

**Questions related to the government's response to
Petition No: 412-0318 to 412-0320 which requires additional information.**

The questions concern the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in the petition response found on page 2, paragraph 2 and 3.

Canadian Law in the Governments response in the petition states that "More specifically, certain aspects of the Convention are incompatible with Canadian law."

QUESTION: Which aspects of the Convention are incompatible with Canadian law?

RESPONSE: Migrant Workers The Governments response in the petition states that "The Convention does not define "migrant worker" – meaning that there is no distinction between persons who hold status and those who are in Canada without status".

QUESTION: Does the Convention (<http://www2.ohchr.org/english/bodies/cmw/cmw.htm>) not define "migrant worker" in Article 2? **QUESTION:** Would migrant workers that are working in Canada under the Temporary Foreign Workers Program (TFWP) not be defined in Article 2, part 2, paragraph "g" of the Convention?

RESPONSE: Migrant Workers vis-à-vis Canadian citizens The Governments response in the petition states that "Besides, the Convention would also provide TFWs with the same rights as permanent residents and Canadian citizens, including unlimited access to the Canadian labour market. As Canada's Temporary Foreign Workers Program is intended to help employers fill temporary labour and skill shortages when Canadians or permanent residents are not available, the Convention seeks to provide TFWs with unlimited access to the Canadian labour market, which is not consistent with the objectives of the TFWP".

QUESTION: Does the Convention require that TFWs be granted the same rights as to the country's citizens? If so, which section?

QUESTION: Does the Convention's exclusions, such as article 52, part 3, contradict the response that "the Convention seeks to provide TFWs with unlimited access to the Canadian labour market"?

End of Document