

Behind the Decision of Resettlement Program for Ethno-Religious Yazidi Refugees in Canada

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Abstract. Canada declared a resettlement program for 1200 Yazidi refugees on February 21, 2017 and implemented in one year after. This policy was decided by Canada when the global refugee crisis hit the world and several other countries chose to get rid of refugees. This paper aims to describe why Canada agreed to take Yazidi ethno-religious refugees. By utilizing a qualitativeexplanatory with documentation of data collection techniques, this article attempts to analyze the policy consideration based on Marijke Breuning's foreign policy theory. This study concludes that the receiving of Yazidi ethnoreligious refugees is grounded more than a few factors, namely: Justin Trudeau's character as Prime Minister, the second factor is related with domestic situation of Canada, and the last factor is the presence of the 1951 Geneva Convention and the 1967 Kyoto Protocol.

Keywords: Canada, Ethno-religious, Resettlement, Refugees.

1 Introduction

Conflicts have become a frequent occurrence in the Middle East region in recent years, one of which is experienced by the Iraqi state. On March 19, 2003, the United States (US) began military operations into Iraq by air and then by land the next day. US and its coalition forces fell to the government of Saddam Hussein and the Ba'ath Party regime that had led Iraq for 24 years. After the US invasion and occupation, the condition of the Iraqi state was increasingly far from a sense of security, this was evidenced by the increasingly heated civil war between residents and the reemergence of terrorism groups in Iraq that are growing [1]. The sectarian violence between Sunnis and Shiites allegedly escalated after Al-Askari Mosque bombing in Samara, considered the site of the holiest mosque, in 2006. This condition makes all Iraqis suffer and distress including minority groups, they became a group that is most vulnerable. Iraq, which is predominantly Muslim, has several religious marginal groups like Christian, Sabean Mandaean, Shabak, Baha'i, Yazidi, and others.

Yazidis are a minority in the Sinjar district of Nineveh province, northern Iraq. The Iraqi region is home to most of the Yazidi group, which numbers around 560,000 people. Yazidism shares elements with other Middle Eastern traditions but is separated by its prayer rites, its belief in re-embodiment, and the fundamental role of the Peacock Angel namely Melek Tawus who is adored as a messenger of the Yazidi god [2]. Melek Tawus was an angel who refused to bow before Adam, according to Jewish, Christian, and Islamic traditions he was identified as Satan. Yazidis believe that Melek Tawus literacy is not the source of evil, but the most important and responsible angel of the world [3]. It is because of this unique principle of their

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religion that Yazidis are often subjected to assassination, kidnapping, persecution, intimidation, and public campaigns to convert them. Yazidi histories tell of frequent threats against the group over the years because of their beliefs.

Since 2004 when Iraq experienced a civil war, the Yazidi political and security situation has deteriorated and the number of attacks on them has increased, especially in Nineveh province [4]. On August 14, 2007, suicide bombings caused by four explosives-laden trucks were detonated in the villages of Til Ezer and Siba Sheikh Khidir. After the withdrawal of US troops, the condition of the Iraqi state is still the same as during the US invasion and occupation. Sectarian violence between residents continues and the Islamic State militant group has increasingly launched attacks in several cities. The attacks carried out by ISIS (Islamic State of Iraq and Syria) succeeded in capturing several cities in Iraq and Syria such as Fallujah, Hawija, Raqqa, Mosul, Zumar, Sinjar and others.

ISIS is known as a violent militant group, there have been various forms of crime, one of which is the suppression of minority groups. Yazidis as one of the minority groups are also victims of the atrocities of the ISIS group, this happens because they consider Yazidis as infidels because of their beliefs. On August 3, 2014, ISIS attacked Yazidi residences in Sinjar from four sides: from Mosul and Tal Afar in Iraq, and from Al-Shaddadi and Tel Hamis in Syria. ISIS is using Sexual and Gender-Based Violence (SGBV) as their weapon of war in carrying out attacks against ethno-religious Yazidis in Northern Iraq. The forms of sexual and gender-based violence used by ISIS are: torture, kidnapping, sexual abuse, slavery, forced conversion, murder of men, infants, the elderly and disabled women.

The United Nations Commission of Inquiry on Syria released a report on June 16, 2016 entitled "They Came to Destroy: ISIS Crime against the Yazidis" and confirmed that ISIS crimes against the Yazidis constitute genocide and there is strong evidence that genocide against the Yazidis has occurred and is ongoing. This report explains that ISIS has attempted to eradicate ethno-religius Yazidi through murder, sexual slavery, enslavement, torture and inhumane treatment, forced displacement that causes physical and mental harm, suffering of living conditions that lead to slow death, birth prevention for Yazidi children, forced conversion of adults, separation between Yazidi men and women, and transfer of Yazidi children placed with ISIS fighters by this means separating them from the beliefs and practices of their own religious community [5].

The genocide faced by the Yazidi ethno-religious group forced them to flee Sinjar in search of safer refuge. Many relocated to other parts of Iraq or Kurdistan, while others sought asylum in countries such as Syria, Turkey, Greece, Germany, the United States, France, Australia, Canada, and more. Canada, known for being welcoming and open, has become a popular destination for refugees from various countries. In 1980, Canada accepted approximately 40,271 refugees from Indochina. In recognition of its significant contributions to refugee protection, Canada was awarded the Nansen Medal by the United Nations High Commissioner for Refugees (UNHCR) in 1986 [6]. Although Canada consistently accepts a large number of refugees each year, the

number surged between 2015 and 2017 due to a global refugee crisis, as several countries closed their doors to refugees.

In addition, there are differences in refugee and immigrant policies between Prime Minister Justin Trudeau and Prime Minister Stephen Harper. Under Stephen Harper's leadership, Canada has tended to be selective in accepting refugees. Stephen Harper told immigration officials to stop processing asylum claims by Syrian refugee groups. This is due to refugee screening to prevent would be militants from entering Canada by posing as refugees [7]. In July 2014, the court found cuts in government funding for the 2012 Interim Federal Health program that drastically reduced health insurance provided to privately sponsored refugees or who filed refugee claims on arrival in Canada.

In 2015 when Justin Trudeau took office as Prime Minister of Canada, there was a shift in refugee policy views. In the previous Prime Minister's era, Canada viewed refugees through a security approach while Justin Trudeau's era through a humanitarian approach. From this explanation, the author is interested to observe more about what factors influence Canada in accepting refugees, especially ethnoreligious Yazidi refugees.

2 Result and Discussion

2.1. Breuning's Foreign Policy Analysis as a Perspective

According to Sukhwant S Bindra, foreign policy involves three key stages: conception, content, and implementation. These stages are influenced by the policymakers' realistic understanding of the external world and the cost-benefit analysis of potential gains and losses for the country as they pursue specific goals and take calculated risks [8]. Marijke Breuning defines foreign policy as the collection of a state's actions and relationships with entities beyond its borders. Traditionally, the study of foreign policy has focused on efforts to preserve and enhance a nation's power and security [9].

The aim of foreign policy analysis is to gain a comprehensive understanding of how foreign policy decisions are made. This involves addressing questions such as why leaders make certain choices, why states engage in particular foreign policy actions, and evaluating the opportunities and limitations imposed by the international system [9]. Breuning outlined that foreign policy analysis can be approached through three levels: the individual, the state, and the international system.

The individual level of analysis emphases on leaders and decision makers to describe foreign policy [9]. This level explains that their personality or perspective can influence the decision to be taken. Before deciding, the leader or decision maker will be given several options in responding to an international issue. The choice made is called a decision and it must be implemented.

The state level of analysis focuses on internal aspects that force states to engage in specific foreign policy behaviors [9]. This level describes the actions or behavior of

the state in realizing a decision about foreign policy. After the decision is taken by the leader of the state, then it takes behavior or action from the state to realize the decision that has been chosen before.

The international system level of analysis emphases on contrasts (and interactions) between states. This level of analysis asks questions about the relative power of states [9]. This level of analysis is considered the widest level compared to the two previous levels of analysis. This level explains that the results of foreign policy are very dependent on the interaction of other countries that are affected or have an interest in the policy. In addition, the power of a country in the international system can cause a reaction when their leaders carry out their foreign policy.

2.2. Yazidi Ethno-religious Refugee Admission Policy

In this discussion, the author will explain the policy of accepting Yazidi ethnoreligious refugees: resettlement programs, cooperation with non-governmental organizations and Yazidi family reunification programs.

a. Resettlement Program

Based on data, it could be mentioned that Canada has two types of refugee programs, namely In-Canada Asylum Program (ICAP) and Refugee and Humanitarian Resettlement Program (RHRP). Therefore resettlement program was a hallmark of Canada's refugee program. Since 1979, more than 770,000 refugees have been resettled over there. In 1986, Canada was awarded the Nansen Medal from UNHCR for its efforts in resettling approximately 40,271 Indochinese refugees. In 2016, Canada was praised again by the UNHCR for resettling 46,700 refugees. It was the largest number of refugees resettled in Canada since the implementation of the 1976 Immigration Act [10].

Currently, Canada has three different resettlement programs namely Government-Assisted Refugees (GAR), Private Sponsorship of Refugees (PSR), and the Blended Visa-Office Referred (BVOR) [11]. GAR is a resettlement program supported by the Canadian government with a period of one year from the date of their arrival. Furthermore, PSR is a resettlement program supported by a group of Canadian residents or private organizations by providing resettlement and financial assistance for one year from the date of their arrival. Finally, BVOR is a resettlement program whose funds are shared between private promoters and the government, with each party providing support for six months. The program was only created in 2013, while the GAR and PSR programs have been established since 1979.

On February 21, 2017, the Canadian government announced it would resettle 1,200 ethno-religious Yazidi refugees by the end of 2017 under the Survivors of Daesh program. The announcement comes exactly four months after the House of Commons unanimously approved the Canadian government's motion to provide protection to Yazidi women and girls. Under the program, Canada is working with the Government of Iraq, IOM, UNHCR and Yazda to identify Yazidi refugees inside and outside Iraq.

In addition to the 1,200 refugees that will be assisted by the government, Canada is also facilitating private sponsorship of Yazidi refugees [12].

According to government data, there are about 650 Yazidi refugees who have been resettled between February to October 2017. Most of these refugees settled in Winnipeg, London, Toronto, and Calgary.

	2017	Jan - Sep 2018	Total
Alberta total	210	75	295
Calgary	180	50	245
Lethbridge	25	25	50
Manitoba total	220	115	355
Winnipeg	220	115	355
Ontario total	370	175	550
London	160	115	275
Toronto	185	60	245
Grand Total	810	370	1,215

Table 1: Yazidi Arrivals, Canada 2017 to September 2018

Gambar: Number of Yazidi Refugees to Canada in 2017 until September 2018 Source: Yazidi Resettlement in Canada-Final Report 2018

Winnipeg ranks first as the city that receives the most Yazidi refugees with 355 people. Furthermore, London took second place with a total of 275 people. Both cities are the most popular destinations because the largest Yazidi populations are in these two cities. Toronto and Calgary are an option because they have availability in resettlement services. In addition, several other cities are also destinations although the number of refugees is smaller such as: Lethbridge, Vancouver, Hamilton, Peterborough, and Montreal [13].

Canada promised to meet its target of resettling 1,200 Yazidi refugees by the end of 2017, but it was only achieved in September 2018. This was because on September 25 2017, the Kurdistan Regional Government (KRG) held an independence referendum and the Iraqi Government strongly opposed the referendum. Within weeks of the referendum, Iraq sent troops into areas disputed by the Iraqi Government and the Kurdistan Regional Government, resulting in clashes between the two sides. The tensions eased somewhat in March 2018 due to negotiations between the Iraqi and Kurdistan Governments [14]. The incident made the condition of the Iraqi state unstable, so there were several obstacles in the process of resettling Yazidi refugees.

b. Cooperation with Non-Governmental Organizations (NGO)

Most Yazidi refugees resettled in Canada come through the GAR program and the rest through the PSR program. Under the GAR and PSR programmes, IRCC collaborates with non-governmental organisations within each city such as: Calgary Catholic Immigration Society (CCIS), London Cross Cultural Learner Centre (LCCLC), Jewish Immigrant Aid Services (JIAS), Canadian Yazidi Association and

Operation Ezra. All Yazidi refugees assisted by government programs receive resettlement services both before and after their arrival in Canada. International Organization for Migration (IOM) officials and doctors identify the medical needs and resettlement of all Yazidi refugees prior to their departure to be provided to service provider organisations in Canada. In addition, they also receive financial support and resettlement services that include English classes, help find work, provide physical and mental health support, and permanent accommodation upon their arrival in Canada.

c. Yazidi Family Reunification Program

Canada successfully resettled about 1,200 Yazidi refugees in 2018. However, many refugees have had to leave their family members in Iraqi refugee camps. Yazidi refugees hope to be reunited with their families in Iraq because the main goal in resettlement is integration. Yazidis consider integration unattainable if they are not reunited with their family members. In 2021, the Government of Canada announced a new policy to help more Yazidis and other Daesh survivors reunite with their families in Canada [15]. This policy plans to reunite their family members, such as siblings, grandparents, aunts, and uncles. The policy is also expected to help resettled Yazidi refugees integrate well into their new environment.

2.3. Factors Influencing Canada's Policy in Accepting Ethno-religious Yazidi Refugees

After learning about the policy of accepting ethno-religious Yazidi refugees in Canada. The author will describe what factors influence the policy in accordance with the level of analysis previously described. The three levels of analysis are the individual, the state and the system described by Breuning.

a. Justin Trudeau's Personality Factors Behind the Admission of Ethno-religious Yazidi Refugees to Canada

1. Active-positive leader personality type

In the book entitled Foreign Policy Analysis by Marijke Breuning, explains that there are four personality types of a leader in deciding his foreign policy. The four types are active-positive, active-negative, passive-positive, and passive-negative. The positive-active type is the leader who exerts a lot of his energy to get a lot of satisfaction from his work [16]. Justin Trudeau belongs to this type of leader, this is seen in some of the policies he decided during his tenure as Prime Minister of Canada.

During the Trudeau administration, Canada experienced a shift in foreign policy from hard power to soft power. The shift led to changes that could increase Canada's role in the international arena. In 2018, Canada successfully beat the United States from its position as a leader in resettling people fleeing war, persecution, and conflict. According to a UNHCR report, Canada accepted 28,100 of the 92,400 refugees resettled in 25 countries during 2018. US came in second with 22,900 refugees. The United States is experiencing a sharp decline in refugee resettlement due to the Trump administration's decision to set a much lower limit than in previous years [17].

In 2019, Canada resettled about 30,087 refugees while the United States hosted 30,000 refugees. As the world was hit by the COVID-19 pandemic, Canada has remained in the lead in refugee resettlement for the past three years. Although at that time, the world was undergoing massive travel restrictions. In 2021, Canada resettled about 20,400 refugees, more than double the arrival of 9,200 refugees the previous year. During the refugee crisis and the COVID-19 pandemic in the world, some countries began to restrict the arrival of refugees while Canada continued to accept refugees.

Trudeau also fully reinstated the temporary federal health program, after the previous Prime Minister made funding cuts to save about \$20 million a year. In addition, there are additional protections presented to refugees prior to their departure to Canada, which include: medical checks required for immigration, vaccination, handling of disease epidemics in refugee camps and medical support during travel to Canada. Temporary federal health programs include: resettled refugee, other protected persons, asylum candidates, denied applicants, immigration prisoners, sufferers of human trafficking and other groups identified by the Ministry, such as Haitians after the 2010 earthquake [18].

2. Influence of the Liberal Party

In 2007, Trudeau entered politics by campaigning to win the Liberal nomination in the Montreal riding of Papineau. Trudeau managed to win elections in 2008 and 2011, although his party lost the general election. He was successfully elected Leader of the Liberal Party in 2013 by winning almost 80 percent of the vote [19]. The Liberal Party managed to get a majority of 184 seats in the 2015 Canadian federal election, then in 2019 the Liberal Party won again in the Federal Election despite changing from majority to minority government. The same thing happened back in 2021, where the Liberal Party won again and kept the minority government [20].

The Liberal Party embraces the ideology of liberalism and is committed to pursuing equality for all people and promoting a unique and diverse cultural community as Canada's identity in a global society [21]. In addition, the Liberal Party also considers that immigration is one of the things that build Canada and cannot be separated. This can be seen from the party's role in Canadian immigrant and refugee law legislation such as: Guideline for Determination of Eligibility for Refugee Status of 1970 is used by immigration officials to select refugees from abroad, Immigration Act of 1976 is an act that recognizes refugees as a different class from immigrants, The Immigration and Refugee Protection Act of 2002 is the law that first recognized refugees in its title. This law has been advocated by the Liberal Party and is at the core of the Party's campaign. The Liberal Party had promised during the campaign it would continue to accept refugees during Justin Trudeau's as prime minister [22].

The Liberal Party considers that the refugee problem and the fundamental values of liberalism are inseparable. The state must protect and accept refugees because

humanism is one of the important aspects in liberalism [22]. The party's opinion could influence Prime Minister Justin Trudeau to be more open to refugees. This is because political parties are one of the important factors for a leader in deciding his policies.

b. Canada's Internal Factors Behind the Acceptance of Ethno-religious Yazidi Refugees

1. Effect of the 2015 Canadian federal election

On September 2, 2015, a photo went viral of a Syrian boy named Alan Kurdi found dead on a Turkish beach. After the incident, it was discovered that the boy's family had not been able to claim asylum in Canada. This news was in the spotlight and sparked massive public anger against Prime Minister Stephen J. Harper's Conservative government regarding its refugee policy [23]. The news also coincides with federal elections due in October, so policies toward immigrants and refugees are a major focus in the campaign.

Parties in Canada began calling for their promises relating to immigrant and refugee policies such as:

- The Conservative Party pledged to resettle 10,000 refugees from Syria and Iraq over four years by targeting refugees from religious minorities in the region who are experiencing persecution or threats of violence [24].
- New Democratic Party has pledged to accept 10,000 Syrian refugees by the end of this year and accept 9,000 refugees annually until 2019. The party also promised to reduce waiting times in processing family reunification applications and ensure health care for refugees.
- [25]. The Liberal Party pledged to accept 25,000 Syrian refugees sponsored by the government and invest \$100 million in refugee processing and settlement. The party also promised to speed up family reunification for immigrants and scrap visa requirements for Mexicans coming to Canada [26].

The Liberal Party won 184 of the 338 seats in the House of Commons and was entitled to form a majority government for four years. In the previous federal election in 2011, the Liberals came third with 34 seats, the worst in history. Justin Trudeau, head of the Liberal party, has been elected as the next prime minister and replacing Prime Minister Stephen Harper who served nine years from 2006 to 2015. The second position is occupied by the Conservative party which got 99 seats out of 159 seats in the last election. The New Democratic Party became 44 seats which previously placed second with 95 seats [27].

News of Alan Kurdi's death had a huge impact on Canada, particularly on the 2015 federal election campaign. This led to all parties in Canada campaigning on immigrant and refugee policies. In addition, Stephen Harper's government was considered too closed to refugees and only open to economic immigrants. These two things became material in the Liberal Party's campaign, where the party promised so much about immigrants and refugees that many Canadians voted for the party in the hope that Canada's name would improve domestically and internationally.

2. Commitment to the Motion of 25 October 2016

On June 14, 2016, Canada refused to recognize ISIS atrocities against Yazidis as genocide instead pending an official position from the UN Security Council. Canada began changing its position after the United Nations Commission of Inquiry on Syria released a report on June 16, 2016. The report, entitled "They Came to Destroy: ISIS Crimes Against the Yazidis," states that ISIS has dedicated genocide against the Yazidis. Furthermore, on July 19, 2016, the House of Commons of Canada held a meeting to discuss measures to protect vulnerable groups, especially for Yazidis. The meeting invited Yazda's executive director Murad Ismael, Mirza Ismail of the Yezidi Human Rights Organization-International and human rights activist and a Yazidi, namely Nadia Murad [28].

Nadia Murad Basee Taha was kidnapped and held captive by ISIS for three months in 2014. She told the meeting that Canada and the international community should do more to help the Yazidis, bringing in more refugees and providing plenty of humanitarian and medical aid to those in the camps [29]. Murad Ismael also wants Canada to help the Yazidi community living in the camps and provide a quota of 5,000 to 10,000 for government-assisted Yazidi refugees. Even so, the meeting did not get satisfactory results because it still had to be postponed.

On 25 October 2016, MPs from all four parties gathered in the House of Commons and voted 313-0 for the motion to be tabled:

- Identify that ISIS is obligating genocide against the Yazidi people
- Acknowledge that many Yazidi women and girls are still being held enslaved by ISIS as sexual slaves
- Support references found in the June 15, 2016, report issued by the UN Commission of Inquiry on Syria entitled, "They came to destroy: ISIS crimes against the Yazidis"
- Provide asylum to Yazidi women and girls within 120 days [30]
- The motion passed because it received an absolute vote from the House of Commons, so Canada must fulfill all four motions that have been filed

During the meeting, Nadia Murad thanked Canada as the second country after Germany that did not accept injustice against Yazidi women and girls so it decided to help them [30]. Canada is expected to be a safe place for ethno-religious Yazidi refugees to start their new lives.

c. Factors in the Presence of the 1951 Geneva Convention and the 1967 Kyoto Protocol

Canada is one of 142 countries that are signatories to the 1951 Geneva Conventions and the 1967 Kyoto Protocol on refugees under the UNHCR. On June 4, 1969, Canada ratified the Convention and the Protocol. The principle of non-refoulement in chapter V article 33 is one of the most important principles in the Refugee Convention. According to this principle, a refugee should not be expelled or returned to a country where they would experience a serious threat to his life or freedom. This principle will be lost, if the refugee is considered a danger to state security or who has been convicted of a crime so serious that it is considered dangerous to society [31].

The 1951 Convention contains 46 articles while the 1967 Protocol has 11 articles. In the Convention and Protocol there are three main things that are equally regulated, namely:

- 1. The basic definition of refugees required to determine the standing of a person, including refugees or not. For countries that have ratified the 1951 Convention or the 1967 Protocol, refugee status will be determined by that country and the UNHCR. For countries that have not ratified, the determination of refugee status will be carried out by the UNHCR representative in that country.
- 2. Legal status, rights, and obligations of refugees in the country of refuge.
- 3. Execution of agreements, particularly regarding administration and diplomatic relations. This is in the form of state cooperation with UNHCR in carrying out its own duties in the form of supervision of the country where the refugees are located [32].

Refugees who have come to their destination countries will be given various rights and obligations. These rights and obligations have been written in the 1951 Convention as follows:

- 1. The right not to be discriminated against, articles 3 and 4 make it clear that States parties to the Convention shall not treat refugees based on their race, religion, and country of origin. Refugees also have the freedom to practice their religion and the freedom for the religious education of their children in the destination country.
- 2. The right to personal status, in article 12 explains that the personal status of a refugee will be regulated according to the law of his country of domicile. If they do not have a domicile, then their personal status is governed by the law where they are placed (place of residence). Rights relating to marriage are included in personal status rights as well.
- 3. Property rights, according to articles 13, 14 and 30 a refugee has the same right to own property, whether movable or immovable and keep it like everyone else. In addition, the refugee can also transfer their assets to the country where they will settle [33].
- 4. The right of association, in article 15 states that countries parties to the convention shall grant freedom to refugees to associate by establishing associations, including trade associations, as long as they are non-profit and non-political.

In addition to the refugee rights described above, the Convention also spells out the obligations of refugees as stipulated in article 2 which reads "Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order". According to the article, every refugee is obliged to obey all laws and regulations governing public order in the country they occupy.

The 1967 Kyoto Protocol was the result of the first amendment to the 1951 Geneva Conventions. Therefore, the principles and content of the Protocol are not much

different from the 1951 Convention. The difference lies in the removal of geographical and time restrictions that are part of the Convention. The 1951 Refugee Convention only included refugees from Europe and before 01 January 1951. The 1967 Kyoto Protocol removed the rule and made it more universal. Article 1 explains that States that have ratified the Protocol will also comply by the rules of the Convention, even if they are not parties to the 1951 Convention.

3 CONCLUSION

Based on the analysis of this study, it can be concluded that the illustration of the policy of accepting ethno-religious Yazidi refugees in Canada is the implementation of resettlement programs, in collaboration with several non-governmental organisations and family reunification programs for Yazidi refugees. The researchers also found three factors behind Canada's policy in accepting ethno-religious Yazidi refugees: first, Justin Trudeau's character as Prime Minister of Canada which discusses the active-positive leader personality types and influence of the Liberal Party. Second, internal factors in the form of the 2015 Canadian federal election and commitment to the Motion of October 25, 2016. Third, the factor of the existence of the 1951 Geneva Convention and the 1967 Kyoto Protocol.

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