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GAY ISRAELI ARABS SEEKING ASYLUM HERE, LAWYER SAYS

By **Ron Csillag, JTA** - June 9, 2011

TORONTO — Canada continued to accept refugees from Israel last year, but one immigration lawyer says almost none of those granted asylum were Jews and most were Israeli Arabs facing persecution for their sexual orientation or for refusing to take part in terror attacks.

Figures obtained by The CJN from the Immigration and Refugee Board (IRB) show that of 484 refugee claims from Israel finalized last year, 56 were approved – an acceptance rate of 12 per cent.

The acceptance rate from Israel the year before was just five per cent.

The IRB rejected 324 claims in 2010. The rest were abandoned or withdrawn.

Ottawa's acceptance rate for refugees from Israel has been dropping steadily since 2005, when it was 31 per cent.

The IRB doesn't release reasons, whether political or religious, for granting asylum, but Toronto immigration lawyer Guidy Mamman says "virtually all" those from Israel who win asylum in Canada these days are non-Jews.

That's in stark contrast to years past, when this country granted refugee protection to Jews from former Soviet republics who immigrated to Israel, then springboarded to Canada, a favourite destination.

Through the 1990s, these claimants typically alleged that while in Israel, they faced discrimination and were denied jobs and housing, even threatened and harassed, because of mixed marriages or questionable status as Jews.

Canada's acceptance of these claimants led to friction with Israel, which argued that as a multicultural democracy, it did not produce refugees. Israel said such claims were spurious and designed simply to gain entry to other countries.

But the days of former Soviets seeking asylum here are over, Mamman said.

Now, "it's mostly Arab males resisting terrorist activities" and who have Israeli citizenship, he said.

He said refugee claims from Israel generally fall into three categories: Arab men, whether Muslim or Christian, fleeing pressure to carry out terrorism; Arab males based on sexual orientation, and Arab females who are in "problematic" relationships, including marrying outside their clan, those who spurn arranged marriages, or who are in a same-sex relationship.

Gay Arab men "aren't alleging persecution," Mamman noted. "They're terrified of returning."

Other Arab males "can face tremendous pressure to participate in terrorism, especially those who can pass for Jews." Any Arab who sells land to Jews or is even suspected of collaborating with Israel can face grave danger if returned there, Mamman said.

There are still some Israeli Jews who claim refugee status in Canada, "but for reasons that are not related to fear of persecution" if they're returned, Mamman explained. These can be Israelis who overstay their visits or face criminal charges back home. The law says they can stay in Canada pending a hearing, he said.

The board has a separate category of claimants from "Palestine." These claimants may have resided in the West Bank or Gaza.

IRB numbers on Palestine show that in 2010, 73 per cent, or 80 claimants of the 110 finalized, were granted asylum. The success rate in 2009 was 62 per cent.

Edward Corrigan, a London, Ont.-based immigration lawyer who handles claims from Palestinians, said most successful claimants have alleged they were pressured into spying for Israel, putting them at great risk, or fled Gaza because they were involved with the West Bank-based Palestinian Authority and Fatah movement.

The Israeli Embassy in Ottawa had no comment on the latest IRB figures.

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