

Nov. 15, 2003. 01:00 AM

Hopes, dreams but no status

Illegals meet to share stories

Brazilians weigh going public

MAUREEN MURRAY
STAFF REPORTER

Olga Sobrinha bought her first restaurant in Toronto long before she had legal status to live in Canada.

The petite businesswoman juggled bricklaying as well as running her diner during the five years she lived and worked in the country illegally.

Sixteen years later, Sobrinha, 46, now a Canadian citizen, is playing hostess in her sprawling Brazilian eatery to a crowd of "illegals."

The group crammed around tables in Sobrinha's west-end establishment are all ages. Some wear construction boots and faded jeans still caked with cement dust tracked from housing construction sites. Others look crisp in their button-down shirts and shiny black loafers.

Nearly all of these 60 Brazilian expatriates gathered here on a recent evening live and work in Toronto illegally. Some have been in Canada for only a few months. Others have lived here for years — they own homes, they operate businesses, they are raising Canadian-born children.

But they live in fear of immigration officials knocking on their doors, appearing at their workplaces, pulling them over in their cars.

This meeting is extraordinary — people who are part of the underground economy don't usually congregate in public.

"We don't talk about status. We must hide even from Brazilian people," said Agnaldo Amorim, 35, who has lived underground in Toronto for the last four years. He has no immigration papers, but he has a deed for the house he bought after living in Canada for a year and a half.

Although Statistics Canada puts the local Brazilian community at fewer than 5,000, Tania Nuttall, editor-in-chief of Brasil News, a small community newspaper, says she knows the actual figure is much larger because she prints 10,000 copies of her newspaper every other week and estimates the readership at 24,000. "Eighty per cent of the people sitting around here are not documented," says Nuttall, 38, scanning the crowd.

Amorim, a drywaller, slipped into Canada with a visitor's visa. Speaking hardly a word of English, he stayed at the airport for six hours until he met someone who could understand Portuguese.

"They brought me downtown to the Brazilian area," in the Bloor St. W. and Ossington Ave. neighbourhood.

Amorim has come to the meeting this night hoping that collectively the community can lobby to gain legitimacy for its non-status members.

But Maria Iadinardi, spokesperson for Citizenship and Immigration Canada, says allowing people to stay after they



ANDREW STAWICKI/TORONTO STAR
Paulo, strumming Brazilian folk songs, is a construction worker who has lived illegally in Canada for three years. With him is another illegal worker. "My dream is to open a business," Paulo, 47, says.

have come and worked here illegally is problematic. "The idea of just saying 'Let's just give amnesty' is unfair. We do not want this to be an incentive for people to break the law."

Some have loudly criticized what they see as lax immigration controls, which allow individuals like Amorim to settle in Canada illegally.

But Amorim makes no apologies for being here. "If a Canadian wants to do my job, let them go to a construction site and work 12 to 13 hours a day and leave their blood there."

Amorim says he is able to work in the underground economy because Ottawa turns a blind eye to certain industries that have come to rely heavily on illegal workers. "They don't have (a lot of) Canadians that are willing to do that job, so they close their eyes. But if the recession comes they're coming after you," he says.

Immigration officials argue that criminals and security risks are the department's priorities, meaning illegal workers like Amorim get less scrutiny.

Immigration Minister Denis Coderre is considering a proposal from the local construction sector to give thousands of illegal workers involved in the industry a chance to apply for work permits from within Canada. Coderre told reporters in Toronto this week that he favours setting up a "validation process." But he rules out any kind of blanket amnesty, calling the idea "totally irresponsible."

Between 1987 and 1988, the United States offered amnesty to 3 million illegals who had been living in the country for more than five years, but the non-status pool continued to grow.

Back at the meeting, conducted entirely in Portuguese, people tell their stories.

Nuttall, the newspaper editor, says the vast majority of the Brazilian community originally came as visitors or students and spent time working underground. Nuttall came here 19 years ago and gained permanent resident status by working for four years under Ottawa's foreign nanny program. "My case is rare," she says.

Some borrow time by filing refugee claims, which usually fail because Brazil isn't viewed as a country producing legitimate asylum seekers. Others eventually get permanent status by marrying landed immigrants or Canadian citizens and being sponsored by their spouses.

"Determining the number of people who are in this country illegally or most countries illegally has proven to be impossible," Iadinardi says.

Yet U.S. Citizenship and Immigration Services states on its Web site that an estimated 5 million illegal immigrants lived in the country in 1996.

Canada has no exit controls to track whether those who come in as visitors ultimately leave the country. This reality has come under fire since the Sept. 11 attacks in New York and has triggered proposals for a national identity card to better monitor those within our borders.

But people at the meeting argue they are no threat to Canada's security. They are here seeking a piece of the North American dream. They sneak in the back door, they say, because many people from Brazil, lacking post-secondary education and a knowledge of English, have little success immigrating here through legitimate channels.

They are without status, but filled with high hopes. "My big dream is to open a business," said Paulo, 47, who alternates between relying on a translator and demonstrating his budding proficiency in English. He asks that his surname not be used. He has held numerous jobs — bricklayer, carpenter, landscaper, welder — since coming as a visitor three years ago and slipping underground.

"Sometimes I've worked in construction for a week or more and not gotten paid, or at the end of the month I get half of what they promised," he says. "The guy promised to pay me \$10 per hour and he ended up paying \$7 an

hour. They knew I was illegal." But he says he has also received shoddy treatment from a subcontractor who had no status.

Near Paulo sits Lucia, who has been in Canada for only a month. She's on a six-month visitor's visa, but is quickly learning the ropes.

"I started working the first day I came. I didn't get paid for the initial work I did," she says.

Lucia, 46, works as a cement finisher on new houses. She says she risked coming here because her daily existence in Brazil was just too hard. "You cannot find a job, even in the middle class. Everyone should be given a chance to eat," she says.

Life underground can be precarious, but some thrive. No one at the meeting is surprised to hear the stories of those who say they earn \$6,000 a month working in construction. The work is hard and the hours are long, but many are not paying income tax. Others say they register a company name with the province for a nominal fee and pay the taxman through the business.

A Revenue Canada spokesperson says taxes are expected even from illegals, and the department will issue, on request, special tax numbers allowing them to file a return.

Some avoid paying taxes for fear they will be apprehended by immigration. But many at the meeting say they would gladly pay taxes in return for gaining legitimate status in Canada. Sobrinha, who runs her own bricklaying firm as well as the restaurant, says she has so far put up about \$18,000 in bail to get her fellow Brazilians out of immigration detention. Sobrinha gained legal status after five years when she married and was sponsored by her spouse.

About 9,000 people are kicked out of Canada every year for immigration violations. Yet those in the Brazilian community without status continue to open businesses and buy homes. Amorim says he was able to secure a mortgage by turning to a private finance company, which advertised credit to high-risk borrowers.

The community advocacy being debated at this meeting is in its infancy. Will it be easier to lobby for status as a group, rather than as individuals?

Iadinardi points out that federal immigration laws allow individuals, even those here illegally, to apply to stay within Canada based on humanitarian and compassionate grounds.

"We do not want to encourage abuses of the system." Still, immigration will consider how long an individual has been living in Canada, the ties they have in the country and their ability to support themselves in deciding whether they should be given a chance to stay here.

"We're trying to balance the humanitarian factors that may be present with our obligation to protect the safety and security of Canadian society," she says.

Nuttall says many in the community, though desperate, are too afraid to come out alone. Thus, the gathering in the restaurant.

"Without status you are nobody," she says. "You're like a prisoner in a free country."

> [Get 50% off home delivery of the Toronto Star.](#)

[FAQs](#) | [Site Map](#) | [Privacy Policy](#) | [Webmaster](#) | [Subscribe](#) | [My Subscription](#)

[Home](#) | [GTA](#) | [Business](#) | [Waymoresports](#) | [A&E](#) | [Life](#)

Legal Notice:- Copyright 1996-2003. Toronto Star Newspapers Limited. All rights reserved. Distribution, transmission or

republication of any material from www.thestar.com is strictly prohibited without the prior written permission of Toronto Star Newspapers Limited. For information please contact us using our [webmaster form](#).