



CANADIAN COUNCIL FOR REFUGEES

CONSEIL CANADIEN POUR LES RÉFUGIÉS



‘Proud to aid and abet refugees’ campaign

On 26 September 2007 Janet Hinshaw-Thomas was arrested at the Lacolle (Québec) border point. Ms. Hinshaw-Thomas is the director of PRIME – Ecumenical Commitment to Refugees, a US church-based, refugee-serving organization. She had come to the border to accompany 12 Haitians who wanted to make a refugee claim in Canada. She was not acting clandestinely, nor was she acting for profit. She was detained overnight and charged the next day in court under section 117 of the *Immigration and Refugee Protection Act*. The 12 Haitians were admitted into Canada to pursue their claims, according to the law.

Section 117 states that ‘No person shall knowingly organize, induce, aid or abet the coming into Canada of one or more persons who are not in possession of a visa, passport or other document required by the Act.’

The charges against Janet Hinshaw-Thomas, the first laid in Canada against a humanitarian worker for people smuggling, were dropped – without explanation – on 8 November.

The threat of similar charges exists as long as the law is not amended. The impact on refugees and refugee advocates is significant. Those serving refugees live with the fear of criminal charges, instead of being honoured for working to uphold Canada’s humanitarian ideals. The *Immigration and Refugee Protection Act* must be amended to prevent the possibility of further charges of people smuggling being laid against those involved in humanitarian acts of aiding refugees.

Now is the time to take action! Join the *Proud to aid and abet refugees* campaign and demand that the government change the law so that no one acting on humanitarian motives will again be charged with people smuggling.

The *Proud to aid and abet refugees* campaign seeks:

- a) A commitment from the government not to prosecute people acting on humanitarian motives.
- b) A review by the government of section 117 cases currently pending, with respect to possible humanitarian motives.
- c) An amendment to the law.

Proposal for legislative amendment

117(1) No person shall knowingly **and for material benefit** organize, induce, aid or abet the coming into Canada of one or more persons who are not in possession of a visa, passport or other document required by the Act.

(4) (a) No proceedings for an offence under this section may be instituted except by or with the **written** consent of the Attorney General of Canada.

(b) The Attorney General of Canada may not delegate the power conferred by this subsection.

For more information on the ‘Proud to aid and abet refugees’ campaign, consult the campaign webpage at:
<http://www.ccrweb.ca/aidandabet>



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‘Proud to aid and abet refugees’ campaign Get involved!

SUGGESTED ACTIONS

1. Organizations that are directly involved in serving refugees:

- **Send letters** to the Attorney General, the Minister of Public Safety and the Minister of Citizenship and Immigration stating that your organization ‘aids and abets’ refugees and asking for measures to prevent future prosecutions of people who aid and abet refugees on humanitarian motives. A model letter is available at <http://ccrweb.ca/aidandabet>.
- **Register your organization** as an organization that aids and abets refugees and that supports the CCR’s ‘Proud to Aid and Abet’ campaign. In doing so, you are making a commitment to promote the campaign in your local area and/or networks and to recruit additional campaign supporters. To register, send an email to ccr4@web.ca and the CCR office will send your organization campaign buttons and other promotional materials.
- **Use the campaign logo** and explanatory messages on the CCR webpage to show that your organization is proud to aid and abet refugees.

2. Organizations that are not directly involved in aiding and abetting refugees:

- **Send letters** to the Attorney General, the Minister of Public Safety and the Minister of Citizenship and Immigration asking for measures to prevent future prosecutions of people who aid and abet refugees on humanitarian motives. A model letter is available at <http://ccrweb.ca/aidandabet>.

3. Individuals

- **Gather signatures to the petition** (available at <http://ccrweb.ca/aidandabet>). Once you have at least 25 signatures, take the petition a local Member of Parliament, asking them to table it in the House of Commons. (Even if they don’t want to table the petition, this is a good opportunity to make the MP aware of concerns).

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