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The Honourable Ahmed Hussen, P.C., M.P.
365 Laurier Avenue West
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Dear Minister Hussen,

I write to you regarding the increasingly serious situation of irregular border crossings and the troubling inconsistencies between what your government has said and the reality on the ground for asylum seekers and border communities.

In response to President Trump's first attempt at his discriminatory travel ban, the Prime Minister tweeted on January 28th,

"To those fleeing persecution, terror & war, Canadians will welcome you, regardless of your faith. Diversity is our strength #WelcomeToCanada"

That tweet resonated with many Canadians, reassuring them that Canada would remain a beacon of hope for those fleeing war and persecution. I'll admit that I was proud of our Prime Minister that day. Sadly, in the weeks and months that followed, my feelings changed dramatically.

Many are now asking whether the Prime Minister was truly interested in following through with substantial action or if he was instead content with the spike in international attention and praise that came with it.

Earlier this month, you warned asylum seekers against crossing the border, and said the United States continues to be a safe country for refugees. You said,



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We believe very strongly that the United States' domestic asylum system is safe, has due process, has appeal rights, and anyone who is in the United States who is intending to come to Canada to make an asylum claim should do so in the United States.

This is a far cry from the welcoming message that the Prime Minister disseminated just a few months before. Apart from that it contradicts the reality of the anti-immigration policies put in place by the Trump administration as well as the lived experience of many in the immigrant community living in the US.

Additionally, the events of last weekend in Charlottesville, Virginia which elevated the racist, anti-immigrant and white supremacist movements to a level not seen in North America for over a generations undeniably increases insecurity for all people of colour, and further challenges simplistic notions that the United States remains a safe destination for asylum seekers.

In the light of the events held by hundreds of white supremacists in Charlottesville and the anti-immigration policies of the Trump administration, I ask that you reconsider your characterization of the US as a safe country for asylum seekers.

Furthermore, this past weekend Prime Minister Trudeau had a message for asylum seekers considering crossing the Canadian border irregularly. He said, "If I could directly speak to people seeking asylum, I'd like to remind them there's no advantage."

With this most recent message, the Prime Minister is not only contradicting his original #WelcomeToCanada approach but he is being intentionally misleading. Under the so-called Safe Third Country Agreement, Canada is forced to turn away asylum seekers who attempt to enter the country at official ports of entry. This leaves desperate asylum seekers with few options, and many feel they must take the risks of crossing the border in-between ports of entry.

Under international law, once they have crossed the border Canada must take them in and process their refugee claims. If the Prime Minister was serious about reducing unsanctioned border crossings, let alone truly welcoming refugees, he would have already suspended the Safe Third Country Agreement.

While your government has tried to downplay the increases, it is now undeniable that American policy changes have resulted in a significant influx of asylum seekers leaving or passing through the United States, hoping to find refuge in Canada.

In 2016, there were less than 2,500 individuals apprehended by the RCMP making irregular border crossings in the hopes of making an asylum claim in Canada. In the first seven months of 2017, there have been 7,500. A massive number of asylum seekers have been crossing into Quebec with current levels reaching approximately 200 people every day.



Last month, I visited the rural community of Emerson, Manitoba which has also seen a significant increase in border interceptions. As of July, Manitoba has had 734 cases, compared to just 375 inland claims for all of 2016.

Your government's response: no additional resources for border communities. With so little planning in place, we are now seeing emergency structures being set up and sports arena used as temporary shelters.

Organizations that provide supports for asylum claimants have seen their caseloads skyrocket. The Inland Refugee Society of BC (IRS-BC) for example, has seen their caseload increase by 300 percent and are facing a serious funding crisis.

Your government's response: no funding whatsoever to NGO's like IRS-BC who are providing direct support for asylum claimants. If no resources are provided to IRS-BC, they will be forced to close their doors after 33 years of service in my community.

This asylum surge has placed significant strain on the Canadian system as a whole, including local RCMP and CBSA units, as well as the Immigration and Refugee Board (IRB). My recent trip to Emerson illustrated the frustration officials are experiencing and reports out of Quebec say officials are overwhelmed.

The IRB is an incredibly important mechanism within Canada's refugee system and without adequate funding and staffing, the credibility of Canada's immigration and refugee system is put at risk. The IRB currently faces a total backlog of over 24,000 cases. The inability to handle the increase in new claims is resulting in that backlog growing by 1,000 cases per month. This is simply unacceptable.

Your government's response: zero increase to the budgets of RCMP, CBSA, or the IRB in order to handle the growing numbers and cases.

As you are aware, I have been raising these issues in the House of Commons, at the Standing Committee for Citizenship and Immigration, and in the media for eight months now. It is incredibly unfortunate that Liberal members of the Committee have, on several occasions, voted against even debating my motion to study to the current border crossing issue.

For months the NDP and others groups warned these irregular crossings were dangerous and could put someone's life at risk. These calls were ignored and we have now seen multiple cases of severe frostbite and the tragic death of 57 year-old woman from hypothermia.

These tragedies could have been prevented and the stress on border communities could have been mitigated. What's required is to allow asylum seekers to make safe and authorized border crossings at official ports of entry. However, this cannot occur until the Safe Third Country Agreement is suspended.



Suspending the agreement would also allow these asylum seekers to make safe crossings through properly staffed checkpoints where they can make their claims, reducing the current strain on the system.

The NDP has not been alone in making this call. The Canadian Association of Refugee Lawyers (CARL), Amnesty International, over 200 of Canada's law professors, Canadian law students from across Canada, the Canadian Council for Refugees (CCR), and Harvard University's immigration law program have all come to the same conclusion: the United States cannot be considered a "safe third country" and the STCA must be suspended.

While evidence is clear and the experts are in agreement, your government has chosen a head-in-the-sand approach which completely fails to live up to your promise of evidence-based decision making.

I wish to make it very clear: this is a manageable issue. However, it is currently being willfully ignored. Continuing this approach could lead it to becoming a crisis. Given the current trend of anti-immigration and anti-refugee rhetoric throughout the developed world, maintaining the highest degree of public confidence in Canada's immigration system should be a top priority for your government to reduce the risk of those views taking hold in Canada.

Minister Hussen, in the strongest way possible, I urge you and your government to take action which embodies the message you expressed not so long ago. This is an important moment that requires true leadership. The integrity of Canada's immigration system and the public's trust in, are dependent upon government providing it with the staffing and resources necessary to fulfill its mandates. The situation cannot be ignored any longer.

Respectfully,



Jenny Kwan, MP for Vancouver East
NDP Critic for Immigration, Refugees and Citizenship
NDP Critic for Multiculturalism

