



## POLITICS

### Asylum seekers face deportation risk over legal aid woes



Aditya Rao, founding board member of the Madhu Verma Migrant Justice Centre.  
Photo: Madhu Verma Migrant Justice Centre/Submitted

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Some asylum seekers who are now in New Brunswick are facing the risk of deportation after the federal government relocated them to a Maritime province that lacks senior government-funded refugee legal aid services, warns a Fredericton-based lawyer.

Aditya Rao and a handful of other New Brunswick lawyers have been volunteering their time to assist asylum seekers who started arriving in Moncton and Fredericton from Quebec's Roxham Road border crossing earlier this year. As of Tuesday, 187 asylum claimants have been welcomed into New Brunswick from Quebec, with 120 of those settled in Moncton and 67 in Fredericton, according to the provincial government.

Each asylum seeker has up to 45 days to file a basis of claim to avoid deportation – but for some of them, time is running out as they wait for free legal help in New Brunswick, Rao said.

Unlike Ontario and Quebec, New Brunswick doesn't offer free

legal aid services to refugee claimants, leaving that work to the non-profit New Brunswick Refugee Clinic. But the clinic – whose operations are funded by grants, donations and the municipalities of Moncton, Dieppe and Riverview – relies on a single employee and a handful of volunteer lawyers to provide free services.

In the case of some refugee families, they're facing an April 9 deadline to get their paperwork filed with the Immigration and Refugee Review Board of Canada, according to Jael Duarte, a fellow Fredericton lawyer who has been handling some of the cases.

Despite ongoing calls for refugee legal aid funding given the number of cases, Rao said neither the federal nor the provincial government have delivered anything yet to help claimants now in New Brunswick.

“In my view, the responsibility lies squarely with the federal government,” Rao said Tuesday. “The provincial government has a role to play here, but the federal government has been the one

that has been transferring refugee claimants into Atlantic Canada knowing full well there is no access to refugee legal aid in New Brunswick.”

The risk of deportation and persecution in refugees’ home countries was raised in a March 24 letter to federal Immigration Minister Sean Fraser and provincial Immigration Minister Arlene Dunn. The letter was sent by Amnesty International Canada, the Atlantic Human Rights Centre and the Madhu Verma Migrant Justice Centre.

In a statement Tuesday, Dunn said the province is in talks with the New Brunswick Refugee Clinic “to provide a short-term solution until federal funding can be put in place.” She also noted the clinic remains in discussion with the federal government to secure funding for “resources to help with the increased demand in services.”

Olivia Huynh, executive director of the New Brunswick Refugee Clinic, previously told Brunswick News in mid-March that it needed more resources to assist the influx of refugee claimants.

needed more resources to assist the influx of refugee claimants. Brunswick News requested comment from the New Brunswick Refugee Clinic, as well as Immigration, Refugees and Citizenship Canada. It did not hear back from either as of press time.

Duarte said she's gotten the sense the provincial government didn't know what it was signing up for when it started welcoming asylum seekers earlier this year.

"New Brunswick is also responsible for these people," she said. "I have the impression that (the government) didn't understand what they were doing."

Unlike Syrian refugees – of which New Brunswick welcomed in about 1,400 – these asylum seekers from Quebec didn't receive refugee status and come to Canada with permanent residency, Rao noted.

These refugee claimants must make "complex legal arguments" to convince a judge that their story falls "within the narrow definition of a refugee," he said.

“Everything hinges on the success of their refugee claim – their ability for their kids to go to school, the ability for them to continue to live in safety and security, the ability to be able to work – and the federal government knowingly transported these refugee claimants to New Brunswick where there isn’t legal aid for refugee law.”

*– With files from Sarah Seeley*