation faced by refugees in Canada. My great hope is that this expanded 'community of concern' will seize the momentum of this victory to continue to advocate for the protection and human rights of refugees, whether or not they happen to have a passport.

Advice for the next time – lessons learned

1. *Plan well.* Start with the lives of people. Establish what the impact is on the community concerned. Build a case.
2. *Seek authentic voices and tell stories.* The people affected can often persuade better than facts and figures and arguments about justice. Encourage them to speak.
3. *Passion* will help to carry you through the long haul. It's more fruitful than anger, though anger may serve to give a kick-start. Take it where you can find it.
4. *Long-term commitment and follow-through* is needed by at least one or two persons or organizations to keep things chugging along, even to achieve small changes.
5. *Get the word out.* There are likely untold people and constituencies who have a stake in the change and who could be willing to help if only they knew they were needed, and informed what they could do. Give those interested the information they need.
6. *Take away the “no.”* Proactively look at your issue from the side of those whose support you need (e.g., government ministers and departments, different levels of government) and figure out what they will be worried about. Then answer those worries by providing what is necessary (e.g., media coverage, widespread support).
7. *Follow the bouncing ball of political power.* Keep your eye on the bigger political circumstances to know how they will affect your issue and how you can tie your issue to changes in power and/or new themes of decision-makers.

8. *Carry the file.* There are many persons who influence a change. Those seeking change must 'carry the file' among, between and, often, directly to those who make decisions in our political system. This is true both within and outside of government.
9. *Suggest alternatives.* Get to know all the political, administrative and implementation steps needed to see a policy achieved. Suggest alternative ways of doing it and keep different routes open at once.
10. *Develop relationships.* Keeping contact with many players and developing relationships, even if they move to different roles, are key.
11. *Encourage champions.* If a person or organization is willing to take this on, even if their role changes, encourage them to keep speaking. Be strategic but also be generous. You never know what will make the difference.
12. *Stay encouraged and motivated.* Staying tied to those the change will affect is one way of doing this.