

April 24, 2023

**SENT VIA EMAIL**

The Honourable Marco Mendicino, P.C., M.P.  
Minister of Public Safety  
[Marco.Mendicino@parl.gc.ca](mailto:Marco.Mendicino@parl.gc.ca)

Dear Minister Mendicino,

**Re: Upholding the rights and safety of refugees and asylum seekers in Canada**

On behalf of our 315,000 members across Canada, Unifor would like to express our deep concerns regarding the deaths of eight migrants, including two children under 3 years of age, discovered in the St. Lawrence River near Akwesasne, Quebec on March 30th, 2023.

These tragic deaths come amidst the recent joint decision by Canada and the U.S. to expand the Safe Third Country Agreement (STCA) – an agreement that was already found to be unconstitutional by a federal court judge in 2020 and which is now being reviewed by the Supreme Court of Canada. A number of human rights, labour, faith-based and community organizations across the country, including allies within the migrant rights movement, have sounded the alarm to policy-makers that expanding the STCA will do little to deter irregular border crossings. Rather, migrants desperately seeking safety and security, as we have seen in Akwesasne, will simply attempt to use riskier and far more dangerous means to come in and out of Canada.

This is of course not an isolated incident, as we have also witnessed the heartbreaking case of the Patel family in February 2022, who, while attempting to cross the border into the U.S. from Manitoba by foot during a snowstorm, saw all four family members freeze to death – including their two children, aged 11 and 3 years old.

Of further concern surrounding the expanded STCA, are the regulations stating that migrants cannot make an asylum claim within 14 days of entering Canada. This will simply drive refugee families underground, opening them up to further abuse and exploitation, while inhibiting their ability to seek out emergency services, such as health care services, for fear of being detained and deported.

The issue of irregular border crossings has received significant attention over the years, particularly due to the Roxham Road crossing in Quebec – a route often used by

asylum seekers to enter Canada. This has falsely given the impression that Canada has become a haven for “illegal” migrants and reinforced the myth of people “taking advantage” of our immigration system. However, as you are aware, migrants are well within their right under international law (e.g. the UN Refugee Convention and the Universal Declaration of Human Rights), and domestic law (e.g. the Charter of Rights and Freedoms) to be able to claim asylum in Canada and have their case heard, regardless of their point of entry into the country. As such, reactionary policies, such as the expansion of the STCA, only fuels xenophobia and the vilification of migrants, which only services to further endanger lives. Further, it creates an alarming precedent when countries can begin selectively choosing which international and domestic rights and laws to uphold, and those that can be arbitrarily dismissed.

Canada has long been lauded as an international leader in refugee resettlement, and we applaud federal efforts to actively respond to major global crises and assist those escaping war and political violence, such as those fleeing from Afghanistan and Ukraine. However, as one of the largest economies in the world, Canada can and must demonstrate its leadership within the global community and play an even greater role in assisting those seeking asylum. Based on 2021 UNHCR data, Canada ranks 34th in the world in terms of refugee hosting countries. Further, according to Amnesty International, 85% of the world’s refugees are being hosted in developing countries that often have far fewer resources in comparison to Canada.

Canada must uphold its international and human rights obligations. Unifor is, therefore, urging the federal government to roll back the expansion and fully repeal the Safe Third Country Agreement. We further wish to reiterate our support for an open and inclusive federal regularization program to provide permanent residency to those already living, working and studying in Canada without full immigration status, and who have fallen through the cracks of our increasingly precarious and temporary immigration system.

We cannot continue down a path that will lead to even more unnecessary deaths of people simply seeking safety and a better life. Canada must commit to reviewing and enhancing its refugee and asylum determination program and ensure that we create a system that is based on principles of compassion, humanitarianism, dignity and fairness. At the same time, we must continue working collaboratively with other countries and international partners in order to create a safer, and more socially and economically just world where people are not forcibly displaced from their homes and where they can live in peace and security.

We thank you for your time and attention on this urgent matter.

Sincerely,

Lana Payne  
National President, Unifor

cc. Honourable Sean Fraser, Minister of Immigration, Refugees and Citizenship

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