



MEDIA RELEASE

Canada: Accept Recommendations from UN Review on Immigration Detention

Human Rights Groups Urge Canada to Legislate Against Indefinite Immigration Detention, End Child Detention

Toronto, July 6, 2018 – Ottawa should accept recommendations made by four Member States during a United Nations review of Canada’s human rights record to meaningfully address severe rights violations in the immigration detention system, the International Human Rights Program at the University of Toronto’s Faculty of Law (IHRP), and the Colour of Poverty – Colour of Change (COP-COC), said today. The IHRP delivered an open letter to the Canadian government today, urging officials to accept recommendations by Costa Rica, Mexico, Venezuela, and Ecuador.

“The recommendations reinforce what Canadians have advocated for years,” said Samer Muscati, director of the IHRP. “Despite recent developments, Canada remains one of the only countries in the world that does not have a legislated limit to the length of immigration detention, and where immigration detainees continue to be held in maximum-security jails.”

In October 2017, the IHRP, in conjunction with Canadian and international human rights organizations, made a [Joint Submission](#) to the UN stating that immigration detainees, particularly children and non-citizens with mental health conditions, continue to suffer significant human rights violations. The joint submission was drafted in collaboration with human rights organizations, including Amnesty International, the Canadian Civil Liberties Association, and Justice for Children and Youth. The submission criticized Canada for routinely holding immigration detainees with mental health conditions in maximum-security jails, sometimes for years, and for detaining or “housing” children in detention, or separating them from their detained parents.

The COP-COC also made a [Joint Submission](#) to the UN, in collaboration with the Chinese & Southeast Asian Legal Clinic, the Council of Agencies Serving South Asians, the Ontario Council of Agencies Serving Immigrants, and the South Asian Legal Clinic of Ontario. The Submission noted that long-term detainees are disproportionately racialized persons who face unique systemic challenges in immigration detention. The submission condemned the use of indefinite immigration detention, particularly against racialized adults and children.

In May 2018, Canada underwent its third Universal Periodic Review (UPR) before the UN Human Rights Council in Geneva, in which UN Member States reviewed past Canadian human rights pledges, and raised new concerns. Through the UPR process, the UN Human Rights Council periodically reviews the human rights progress of each Member State every four years.

Over the past five years, Canada has detained at least 45,000 individuals. Despite recent policy developments by the Canada Border Services Agency (CBSA) – including the [National Immigration Detention Framework](#), and the [National Directive for the Detention or Housing of Minors](#) – the letter notes that, the total number of detainees this year is projected to increase for the first time in at least five years. In the first three quarters of 2017-2018, best estimates from available statistics indicate that Canada has detained more than 7,300 individuals, 155 of whom were children, compared with a total of 6,251 individuals detained in all four quarters of 2016-2017, 162 of whom were children.

"Canada Border Services Agency is the only police force in Canada that does not have civilian oversight, and yet it has wide discretion to deprive people of liberty," said Shalini Konanur, executive director of South Asian Legal Clinic of Ontario. "To truly live up to our international human rights obligations, we need to have a paradigm shift in the way we treat non-citizens."

This joint UPR Joint Submission led by the IHRP was based on years of research that resulted in three reports: "[*We Have No Rights: Arbitrary imprisonment and cruel treatment of migrants with mental health issues in Canada*](#) (2015); "[*No Life for a Child: A Roadmap to End Immigration Detention of Children and Family Separation*](#) (2016); and "[*Invisible Citizens: Canadian Children in Immigration Detention*](#) (2017).

AVAILABLE FOR COMMENT

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