

# Canada secretly amends Safe Third Country Agreement with US to nail door shut to refugees

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In close collaboration with Washington and in blatant violation of international law, Justin Trudeau's federal Liberal government is moving to completely seal the border to asylum seekers entering Canada from the United States. According to government sources who leaked information to the Montreal daily *La Presse* last month, Canada and the United States have negotiated an agreement to close "loopholes" in the Safe Third Country Agreement (STCA).

The purpose of the agreement, signed in 2004 by Paul Martin's Liberal government and the administration of George W. Bush, was to allow the Canadian government to turn back all asylum seekers entering Canada from the United States on the pretext that the latter is a "safe country" for refugees.

The agreement stipulated that asylum seekers would be turned back if they made their claim at an official port of entry to Canada. However, it did not specify how asylum applications should be handled if they were filed by people who had entered Canada from the US "irregularly." This loophole encouraged refugees desperate to escape the Trump administration's vicious persecution of immigrants to cross the 8,900-kilometre-long Canada-US border at unguarded points in order to file their asylum application on Canadian soil. To do so, tens of thousands of impoverished refugees from Latin America, the Middle East and Africa have undertaken a dangerous and often life-threatening journey that often involves walking long distances in bitterly cold temperatures.

The leak to *La Presse*, which has close ties to the Liberal Party, came shortly after a ban on migrants entering Canada, put in place at the beginning of the COVID-19 pandemic, was lifted last November. Agitating against the migrants, the anonymous government source responsible for the leak urged the government to quickly implement the till now secret agreement, declaring, "We don't have the leisure to wait much longer for the new agreement to be implemented to be able to stop this flow, which is totally unsustainable in the more or less short term."

Amending the STCA to nail shut the door to all refugee claimants has been a longstanding demand of the Conservatives and the most right-wing provincial governments, such as the Ford government in Ontario and Legault's Coalition Avenir Québec (CAQ) government in Quebec. Stoking anti-immigrant chauvinism and openly courting the far-right, they have regularly referred to the border as a "sieve" and blamed refugees for the dilapidated state of public services.

In a recent tweet, calling for the "closing of Roxham Road," a commonly used "irregular" border-crossing point for migrants seeking refuge in Canada, CAQ Labour Minister Jean Boulet

scapegoated migrants for the spike in COVID-19 cases produced by the Omicron variant. In reality, if Quebec and Canada are now being devastated by the pandemic's fifth successive wave, it is because Canada's federal and provincial governments, acting at the behest of big business and the financial oligarchy, have systematically prioritized the protection of corporate profits over human lives. The CAQ has played a key role in the implementation of this murderous agenda by embracing an explicit "herd immunity" policy and denying high-quality PPE to education workers, health care staff and other working people.

By acceding to the demands of the most right-wing sections of the establishment over the STCA, the Trudeau Liberal government is demonstrating, yet again, that its claims to be "pro-refugee"—that is supportive of those fleeing oppression—are an utter fraud.

The ruthless persecution experienced by asylum seekers under Trump has continued under Biden and the Democrats, who have upheld Trump's reactionary "pushbacks" at the US-Mexico border and backed the fascistic thugs of the Immigration and Customs Enforcement (ICE) to the hilt. The Trudeau government was intimately involved in Trump's anti-refugee campaign, with Canada-US collaboration on anti-immigrant measures reaching unprecedented levels during the Republican president's four years in the White House. Trudeau and his ministers have themselves repeatedly discouraged migrants from coming to Canada, while escalating deportations and ensuring only a small percentage of asylum claims are accepted.

In 2018, in the name of "securing the borders," the Trudeau government implemented a target of 10,000 annual deportations, a 35 percent increase from the previous year. Hundreds of people who have had their applications rejected, including children, are being held in prison-like conditions, similar to those imposed on prospective deportees in the United States, while they await expulsion from Canada.

In 2019, the Trudeau government dramatically reduced the ability of migrants to claim asylum in Canada by surreptitiously adding reactionary amendments to the Budget Implementation Act. While adding \$1 billion for border security, the amendments prevent migrants who have already made an asylum claim with countries that have an "information sharing agreement" with Canada from making an asylum claim. These countries are the United States, Britain, Australia and New Zealand, all of which, along with Canada, are members of the "Five-Eyes," a network of countries that conduct mass surveillance on the world's population.

Notwithstanding the raging pandemic, 12,222 refugees were deported during 2020, the highest total for deportations since 2015. Of the 58,000 migrants who have crossed the border irregularly since February 2017, just 14,500 have had their claims accepted and 12,000 have been rejected, according to the Immigration and Refugee Board in Canada. Around 29,600 claims are still pending.

The Canadian government's attempt to posture as a defender of "human rights" is highly hypocritical. Ottawa has one of the world's most restrictive immigration policies—a fact underscored by the explicit praise it won from Trump during his presidency. This policy is not constrained by any humanitarian responsibility to asylum seekers, but rather shaped by the mercenary labour market needs of big business. Thousands of poorly paid and abysmally accommodated migrant workers from impoverished parts of the Caribbean and Latin America labour on farms, in meatpacking plants and other low-wage sectors every year on the basis of temporary residency permits. These programs, which are akin to the indentured-labour contracts of centuries past, only grant a worker permission to stay in Canada if they maintain their job with a specified employer, and block any legal route to permanent residency.

While claiming to be welcoming to immigrants and refugees, Canadian imperialism has natural and political "walls" to shield it from the large numbers of people uprooted from their homes by the wars, environmental devastation, and economic restructuring programs that it and its western allies inflict on the peoples of Latin America, Africa, the Middle East and elsewhere. Not only is Canada bordered by oceans on three sides, it can rely on Washington, under Republican and Democratic Party administrations alike, to ruthlessly police the Mexican border and bully Mexico to "deal" with migrants from Central America and further south by sealing its own southern border.

The persecution of refugees and immigrants enjoys the support of all institutions of the Canadian capitalist state. Last year, the Liberal government won its appeal of a federal court ruling that found the Safe Third Country Agreement unconstitutional, because those returned to the US in accordance with its provisions have been subject to treatment that "shocks the conscience." This includes automatic imprisonment, often in concentration camp-type conditions, with children potentially separated from their parents and detainees deprived of food, medical care and "basic human dignity."

In overturning the lower court ruling, the Federal Court of Appeal willfully ignored both the barbaric conditions in which those returned from Canada are held by the US government and their subsequent fate. That is, almost certain deportation to their countries of origin—to countries, like Haiti, that invariably have been ravaged by American and Canadian imperialism.

Had it not been for the leak to *La Presse*, the US-Canada agreement to make the STCA even more restrictive and draconian would have remained secret till Ottawa and Washington choose to enforce it. This begs the question: What other secret agreements have been concluded between Canada and the United States?

Washington is currently provoking a direct military confrontation in Eastern Europe with Russia, which threatens to plunge the world into a catastrophic conflagration involving nuclear weapons. What secret deals has Trudeau made with Biden on how Ottawa would respond if war breaks out?

In recent decades, Canada's close military-strategic partnership with Washington has seen the Canadian military participate in an uninterrupted series of wars and military interventions led by

Washington, whether in Haiti, Syria, Libya, Afghanistan or Iraq, which, not incidentally, are the countries of origin of a large percentage of the world's refugees. Canada is closely integrated into the ongoing diplomatic, economic and military-strategic offensive against China and Russia, the two powers the United States has identified as its main rivals.

The correction of the "loophole" in the STCA, which will increase the refugee-claimant population in the United States and the number of ICE expulsions, represents a favour granted by the Biden administration to Canada. In return, Washington no doubt expects Ottawa to work even more closely with it in its diplomatic and military offensive against Russia and China, as well as in upholding their common imperialist interests in Latin America and the Caribbean.

Since taking office, the Trudeau government has worked assiduously to strengthen the eight-decade Canada-US military partnership. This includes increasing military spending by more than 70 percent by 2026, reaching a little-publicized agreement with Washington to "modernize" NORAD, the North American aerospace and maritime defense command, participating in Washington's "freedom of navigation" operations off the coast of China, and continuing to work with far-right forces in Ukraine to threaten and prepare for a military offensive against Russia.

Yet the United States, whether led by Trump's Republicans or Biden's Democrats, and significant sections of the Canadian ruling class are demanding that it do still more. Recently the Trudeau government announced that it is developing an anti-China Indo-Pacific "strategy" in close consultation with the Biden administration. The latter has ratcheted up the US offensive against China, by forming the US-Australia-United Kingdom (AUKUS) military-intelligence pact, arming Australia with nuclear submarines, and championing the Quad, a quasi-military alliance of the US, its key Asia-Pacific allies, Japan and Australia, and India.

Working people in Canada must oppose the persecution of migrants and demand that all the secret agreements Ottawa has entered into with Washington aimed at facilitating imperialist oppression, aggression and banditry be made public.



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