

Christian Congregation of Jehovah's Witnesses Congrégation chrétienne des Témoins de Jéhovah



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April 1, 2007

TO ALL BODIES OF ELDERS

Dear Brothers:

Re: Persons Without Status in Canada

Each year many immigrants learn the truth through our preaching and disciple-making work. (1 Tim. 2:3, 4) Some of these have either entered the country illegally or have not yet obtained legal status in this country. Just as the apostle Paul rejoiced when the runaway slave Onesimus became a baptized Christian, so we rejoice to see persons without legal status make spiritual progress, become unbaptized publishers, and eventually get baptized and share in all features of the field ministry. (Philem. 8-19) Because of the uncertain legal status of such individuals, questions often arise as to how the congregation should view them. We trust that the following information will be helpful in this regard. This letter should be retained in the congregation's permanent file of policy letters.

The Bible directs Christians to be law-abiding and honest. (Mark 12:17; Heb. 13:18) One who is a person without legal status may ask the elders for counsel on what he might do to meet the legal requirements for residency in the country in which he now lives. He should be encouraged first to consult Scriptural references, such as those at Romans 13:1-7, Titus 3:1, and 1 Peter 2:13-17. He can also be directed to do research in the *Watch Tower Publications Index* or the computer program *Watchtower Library* (CD-ROM) to understand further the Bible principles involved. Thereafter, the individual must determine how to apply the Bible's counsel so as to have a good conscience before God and men. Considering the complexity in obtaining legal status, as a practical matter the individual may also decide that he needs to obtain reliable legal assistance from an attorney who specializes in these matters.

All Christians are obligated to obey the laws of the land in which they live and thus give "the superior authorities" their relative subjection. (Rom. 13:1) For this reason, a person without legal status would not qualify for appointment as an elder, a ministerial servant, or a regular or auxiliary pioneer until he has obtained legal residency or taken genuine steps to procure such. (1 Tim. 3:7, 10) He may not be assigned to oversee any congregation responsibility. Additionally, although he may assist with the cleaning and construction of his own Kingdom Hall and with the cleaning of his own Assembly Hall, he may not work with the Regional Building Committee on other Kingdom Halls or Assembly Halls. However, he may comment at congregation meetings and give student talks on the Theocratic Ministry School. If he is exemplary in every other way, he may be granted certain additional privileges, just as Paul used Onesimus to a certain extent. (Col. 4:7-9; Philem. 13) For example, he may be used for demonstrations and other such parts on the Service Meeting. He may be allowed to assist with certain duties in the congregation, such as passing microphones and helping with literature or magazines. If he qualifies in every other respect, a Congregation Book Study could be held in his home, and he may be granted use of the Kingdom Hall for a wedding if he meets the Scriptural and civil marriage requirements.

When a person without status in Canada in good faith requests or obtains permission from the proper governmental authority to be in the country, his situation changes, since he is thereby demonstrating more fully his subjection to "the superior authorities." (Rom. 13:1) (Currently, Canadian Immigration Centre [CIC] offices, part of Citizenship and Immigration Canada, handle such requests in all provinces, except Quebec where immigration is handled by Immigration-Québec.) He is no longer viewed as a fugitive because "Caesar" would be apprised of his name, residence, and any other information deemed necessary. Since he has done what is legally required in filing for status in Canada and CIC or

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Immigration-Québec knows about him, he may enjoy privileges of service even if CIC takes an extended period of time to process his application. Thus, if he is otherwise spiritually qualified, he may serve as an elder, a ministerial servant, or a regular or auxiliary pioneer. Of course, when recommendations are submitted for such ones to be appointed to these privileges, their situation should be fully explained in correspondence to the branch office.

How can the elders determine whether a publisher has petitioned or is actually petitioning for legal status in Canada? The document(s) he should be able to show include any of the following six:

- (1) a Canadian birth certificate or unexpired Canadian passport,
- (2) a Certificate of Canadian Citizenship,
- (3) a permanent resident card or a returning resident permit,
- (4) an unexpired Canadian travel document (for refugees),
- (5) a temporary resident visa (visitor, student, or worker). This may be a stamp in a passport or an additional document. This document expires on the date indicated. If there is no date on the visa, it expires six months from the date one arrived in Canada, or
- (6) documents providing proof that applicant is listed as a petitioner on a claim of refugee protection before the Immigration and Refugee Board (IRB), or appeal court. After the IRB determines that a claimant is ineligible to enter Canada, the claimant has 30 days to leave Canada or 15 days to appeal to the Federal Court. In most cases, claimants can stay in Canada while the Federal Court is hearing their case. Elders may inquire of the branch office if further explanation or direction is needed.

If a publisher makes a request for residency in a country but this is later denied and he remains in the country illegally, he would no longer qualify for privileges of service appointed by the branch office that he may have received in the interim. It is also not honest for a publisher to use falsified documents of any kind or to provide inaccurate information when applying to a government agency for a certain status or privilege. If the government becomes aware of this, the individual may face some sort of sanction on a charge of “fraud” and the congregation may come into disrepute. In such cases, further action on the part of the congregation may be necessary. Before proceeding, elders should write the branch office for direction. Nonetheless, if one applied for or obtained legal status through such means before coming to an accurate knowledge of Scriptural principles, the elders would not make this an issue.—1 Cor. 6:11.

Keep in mind that God’s Word does not charge the Christian congregation, through its overseers, with the obligation to become acquainted with all the details of civil and criminal law so as to enforce these. (Philem. 8-22; w77 pp. 191-2) Normally, the elders *would not take the initiative* to investigate such details unless these become a cause for concern. Nor should the elders, as such, attempt to provide publishers with legal advice or assistance regarding immigration matters, since this is a personal legal matter. It is best for a reputable attorney that specializes in immigration law to answer questions on how a person without legal status can remain in the country.

May Jehovah bless your efforts to apply this theocratic direction. We take this opportunity to thank you for your self-sacrificing efforts on behalf of the congregation.

Your brothers,

*Christian Congregation
of Jehovah’s Witnesses*

cc: Traveling overseers