

## **Open Letter to the Right Honourable Mark Carney, Prime Minister of Canada**

*Re: Bill C-12, the Strengthening Canada's Immigration System and Borders Act*

Dear Prime Minister Carney,

We write to you as international migration scholars and practitioners deeply concerned about Bill C-12, the [Strengthening Canada's Immigration System and Borders Act](#). We are compelled to respond because the vision you articulated at the [World Economic Forum](#) in Davos in January 2026 stands in direct and troubling contradiction with the legislation your government is now advancing through Parliament.

At Davos, you spoke of a “rupture” in the world order—the collapse of a rules-based international system and the rise of unchecked great-power rivalry. You called on middle powers like Canada to stop “living within the lie,” to name reality honestly, and to build strength through values: human rights, sovereignty, solidarity, and the rule of law. You declared that Canada would be “both principled and pragmatic” and would take its “sign out of the window.” Yet Bill C-12 places a different sign in that window. Far from embodying the principled leadership you articulated at Davos, this legislation dismantles foundational protections for refugees and migrants in ways that contradict the [Canadian Charter of Rights and Freedoms](#), binding obligations under the [1951 Refugee Convention and its 1967 Protocol](#), and the very values you invoked on the global stage.

### **An Unorthodox and Troubling Legislative Process**

Before addressing the substance of Bill C-12, we must note the deeply troubling manner in which it has been advanced. The bill was pushed through the House of Commons on compressed timelines, with inadequate committee study and without hearing from many of those who will be directly harmed by its provisions. The [Canadian Bar Association](#) has warned that the Senate was asked to proceed to third reading “*without* having had the benefit of a full informational foundation necessary to carry out its role as the voice of ‘sober second thought.’” This pattern undermines the independence of the Senate and the integrity of Canada’s democratic process. A bill with such sweeping consequences for human rights and constitutional law demands rigorous scrutiny, not expedited passage.

### **A Rupture Within: How Bill C-12 Contradicts Canada’s Own Commitments**

Bill C-12 introduces several provisions in Parts 5 to 8 that, in our expert assessment, violate the principles that Canada has long championed internationally and enshrined domestically.

**First, the one-year deadline for refugee claims** (s. 101(1)(b.1) under Part 8) bars anyone present in Canada for more than one year from accessing an independent hearing before the Immigration and Refugee Board—and does so retroactively to June 2020. This arbitrary cut-off punishes the most vulnerable: survivors of gender-based violence and torture who need years to disclose trauma, LGBTQ+ claimants who fear revealing their identity, and individuals whose home countries have deteriorated since their arrival. The Supreme Court of Canada’s landmark decision in [Singh v. Minister of Employment and Immigration \(1985\)](#) established that every person on Canadian soil is entitled to the protections of section 7 of the Canadian Charter of Rights and Freedoms—the right to life, liberty, and security of the person in accordance with principles of fundamental justice. Diverting these claimants to the deeply flawed Pre-Removal Risk Assessment (PRRA)—a paper-based, non-independent process with historically negligible approval rates—does not meet this constitutional standard. As the [Canadian Civil Liberties Association](#) has stated, the PRRA mechanism is “an inadequate and deeply limited substitute for a fair and full refugee determination.”

**Second, the elimination of the 14-day exception for border crossers** (s. 101(1)(b.2) under Part 8) extends the Safe Third Country Agreement in a manner that is increasingly untenable given the well-documented deterioration of asylum conditions in the United States—including mass detention, expedited removals, and the systematic targeting of vulnerable populations. Returning individuals to these conditions risks indirect refoulement in violation of the Refugee Convention and the [Convention Against Torture](#). At a time when U.S. immigration enforcement under the current administration has drawn international condemnation for its cruelty, Canada should be distancing itself from these practices, not deepening its complicity in them.

**Third, the sweeping executive powers to cancel immigration documents** (ss. 87.301–87.305 under Part 7) grant the Governor in Council authority to suspend, terminate, or cancel entire categories of visas, permits, and even permanent residence documents—without individualized assessment, without procedural safeguards, and on the vaguely defined basis of “public interest.” This concentration of unchecked power in the executive is precisely the kind of governance that you, Prime Minister, cautioned against at Davos when you warned of a world where “the strong can do what they can, and the weak must suffer what they must,” as such unchecked power can be abused in the future.

**Fourth, the expansive information-sharing provisions** (ss. 5.3–5.7 under Part 5) authorize the disclosure of sensitive personal information—including refugee status and gender identity—across all levels of government and potentially to foreign states. For refugees who have fled persecution by those very governments, this creates a grave risk of transnational repression. For undocumented workers asserting labour rights, it creates a chilling effect that drives exploitation further underground. These provisions are incompatible with Canada’s obligations under the [International Covenant on Civil and Political Rights](#) and the Refugee Convention’s confidentiality protections.

### **A Call to Action**

We endorse the call of many esteemed organizations—including the Canadian Bar Association, the Canadian Civil Liberties Association, the Migrant Rights Network, the Canadian Council for Refugees, the UN Refugee Agency, Amnesty International, among others—for the full withdrawal of Bill C-12 or substantial amendment by deleting Parts 5 to 8 to ensure that Canada’s immigration and refugee protection systems remain grounded in independent adjudication, procedural fairness, and respect for human rights.

We urge you, Prime Minister, to heed your own counsel. You called this moment a rupture that demands honesty. The honest truth is that Bill C-12, in its current form, betrays the values you articulated to the world, violates the rights guaranteed under the Canadian Charter of Rights and Freedoms, and places Canada in breach of its international legal obligations.

Canada can and must do better.

*Signed by 164 migration scholars and experts from across Canada and internationally*