



**The United Church
of Canada
General Council**

GC32 Refugee Policy (1988R265)

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WHEREAS the prophets called God's people to care for the refugees and sojourners in their midst: "Do not mistreat foreigners who are living in your land. Treat them as you would a fellow Israelite, and love them as you love yourselves. Remember that you were once foreigners in the land of Egypt" (Leviticus 19:33-34); and

WHEREAS we name ourselves after the One who said "I was a stranger and you welcomed me." (Matthew 25:35); and

WHEREAS the biblical witness is clear; hospitality to strangers, sanctuary to the endangered, love for neighbours, justice for the persecuted and oppressed, protection for the weak and homeless all embody the vision of *shalom* God intended for creation; and

WHEREAS our compassion for refugees reflects the faithfulness of our church's understanding of the covenant between humanity and the God of justice and mercy, and is a means of our own recovery and sight, dignity and obedience to God's will; and

WHEREAS the number of refugees world-wide continues to increase and has grown to around fifteen million, at the same time as the western world has tightened restrictions to prevent the entry of refugees; and

WHEREAS current refugee legislation Bill C-84:

- a. prevents access of refugees to Canada by preventing entry of boats into Canadian waters;
- b. provides for fines or imprisonment of church and humanitarian refugees organizations that aid refugees in presenting themselves at our borders without proper documentation, even though this is of necessity the case of the majority of refugees in flight from persecution;
- c. allows refugee claimants to be placed in detention centres irrespective of whether they pose any threat or danger to the public;

- d. gives immigration officers search and seizure powers which can be seen to be in violation of the Canadian Charter of Rights and Freedoms; and

WHEREAS Bills C-55 and C-84 threaten to endanger the lives of refugees, restrict the work of the church, and violate and dishonour the 1951 Geneva Convention on Refugees and the 1967 Protocol relating to the Status of Refugees (both signed by Canada), as well as the Canadian Charter of Rights and Freedoms; and

WHEREAS refugee workers report to the church that inhumane treatment of refugees in detention is now being used, as a method of intimidation and deterrence in Canada; and that members of Canadian churches are being deported back to countries where their lives will be in danger:

THEREFORE BE IT RESOLVED that the 32nd General Council of The United Church of Canada:

1. Urge the government of Canada to:
 - a. introduce new legislation which would ensure just and compassionate treatment of refugees;
 - b. amend Bill C-84, to
 - i. allow for detention of refugees only in cases where there is a clear threat to public security and
 - ii. withdraw the unconstitutional search and seizure powers bestowed on immigration officers;
 - c. take immediate action to eliminate all practices such as extended arbitrary detention, harassment and maltreatment of refugee claimants in Canada;
 - d. comply with its obligations as a signatory of the Geneva Convention, not to deport refugee claimants back to countries of origin where it has been established by credible groups such as Amnesty International that there are extensive human rights violations;
 - e. grant temporary work permits for refugee claimants residing in Canada;
 - f. protect refugee claimants in Canada under the Canadian Charter of Rights and Freedoms, including the right to instruct counsel and to be advised of that right without delay, and to be represented by counsel throughout the refugee determination process;
 - g. develop a fair, fast determination system;
 - h. allow people seeking asylum at Canadian border points to enter and remain in Canada while proceeding with their claims;

- i. guarantee that all refugee claimants have the right to appeal a decision on the merits of the case to a body competent in refugee affairs;
 - j. increase the number of diplomatic staff and augment their training, and increase the number of Canadian Embassies and Consulates, in order to fulfil Canada's obligations to the United Nations for Support of refugee services.
2. *Forward this petition* to the Rt. Hon. Brian Mulroney, to the Minister of Citizenship and Immigration and to the leaders of the opposition parties.

FURTHER BE IT RESOLVED that The United Church of Canada urge the government of Canada to broaden the current definition of refugee to include such situations as:

- a. external aggression, occupation or events seriously disturbing public order in either part or the whole of his/her country (same criteria used by the Organization of African Unity), and
- b. generalized violence, internal conflicts, massive violation of human rights (1984 Cartagena Declaration) as refugee producing situations.

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