

MEMORANDUMReview of Present Grounds for Rejection
of Applications for Immigration

At its meeting of December 11, 1958, the Cabinet Committee on Immigration agreed that the Security Panel should be asked to review the present security grounds for rejection with a view to eliminating those which would not seriously affect the security of the country, or including new grounds according to the international situation or security need.

Review of Present Grounds for Rejection

The following is an outline for the security screening procedure currently used:

- (a) Communist, known or strongly suspected. Communist agitator or suspected Communist agent.
- (b) Member of SS or German Wehrmacht. When non-German found to bear mark of SS Blood Group.
- (c) Nazi.
- (d) Criminal (known or suspected).
- (e) Professional gambler.
- (f) Prostitute and homosexual.
- (g) Black Market racketeer.
- (h) Persons who under interrogation are evasive and untruthful.
- (i) Failure to produce recognized and acceptable documents as to time of entry and residence in Germany.
- (j) False representations; use of false or fictitious name.
- (k) Collaborators.
- (l) Members of the Italian Fascist Party or of the Mafia.
- (m) Trotskyites or members of other revolutionary organizations.

From time to time since the establishment of the above categories, individual grounds for rejection have been examined by the Security Panel, but no general review has taken place.

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1. Ground (a): Communist, known or strongly suspected.
Communist agitator or suspected Communist agent.

It is recognized that Communists and Communist agitators or suspected agents pose the greatest threat of any group to the security of Canada, and it is not suggested that any change in policy or regulation should be made to facilitate their entry into this country. Nevertheless it is felt that the position of persons with previous Communist associations which may have been other than ideological, should be examined as well as the position of persons in certain countries who, while not Communists, are suspected of Communist sympathies. This will be done by looking at those countries individually where these problems most frequently arise.

Hungary (see Appendix A - Mr. Laval Fortier's letter of November 17, 1958, to Commissioner Nicholson, R.C.M.P., and Appendix B - Commissioner Nicholson's reply thereto of January 15, 1959).

There is no doubt that many of the Hungarians who fled Hungary following the October, 1956, uprising had been Communists and that many among them were admitted to Canada, because the emergency created by the refugee problem did not permit the usual security screening. Doubtless, hundreds of those who came to Canada would not have been permitted to do so had strict screening taken place. While, in general, screening did not occur, through interrogation or other means it was learned that some Hungarian refugees had participated in Communist activities prior to the uprising. These persons were not allowed to come forward. Many of them now in western European countries have close relatives in Canada. No doubt some of them were ideological Communists rather than "economic Communists" but the percentage of each category is difficult to determine, as indicated in Commissioner Nicholson's letter of January 15 addressed to Mr. Laval Fortier.

The Security Panel is asked to express their opinion whether Hungarian refugees with a previous Communist association who fled Hungary between October 23, 1956 and July 1, 1957, should continue to be rejected on security grounds.

Greece

The political history of Greece since the outbreak of the Second World War has been extremely complex. It is difficult to obtain accurate information on prospective immigrants, owing to the potential corruptibility of the poorly paid local police who are suspected of being quite willing to provide a clear conduct sheet for the right price, and the inability to obtain information on past activities of persons who have been granted amnesties. The practice of granting amnesties or decharacterizations was inaugurated in 1955 by the Greek Government to separate the loyal citizens who may have been carried away in the past from confirmed Communists. The amnesties covered a wide range of activities which include membership in ELAS (a Communist-led resistance movement directed against the German Forces of Occupation) to participation in anti-government organizations, during the two Greek

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civil wars which followed the end of the Second World War. All persons branded as Communists were informed of the charges and were given an opportunity to denounce Communism and prove their loyalty. If the accusation is proved and the person maintains his belief, he is not decharacterized, but if nothing is found against him, he is decharacterized. Persons who were automatically decharacterized include those members of anti-national organizations during the Occupation who were under 17 years of age in October 1944, or who fought against the Communists in the second Civil War.

While it is possible to learn, from generally reliable central agencies, if an individual has been decharacterized, information on the previous activities which led to his being decharacterized cannot be obtained. Accordingly, an element of risk is involved in accepting a decharacterization for immigration purposes.

Against those persons who may not have gone through the decharacterization process, information may come from the local police who, out of spite, may "characterize" a prospective immigrant. This is scarcely fair to those so labelled but in the absence of a means of obtaining full and more accurate information, it is recommended that any benefit of the doubt be given to Canada; in other words, decharacterization, despite its shortcomings, should be accepted as security clearance in the absence of other information, and adverse information against persons not decharacterized, even though the source is of doubtful validity on occasion, should be reason for rejection in the absence of means of verification.

Italy

Reasons for rejection of applications from Italy at the present time include the following:

1. Membership by the prospective immigrant in the Communist Party of Italy.
2. Sympathizer of the Communist Party.
3. Orientation to the Communist Party. (The expression "orientated" is an indication that this particular person has taken concrete steps to show his political tendencies and should be viewed as more serious than a case reported to be, as in (2), a sympathizer of the Communist Party of Italy).
4. Membership in the Socialist Party of Italy.

Reason (1) remains a valid reason for rejection but the Panel is requested to give its opinion on (2), (3) and (4). A sympathizer of the Communist Party could be simply a person who agrees with its economic aims but not its political aims. An "orientated" person might hold stronger views but it could be argued that unless his "concrete steps" involves actual membership in a Communist or Communist-dominated organization, and participation in its affairs, rejection is not necessarily justified.

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Since 1955 Nenni Socialists have moved away from the Communist Party, and it could now be argued that membership (at least rank and file membership) is no longer a valid ground for automatic rejection on security grounds.

- 2. Ground (b): Member of SS or German Wehrmacht. When non-German found to bear mark of SS Blood Group.

Membership in the German Wehrmacht is no longer a cause for rejection. The question of former membership in the SS, SD, SA and Waffen SS was considered by the Sub-Panel of the Security Panel on October 18, 1954, who recommended that membership in these groups should no longer be a cause for automatic rejection, and that each case where close relatives in Canada are concerned should be studied to ascertain whether or not the individuals joined voluntarily. The Panel may consider that the same criteria should apply to all prospective immigrants with former membership in these organizations whether or not they are sponsored by relatives in Canada.

- 3. Ground (c): Nazi.

Since April 1952, former membership in the Nazi party has not been considered an automatic cause for security rejection. The only persons rejected are those who, in the opinion of the R.C.M.P., present a real security risk if admitted to Canada.

- 4. Grounds (d),(e),(f) and (g): Criminal (known or suspected);
Professional gambler;
Prostitute and homosexual;
Black Market racketeer.

If information is found on any of these four grounds, the reason is passed to the Visa Officer who decides whether or not a visa should be granted.

No changes to these categories are recommended.

- 5. Ground (h): Persons who under interrogation are evasive and untruthful.

No change is recommended.

- 6. Ground (i): Failure to produce recognized and acceptable documents as to time of entry and residence in Germany.

As this cause for rejection appears to have been inserted to meet the immediate post-war situation in Germany in order to sort out genuine refugees and slave labourers from others, it no longer appears to be of importance and it is suggested that it might be dropped from the list.

- 7. Ground (j): False representations; use of false or fictitious name.

No change is recommended.

8. Ground (k): Collaborators.

The Security Panel at its meeting of May 15, 1952, agreed that former collaborators should be excluded on grounds of moral turpitude except minor collaborators whose actions resulted from coercion.

It is recommended that this category be now reviewed, that collaboration in itself be not recognized as grounds for security rejection, and that restrictions be confined to major collaborators such as:

- (a) Those convicted of fighting against or engaging in activities harmful to the safety and well-being of the Allied Forces;
- (b) Those convicted of implication in the taking of life or engaging in activities connected with forced labour and concentration camps;
- (c) Those who were employed by German police or security organizations and who acted as informers against loyal citizens and resistance groups;
- (d) Those charged and found guilty of treason.

9. Ground (l): Members of the Italian Fascist Party or of the Mafia.

Former membership in the Fascist Party is no longer an automatic cause for security rejection. The only persons now rejected are those who in the opinion of the R.C.M.P. pose a real security risk if admitted to Canada.

It is recommended that rejection of Mafia members be continued.

10. Ground (m): Trotskyites or members of other revolutionary organizations.

It is suggested that this category might be enlarged to include members of neo-Fascist parties which, to a limited extent, have appeared in Italy and Germany.

Ottawa, April 2, 1959.