

'Smart border' to turn away more refugees

Canada, U.S. agree: Asylum seekers will not be able to 'shop for a country'

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NIAGARA FALLS, Ont. - Refugees seeking asylum in Canada after first landing in the United States will be turned away at the border under a plan signed yesterday by John Manley, the Deputy Prime Minister, and Tom Ridge, the United States Homeland Security Director.

The agreement is an attempt to stop refugees from "shopping for a country," Mr. Manley said yesterday at a jovial rooftop meeting overlooking a busy border crossing on the Niagara River.

The asylum agreement was announced as part of a progress report on the Smart Border Declaration, a 30-point outline for action needed on Canada-U.S. border issues undertaken after the Sept. 11 attacks in the United States.

Mr. Ridge said yesterday there has been "substantial progress" on all 30 points.

Said Mr. Manley: "We're well on our way to creating a smart border for the 21st century, one that is open for business but closed to terrorists."

Despite the fanfare of the asylum announcement, details were few and a timetable uncertain.

The text of a safe third country agreement has been initialed by Messrs. Manley and Ridge after extensive negotiation between officials in both Immigration Departments. Neither official would release the draft text and more discussions are needed before it comes into effect, they said.

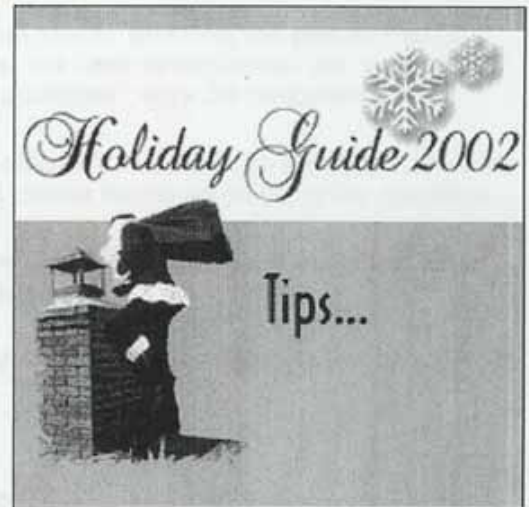
"We will be holding consultations with members of our respective legislatures, the United Nations High Commission for Refugees and non-governmental organizations in the coming weeks in order to finalize the agreement," says the document signed yesterday.

"This initiative will promote the orderly handling of asylum applications and reduce the misuse of our respective asylum systems."

Currently, many asylum-seekers land in Canada or the United States and make refugee claims in both countries



The Canadian Press
Tom Ridge, U.S. Homeland Security Director, left, and John Manley, Deputy Prime Minister, signed an asylum agreement in Niagara Falls, Ont., yesterday. It's part of the Smart Border Declaration reached post-Sept. 11.



in a bid to hedge bets against refusal. Many land first in the United States and then turn to Canada for acceptance because of more generous refugee provisions and appeal options.

"It's not a matter of shopping for a country that you want, it's a matter of escaping the oppression that you face," Mr. Manley said.

About 60 per cent of the 50,000 refugees who arrive in Canada each year come via the United States and half of those fail in their claims in this country.

The change does not mean either country will reduce the number of refugees accepted nor will the nations become less welcoming, said Mr. Ridge. "Both countries have big hearts," he said.

Reaction to the plan was mixed. David Matas, a Winnipeg immigration lawyer and past president of the Canadian Council for Refugees, called it "a sad day for refugees" because the U.S. system is more severe than Canada's, including a policy of detaining children.

In Montreal, Immigration Minister Denis Coderre rejected the criticism. "Canada won't shut its border," he said.

Although final details have yet to be worked out, Canada would retain the right to select up to 200 refugees a year turned away by the United States, he said.

The agreement would make some exceptions for minors and families, and give priority to keeping married and same-sex couples together.

Criminals would be deported within days rather than months.

Sergio Karas, a Toronto immigration lawyer, said it will allow Canada to focus on those most in need. "Those who have a genuine fear of persecution will now have to do the sensible thing and claim asylum at their first opportunity, rather than go around the world and shop for a good forum."

Mr. Karas said the government should negotiate a similar agreement with European countries.

The asylum change is part of larger plans to better monitor transnational travel. "Ensuring the secure flow of people into our countries begins well away from our border. To this end, we have strengthened our co-operation and our ability to intercept high-risk travellers before they arrive in our countries," says the document.

Canada and the United States will also post more immigration control officers overseas in an attempt to uncover fraudulent passports and other bogus documents before visitors board planes bound for either of the countries.

Air passengers will also be screened more carefully before arrival, identifying travellers who warrant additional scrutiny. Information on high-risk passengers will be shared between agencies.

Two Joint Passenger Analysis Units, one in Vancouver and the other in Miami, will be established by September.

The document also highlights:

- The initiation of a joint border program, called Free and Secure Trade (FAST), designed to swiftly and safely move commercial shipments across the border. FAST will pre-clear low-risk commercial shipments from regular and respected shippers so border agents can concentrate on the high-risk loads such as rental trucks and unknown or unmarked containers.

- A major joint counterterrorism training exercise, involving law enforcement, security agencies, public safety planners and emergency responders, is set for May, 2003.

- The use of new technologies for confirming the identities of travellers, including facial recognition systems, iris scanning and fingerprints, will be standardized, and new investments will be made in developing and deploying high-energy gamma and X-ray machines to detect dangerous materials in transit containers.