

Refugee and immigrant children's rights: Canada has work to do



CHILDREN AND YOUTH
RIGHTS
UNDER THE CANADIAN
IMMIGRATION SYSTEM

Canada is due for examination by the United Nations on whether Canada is fully respecting children's rights under the Convention on the Rights of the Child.

On the subject of refugee and immigrant children, Canada still has some work to do if it is going to pass its exam.

Canada stops families from reuniting



Children often wait years in dangerous situations before they are allowed to travel to Canada to be reunited with their families. The longest wait times are for children in Africa.

The UN has already told Canada to "ensure that family reunification is dealt with in an expeditious manner." Over two years is not expeditious, but that is how long it takes at the Nairobi visa office.



Based on current processing times of 31 months at Nairobi, this baby girl can expect to wait until August 2013 to be reunited with her mother in Canada.

Solution

Change the policies and practices so that children are quickly reunited with their parents in Canada. Speeding up refugee family reunification at the Nairobi visa office is an urgent priority.

Canada has no national policy to take care of separated children



In 2003, the UN recommended that Canada adopt a national policy to care for children separated from both their parents who are seeking refugee status in Canada. Refugee children are very vulnerable – when they don't have a parent to look after them, the government must step in. In 2011, there is still no national policy.

Solution

Adopt a national policy on separated children making refugee claims.

Canada doesn't protect trafficked children



Trafficking happens in Canada. Canadian law does not protect trafficked persons, including children. Detained and deported, they are sometimes treated more as criminals than as victims of a crime.

Solution

Amend the *Immigration and Refugee Protection Act* in order to provide temporary and permanent protection to trafficked persons.

What is human trafficking? A person who is trafficked is kept under the control of traffickers and exploited in some way, sometimes after having been transported across a border.

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Canada keeps children in detention



In Canada, children are routinely held in immigration detention centres, even though the law says detention should be a last resort.



Akin, then 2 months old, was detained for 49 days with his mother.

Solution

Stop the detention of children. There are alternatives!

Canada deports children without considering their best interests



Children are sometimes deported from Canada without attention being paid to the impact on their lives.

The Convention on the Rights of the Child says that the best interests of the child should always be a primary consideration.

Solution

Amend the *Immigration and Refugee Protection Act* to give primary consideration to the best interests of children affected in any immigration decision, including the decision to deport.

Canada makes children stateless



In 2009, Canada changed its laws to limit Canadian citizenship to the first generation born outside Canada to Canadian parents. This means that some children of Canadian citizens are born stateless.

A person is "stateless" if no country considers them a citizen.

Solution

Change the *Citizenship Act* so that no child of a Canadian citizen is stateless.

For more information and to get involved:

ccrweb.ca/youth-rights



Canadian Council for Refugees
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