

## Letter to MPs Concerning Bill C-49

Dear MP,

The Mennonite Coalition for Refugee Support, a community-based non-profit organization that supports refugee claimants in Waterloo Region, is expressing profound concern over the provisions of the Government's proposed Bill C-49, the Preventing Human Smugglers from Abusing Canada's Immigration System Act. This bill is a grave assault on the human rights of refugees.

While human smuggling is a serious problem that needs to be addressed, it is perverse to tackle the problem by targeting those refugees who are so desperate to seek asylum in Canada that they allow themselves to be smuggled. It is also in direct contravention of both international law and Canada's own Charter of Rights and Freedoms.

The new anti-smuggling legislation subjects refugee claimants to discriminatory treatment, including forced detention, based solely on their means of arrival in Canada. The right to be free from discrimination is well-established in several international treaties that are binding on Canada, including the 1951 Refugee Convention and the International Covenant on Civil and Political Rights.

In our office, we meet with people everyday who tell us about their experiences of having been forced to flee for their lives, doing whatever is necessary to protect themselves and their families, and to seek refuge from danger in Canada. Out of desperation, with no other options available to them, these women, men, and children are often forced to resort to smugglers to escape persecution.

Human smuggling to escape persecution is not new. Just one of many historic examples is the Underground Railway that smuggled individuals escaping from slavery in the United States to freedom in Canada. In the past, potential refugee claimants arriving in Canada on unauthorized transport have been sent back to their deaths in countries where they were persecuted; one thinks here of Canada's notorious rejection of close to 1000 Jewish refugees hoping to escape the Holocaust on the ship St. Louis in 1939.

We share the Canadian government's concerns about discouraging human smuggling that is dangerous, exploitative and involves connections to criminal activity. It is true that smugglers do often abuse the rights of the individuals that they assist with travel. Yet Bill C-49 misguidedly attempts to address exploitative forms of human smuggling by imposing heavy penalties on refugee claimants, punishing already vulnerable and exploited people.

We call on you to remember Canada's commitments to the Declaration of Human Rights, the 1951 Refugee Convention and the International Covenant on Civil and Political Rights, and to respect Canada's core values of human rights for all people, including refugees.

We call on all Members of Parliament who believe in human rights and the equal dignity of all persons to unite to defeat this bill at second reading.

Sincerely,

Eunice Valenzuela  
Executive Director