



Musée Holocauste Montréal
Montreal Holocaust Museum

Montreal Holocaust Museum Encourages Suspension of the Safe Third Country Agreement with the United States

Thursday, August 20, 2020

The Montreal Holocaust Museum (MHM) welcomes the Federal Court ruling declaring that Canada's Safe Third Country Agreement (STCA) with the U.S. violates the rights to life, liberty, and security of refugee claimants as guaranteed in section 7 of the Canadian Charter of Rights and Freedoms. The MHM calls upon the Government of Canada to respect the Court's judgement invalidating the act. We also urge the Government to stop returning refugee claimants to the U.S. immediately, notwithstanding the Court's suspension of its decision for six months to enable Parliament to respond.

Under the STCA, refugee claimants arriving by land at official border crossings in the U.S. or in Canada are required to seek protection in the first country in which they arrive. Consequently, many refugees who travel through the U.S. to seek asylum in Canada have been turned back to the U.S. where they have been subjected to detention, deportation, and other human rights violations. According to the Canadian Council for Refugees, once in U.S. detention, individuals are forced to endure cruel and inhumane conditions that are "below required international human rights standards." If deported, many refugees face irreparable harm. In upholding the STCA, Canada has knowingly placed people at great risk.

As the ineligibility provisions of the STCA apply exclusively to official Canada-U.S. land borders, over 50,000 people have undertaken dangerous journeys to inland Canada, often on foot, in attempts to enter the country within the scope of the law. Furthermore, claimants arriving from the U.S. by air or sea are also eligible to have their claims assessed. Hence the act discriminates against some of the most disadvantaged, vulnerable refugees.

Should the federal government accept the landmark ruling of the Court, future refugee claimants will be spared countless human rights violations including imprisonment in the U.S. and potential persecution subsequent to deportation.

Many brave refugees have spoken out and testified about the abuses they endured in the U.S. The courage and resilience they showed in sharing their stories had a direct impact on the Federal Court ruling. We hope their bravery will also encourage the Canadian Government to act in defence of all refugees.

Under international law, Canada is required to welcome people fleeing persecution and violence. According to the United Nations, the principle of non-refoulement prevents States from returning refugees to the borders of territories where their lives or freedom would be threatened because of their race, religion, nationality, membership in a particular social group, or political opinion.



Musée Holocauste Montréal
Montreal Holocaust Museum

During the Holocaust, Canada implemented discriminatory, antisemitic, and closed-door policies for Jewish refugees. The history of the Holocaust demonstrates the shameful consequences of promulgating negative stereotypes and closing doors to strangers who are forced to flee their homes when their lives are in danger. Today, it is incumbent on Canada to exercise leadership and compassion in dispelling negative stereotypes about others, opening doors to strangers, and protecting the rights and wellbeing of refugees.

Dorothy Zalcman Howard
President
Montreal Holocaust Museum

Daniel Amar
Executive Director
Montreal Holocaust Museum

Press Contact:

Sarah Fogg
Head of Communications at the Montreal Holocaust Museum
Sarah.fogg@museeholocauste.ca
514-240-7357