

Bill C-4: An unprecedented attack on the rights of refugees



On 16 June 2011, the government reintroduced Bill C-4, the Preventing Human Smugglers from Abusing Canada's Immigration System Act (formerly Bill C-49).

Despite the title, most of the provisions in the bill punish refugees, not smugglers. The people who will suffer if this bill is passed are people fleeing persecution, including children.

Bill C-4 jails refugees for a year

Under Bill C-4, some refugees will face mandatory detention for one year, without review. Children will be among those jailed. Detention without review is arbitrary detention, which is contrary to the Canadian Charter of Rights and Freedoms and to international law.

Bill C-4 keeps refugees separated from their families

Under Bill C-4, some refugees will be denied permanent residence for five years, even after they are recognized as refugees. This prevents them from reuniting with their children, in violation of the Convention on the Rights of the Child. Children left behind overseas are at risk while waiting to be reunited with their parents who are refugees in Canada.

Bill C-4 violates the Charter and Canada's international human rights obligations

The bill violates numerous rights protected by the Canadian Charter of Rights and Freedoms and by international conventions to which Canada is signatory, including the Convention relating to the Status of Refugees and the Convention on the Rights of the Child.

Punishing refugees through detention and temporary status does not work as a deterrence

The deterrence measures in Bill C-4 have been tried by Australia – and they failed. The policies resulted in refugees, including many children, being traumatized by their experiences in detention. There is no empirical evidence that detention deters arrivals. Australia acknowledged in 2008 that imposing temporary status on refugees “did not have any deterrent effect.”

The costs of Bill C-4 will be huge

If passed, Bill C-4 will be extremely costly, in terms of tax dollars, in terms of human suffering and in terms of Canada's credibility internationally. Jail costs are high, as are the long-term health and social costs of imprisoning traumatized people and keeping refugees separated from their families. After adopting a law that violates refugee rights, Canada will lack the moral authority to play a leadership role internationally in efforts to find solutions to the problems faced by refugees.

Bill C-4 must be defeated or withdrawn.

The government should address the problem of smuggling in ways that do not punish refugees.

For more information: ccrweb.ca/en/c4



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