

FOR IMMEDIATE RELEASE

**DATE**

Créons des ponts - Bridges Not Borders, Detroit Mercy School of Law Immigration Clinic, Saratoga Immigration Coalition, Canadian Sanctuary Network

**ASYLUM SEEKERS CONTINUE TO BE TURNED AWAY FROM CANADIAN BORDER  
Misinformation about Border Conditions are Putting Migrants at Risk**

Detroit, MI - **DATE** -

Growing numbers of people are traveling to the US-Canada border with the hopes of crossing into Canada to claim refugee status. However, most people are not permitted to enter Canada and are directed back to the US. Restrictions on who can enter Canada are in place both at official ports of entry and at unofficial crossings such as the one at Roxham Road, New York. There is a significant risk that people directed back will be detained in the US Customs and Immigration Enforcement (ICE) and placed in removal proceedings.

Due to the COVID-19 border closure, unofficial refugee crossings into Canada, such as the one at Roxham Road, New York, are closed. Royal Canadian Mounted Police (RCMP) continue to be stationed at Roxham Road. People caught attempting to cross into Canada at unofficial crossings such as Roxham Road will be directed back to the US, where they may be detained.

Under the Safe Third Country Agreement, many people are not permitted to apply for refugee status in Canada at official ports of entry. Despite the Federal Court of Canada ruling on July 22, 2020, that the Safe Third Country Agreement is unconstitutional, the Agreement remains in effect. There are some specific exceptions to the Safe Third Country Agreement. Certain people can claim refugee status at an official Port of Entry at the Canadian border. These exceptions include:

- People who have specific types of family members in Canada;
- Unaccompanied children under the age of 18 who do not have a parent or guardian in Canada or the US;
- Refugee claimants who are U.S. citizens or stateless persons habitually living in the US; or
- People who have visas or travel documents allowing travel to Canada, or people from countries that do not require a visa for Canada, but do require a visa for the US (e.g. Mexico, Hong Kong SAR).

Anyone who wants to make a refugee claim in Canada should talk to someone with expertise in Canadian immigration and refugee law before traveling to the US-Canada border. Non-profit organizations who work with refugees may be able to refer you to a lawyer who is qualified to practice immigration and refugee law in Canada. A qualified

lawyer can provide advice about who is permitted to apply for refugee status in Canada under the Safe Third Country Agreement and COVID-19 border closures.

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**For more information on the COVID border closures:**

<https://www.unhcr.ca/newsroom/key-information-asylum-seekers/>

<http://www.bridgesnotborders.ca/info-1.html> (information in English, French and Spanish)

**For more information on recent court ruling:**

<https://ccrweb.ca/en/organizations-welcome-court-ruling-safe-third-country>

<https://ccrweb.ca/fr/decision-cour-sur-tiers-pays-surs-accueillie>

**For more information on the Safe Third Country Agreement:**

<https://ccrweb.ca/en/safe-third-country>

<https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/refugee-protection/canada/processing-claims-protection-safe-third-country-agreement.html>

**Source:**

Bridges Not Borders - Créons des ponts is a bilingual grassroots group near Roxham Road supporting and advocating for asylum seekers. ([www.bridgesnotborders.ca](http://www.bridgesnotborders.ca))

Alex Vernon,

Director, Immigration Law Clinic, Detroit Mercy School of Law

The Saratoga Immigration Coalition is a network of civic groups, faith communities and concerned individuals that seeks to foster, through support, education and advocacy, a community that is welcoming to all immigrants without regard to legal status.

(<https://www.facebook.com/Saratoga-Immigration-Coalition-458540114506608>

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The Canadian Sanctuary Network advocates for the fair treatment for refugees and seeks remedies for refugees who face removal to a country where they are at risk.

([sanctuarycanada.ca](http://sanctuarycanada.ca))



## **LES DEMANDEURS D'ASILE CONTINUENT D'ÊTRE REFOULÉS DE LA FRONTIÈRE CANADIENNE**

### **La désinformation sur les conditions aux frontières met les migrants en danger**

De plus en plus de personnes se rendent à la frontière entre les États-Unis et le Canada dans l'espoir d'entrer au Canada pour y demander le statut de réfugié. Cependant, la plupart des personnes ne sont pas autorisées à entrer au Canada et sont renvoyées aux États-Unis. Des restrictions sur les personnes qui peuvent entrer au Canada sont mises en place aux points d'entrée officiels et ainsi qu'aux points de passage non officiels comme celui de Roxham Road, dans l'État de New York. Les personnes renvoyées courent le risque d'être détenues par les services américains des douanes et de l'immigration (ICE) et d'être l'objet d'une procédure de renvoi.

En raison de la fermeture de la frontière COVID-19, les points de passage non officiels pour les réfugiés au Canada, comme celui de Roxham Road, dans l'État de New York, sont fermés. La Gendarmerie royale du Canada (GRC) continue d'être stationnée à Roxham Road. Les personnes prises en train de tenter d'entrer au Canada à des points de passage non officiels comme celui de Roxham Road seront renvoyées aux États-Unis, où elles pourront être détenues.

En vertu de l'Entente sur les tiers pays sûrs, de nombreuses personnes ne sont pas autorisées à demander le statut de réfugié au Canada aux points d'entrée officiels. Malgré la décision de la Cour fédérale du Canada, le 22 juillet 2020, selon laquelle l'accord sur les tiers pays sûrs est inconstitutionnel, l'accord reste en vigueur. Il existe quelques exceptions spécifiques à l'Accord sur les tiers pays sûrs. Certaines personnes peuvent demander le statut de réfugié à un point d'entrée officiel à la frontière canadienne.

Ces exceptions comprennent :

- \* Les personnes qui ont des types spécifiques de membres de leur famille au Canada ;
- \* Les enfants non accompagnés de moins de 18 ans qui n'ont pas de parent ou de tuteur au Canada ou aux États-Unis ;
- \* Les demandeurs d'asile qui sont des citoyens américains ou des apatrides vivant habituellement aux États-Unis ; ou
- \* Les personnes qui ont un visa ou un document de voyage permettant de se rendre au Canada, ou les personnes originaires de pays qui n'ont pas besoin de visa pour le Canada, mais qui ont besoin d'un visa pour les États-Unis (par exemple, le Mexique, la RAS de Hong Kong).

Toute personne souhaitant faire une demande de statut de réfugié au Canada doit s'adresser à une personne compétente en matière de droit canadien de l'immigration et des réfugiés avant de se rendre à la frontière entre les États-Unis et le Canada. Les organisations à but non lucratif qui travaillent avec les réfugiés peuvent vous orienter vers un avocat qualifié pour pratiquer le droit de l'immigration et des réfugiés au Canada. Un avocat qualifié peut vous conseiller et vous dire qui sont les personnes autorisées à

demander le statut de réfugié au Canada en vertu de l'accord sur les tiers pays sûrs et de la fermeture des frontières COVID-19.

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MPO NA KOYEBISA NA LOMBANGO

**MOKOLO**

Créons des ponts - Bridges Not Borders, Detroit Mercy School of Law Immigration Clinic, Saratoga Immigration Coalition, Canadian Sanctuary Network

**BASENGI NGUNDA BAKOBI KOBENGANAMA NA MOPAKA YA CANADA**  
**Kozanga koyeba maye matali mopaka ezali kotiya Ba Migrants na mikakatano**

Detroit, MI - MOKOLO -

Batu ebele na ebele lisusu bazali kokende mobembo na mopaka ya Etats-Unis na Canada na elikya ya kokota na Canada mpo na kobwaka ngunda. Kasi, mingi ya bato bazali na ndingisa ya kokota na Canada te, mpe bazali kozongisama na Etats-Unis. Mibeko oyo ezali kolakisa nani to nani te akoki kokota na Canada etiami na mipaka oyo eyebani mpe na mipaka oyo ya kundalupe, lokola oyo ya Roxham Road na New York. Soki bazongisi bato, riske monene ezali bakangama na Customs and Immigration Enforcement (ICE) ya Etats-Unis mpe batiya bango na nzela ya bozongisi na mboka na bango na makasi.

Likolo ya bokangami ya mopaka mpo na COVID-19, mipaka oyo bato ya ngunda bakatisaka na Canada na ndenge ya kundalupe, lokola oyo ya Roxham Road na New York, ekangami. Ba polisi ya Royal Canadian Mounted Police (RCMP) bazali kokoba kozala na Roxham Road. Moto oyo akokangama tango azali komeka kokatisa mopaka mpo na kokota na Canada na mopaka ya kundalupe lokola oyo ya Roxham Road, akozongisama na Etats-Unis, esika wapi akoki kokangisama.

Na mobeko ya Boyokani ya Safe Third Country, bato ebele bazali na ndingisa te ya kobwaka ngunda na Canada na mipaka ya kokota oyo eyebani. Ata ko mokano oyo ekatami na Federal Court of Canada na sanza ya motoba, mokolo ya 22, na mbula 2020, oyo elobi ete Boyokani ya Safe Third Country ebuki mobeko likonzi, boyokani wana ezali kaka kolandama. Ezali makambo mike oyo elandaka Boyokani ya Safe Third Country te. Bato moko boye bakoki kobwaka ngunda na mopaka ya bokoti oyo eyebani na mopaka ya Canada. Bato wana bazali:

- Bato oyo bazali na bandeko ya libota moko boye na Canada;
- Bana mike oyo nanu bakokisi mbula 18 te mpe bazali kokende mobembo se bango moko, bazangi moboti to moto oyo azali ko sunga bango;
- Bana mboka ya Etats-Unis oyo bazali kobwaka ngunda to bato oyo bazanga mboka, kasi bafandaka na Etats-Unis;
- Boto oyo bazali na viza to mokanda ya mobembo oyo epesi bango ndingisa ya kokende mobembo na Canada, to bato oyo bawuti mboka oyo esengi viza ya Canada te (Lokola Mexique, Hong Kong SAR).

Moto nionso oyo alingi kobwaka ngunda na Canada esengeli asolola na moto oyo azali na mayele ebele na oyo etali kobwaka ngunda na Canada mpe mibeko ya ngunda, liboso ya kokende mobembo na mopaka ya Etats-Unis na Canada. Ba mangoba oyo basalelaka lifuti te oyo basalaka na bato ya ngunda bakoki ko tinda yo na moto ya mibeko oyo azali na ndingisa ya kosala mosala ya mibeko ya immigration mpe ya ngunda na Canada. Moto ya mibeko oyo azali na ndingisa akoki koyebisa yo nani oyo azali na ndingisa ya kobwaka ngunda na Canada na bolandi mobeko ya Boyokani ya Safe Third Country Agreement mpe bokangami ya mopaka likolo ya COVID-19.

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**Mpona ba sango misusu na bokangami ya mopaka likolo ya COVID:**

<https://www.unhcr.ca/newsroom/key-information-asylum-seekers/>

<http://www.bridgesnotborders.ca/info-1.html> (Sango na lingelesi, Kifaransa mpe espanyoli)

**Mpona ba sango misusu na Mokano ya Bosambisi ya mikolo oyo:**

<https://ccrweb.ca/en/organizations-welcome-court-ruling-safe-third-country>

<https://ccrweb.ca/fr/decision-cour-sur-tiers-pays-surs-accueillie>

**Mpona ba sango misusu na Boyokani ya Safe Third Country:**

<https://ccrweb.ca/en/safe-third-country>

<https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/refugee-protection/canada/processing-claims-protection-safe-third-country-agreement.html>

**Ewuti epayi ya:**

Bridges Not Borders - Créons des ponts ezali lingomba oyo balobaka makoto mibale grassroots pene ya Roxham Road, ezali kosunga mpe kolobela baye bazali kosenga ngunda. ([www.bridgesnotborders.ca](http://www.bridgesnotborders.ca))

Alex Vernon,  
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Saratoga Immigration Coalition ezali mangomba basangani na mangomba ya ba citoyens, mangomba ya bandimi mpe bato oyo bazali koluka esika ya kofanda, kosunga bango, koyekolisa bango mpe kolobela bango, lingomba oyo ezali kopesa boyeyi bolamu na ba immigrants ata bazali na statut ya lolenge nini. (<https://www.facebook.com/Saratoga-Immigration-Coalition-458540114506608>)

Canadian Sanctuary Network ebundelaka bato ya ngunda basungama malamumu mpe elukaka bosalisi ya bato ya ngunda oyo bazali na nzela ya bozongi na mboka na makasi ezika bawutaki esika bazali na mikakatano. ([sanctuarycanada.ca](http://sanctuarycanada.ca))

## REQUERENTES DE ASILO CONTINUAM A SER AFASTADOS DA FRONTEIRA CANADENSE Desinformação sobre Condições de Fronteira está colocando Migrantes em Risco

Um número crescente de pessoas está viajando para a fronteira EUA-Canadá com a esperança de cruzar para o Canadá para reivindicar o status de refugiado. No entanto, a maioria das pessoas não tem permissão para entrar no Canadá e são direcionadas de volta aos EUA. As restrições sobre quem pode entrar no Canadá estão em vigor nos pontos de entrada oficiais e nas travessias não oficiais, como a de **Roxham Road, Nova York**. Há um risco significativo de que as pessoas encaminhadas sejam detidas no Departamento de Alfândega e Imigração dos EUA (ICE) e colocadas em processo de remoção.

Após o encerramento da fronteira devido ao COVID-19, as passagens não oficiais de refugiados para o Canadá, como a de Roxham Road, em Nova York, estão também proibidas. A Polícia Montada Real Canadense (RCMP) continua estacionada em Roxham Road. Pessoas apanhadas tentando cruzar para o Canadá em cruzamentos não oficiais, como Roxham Road, serão direcionadas de volta para os EUA, onde podem ser detidas.

Nos termos do Acordo de Terceiro País Seguro, muitas pessoas não estão autorizadas a solicitar o estatuto de refugiado no Canadá nos pontos de entrada oficiais. Apesar da decisão do Tribunal Federal do Canadá em 22 de julho de 2020, de que o Acordo de Terceiro País Seguro não é constitucional, o Acordo permanece em vigor. Existem algumas exceções específicas ao Acordo de País Seguro. Algumas pessoas podem reivindicar o status de refugiado num ponto de entrada oficial na fronteira canadense. Essas exceções incluem:

- Pessoas que têm tipos específicos de familiares no Canadá;
- Crianças desacompanhadas com menos de 18 anos que não têm pais ou responsáveis no Canadá ou nos EUA;
- Requerentes de refúgio que sejam cidadãos dos EUA ou apátridas que vivam habitualmente nos EUA; ou
- Pessoas que têm vistos ou documentos de viagem que permitem viajar para o Canadá, ou pessoas de países que não exigem visto para o Canadá, mas exigem visto para os EUA (por exemplo, México, Hong Kong SAR).

Qualquer pessoa que quiser fazer uma solicitação de refugiado no Canadá deve conversar com alguém com experiência em imigração canadense e legislação de refugiados antes de viajar para a fronteira EUA-Canadá. Organizações sem fins lucrativos que trabalham com refugiados podem encaminhá-lo a um advogado qualificado para praticar a lei de imigração e refugiados no Canadá. Um advogado qualificado pode fornecer conselhos sobre quem tem permissão para solicitar o status de refugiado no Canadá, de acordo com o Acordo de Terceiro País Seguro e o encerramento de fronteira devido o COVID-19.

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