



Comments on amendments to Bill C-31

Bill C-31 was sent back to the House of Commons on 14 May 2012, after being revised by the Standing Committee on Citizenship and Immigration. For the revised text of the bill, see: <http://bit.ly/KHrumi>. To read the 13 amendments passed, see: <http://bit.ly/JOXMML>.

On 9 May 2012, the Minister of Citizenship and Immigration announced changes to Bill C-31, *Protecting Canada's Immigration System Act*. While the CCR welcomes changes that improve protection for refugees in Canada, the majority of the CCR's key concerns with the bill remain, including:

- Provisions to designate 'irregular arrivals' and 'safe countries' (also referred to as 'designated countries of origin') that discriminate simply because of a person's origin or method of arrival
- Speedy and inflexible timelines that prevent people from telling their stories and preparing their cases properly
- A five-year ban on permanent residence applications and family reunification for "irregular arrivals" once they are recognized as refugees
- Mandatory detention for some claimants

Even with the changes that the Minister proposes, Bill C-31 will make refugee protection in Canada dangerously vulnerable to political whims, rather than ensuring a fair and independent decision on refugee claims.

The announced changes provide for:

- Detention reviews for detained, 'irregular arrival' refugee claimants after 2 weeks and after 6 months. While shorter than Bill C-31's initial 1-year review, this will still mean that refugee claimants, including minors, who have done nothing wrong, will be detained with costly financial and mental health consequences. Legal experts have also indicated that this change will not comply with requirements under the *Canadian Charter of Rights and Freedoms*.
- No automatic loss of permanent residence status for accepted refugees due to a change of circumstances in their country of origin, removing provisions for what was described as 'conditional permanent residence.'

Unfortunately, other amendments represent a step backwards with respect to restrictions for claimants from 'safe countries' applying for a Pre-Removal Risk Assessment (PRRA). In its original form, Bill C-31 put in place a 12-month bar; the amended version of the bill will increase this to 36 months. This change renders the PRRA ineffective.