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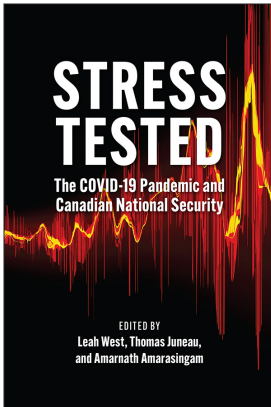
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STRESS TESTED: THE COVID-19 PANDEMIC AND CANADIAN NATIONAL SECURITY

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Untangling Deportation Law from National Security: The Pandemic Calls for a Softer Touch

Simon Wallace

Introduction

There is a significant overlap between national security law and deportation law. Non-citizens, even refugees and permanent residents, found to be terrorists, members of organized criminal groups, spies, criminals, or money launders can be declared “inadmissible” and deported from Canada (*IRPA*, ss. 34–40). For the government, deportation is a security-enforcement tool. As Public Safety Canada explains, “immigration removal is an integral part of the [Canada Border Services Agency’s (CBSA)] security mandate” (CBSA 2020a).

Moreover, deportation is an often-used tool. Compared to the criminal system, immigration adjudicators are regularly called upon to grapple with terrorism cases. A recent study showed that between 2004 and 2018, there were only 15 criminal trials based on terrorism charges (Nesbitt and Hagg 2020, 597). In contrast, the Immigration and Refugee Board adjudicated 123 national security and terrorism deportation cases in 2018 alone (Immigration and Refugee Board 2021). There is a practical reason for the national security community to concern itself with what happens in the deportation space: the immigration tribunals adjudicate exponentially more national security cases than do the criminal courts.

This chapter examines how the COVID-19 pandemic impacted CBSA's ability to enforce deportation orders. Contrary to public reports and statements from government officials, I find that the pandemic significantly compromised CBSA's ability to deport people. At its core, deportation is a forceful process (Gibney 2013). Deportations happen because CBSA—using a network of jail cells, enforcement officers, and coercive tools—gets people onto planes. The pandemic, work-from-home rules, and reduced air travel all limited CBSA's ability to be coercive. As a result, it deported substantially fewer people.

However, CBSA did not “down tools” in the pandemic; it retooled. CBSA used the pandemic as an opportunity to assume a more nimble, effective, and forceful deportation posture for the post-pandemic world. Going into the pandemic, poor data-reporting practices, a large backlog of unenforced removal orders, and unclear priorities weighed down the agency (Auditor General of Canada 2020). The pandemic gave CBSA an opportunity to clean up its removals operation, enabling it to hit the ground running and resume deportations once conditions allow. What does this mean for Canada's national security community? CBSA will emerge from the pandemic with more bandwidth and more capacity.

With this framing in mind, it is apparent that Canada is staring down a crisis in the deportation space. On the one hand, inspired by a security-minded ethos, CBSA is about to be a lot more effective at enforcing the law. On the other, the pandemic produced all sorts of situations in which the regular enforcement of deportation orders would be inappropriate. Divided into two parts, this chapter asks first: What happened to deportations during the pandemic? To answer this question, I analyze the publicly available data regarding detentions, emergency court motions to stop impending deportations, and deportation file closures to assess the extent of CBSA's capacities during the pandemic and the type of work the agency was doing. Second, I ask: What is likely to happen next? As CBSA resumes enforcement operations, the agency will confront a rights crisis produced by the pandemic. Put briefly, a deportation order issued before the pandemic could not have accounted for how individual lives, and the world at large, would be impacted by COVID-19. As such, pre-pandemic deportation decisions ought to be reassessed in light of the significantly changed circumstances.

The Deportation Process

“The most fundamental principle of immigration law is that non-citizens do not have an unqualified right to enter or remain in the country” (*Canada [Minister of Employment and Immigration] v Chiarelli* 1992). This finding by the Supreme Court of Canada is the foundation for the country’s deportation law and policy.

Parliament, the Court explained in *Chiarelli*, has a free hand to craft immigration policy to determine who gets to stay and who must leave. To that end, immigration legislation describes categories of “inadmissible” people who are either unwelcome to come or who, even if they come to Canada lawfully, must leave. The grounds for inadmissibility range from the administrative (e.g., failing to comply with the terms of a visa) to the exceptionally serious (e.g., engaging in terrorism).

There are multiple broad grounds of security-related inadmissibilities. For example, a person can be deported for being a member of an organized criminal group or committing a serious crime. People may also be deported for committing war crimes, being a member of a terrorist group, engaging in espionage, or being a “danger to the security of Canada” (*IRPA*, ss. 34–7). In the normal course of things, the Immigration and Refugee Board issues deportation orders. However, in rare and serious cases, the Minister of Public Safety and Emergency Preparedness and the Minister of Citizenship and Immigration may refer a security certificate to the Federal Court of Canada for adjudication (*IRPA*, Division 5 and Division 9).

When a person is determined to be inadmissible, the consequence, save for a small class of persons eligible for a form of immigration probation, is singular: an enforceable removal order. The person must leave, and if they do not, they will be deported. It is the job of CBSA to enforce deportation orders “as soon as possible” (*IRPA*, s. 48).

CBSA has a large and complex mandate, touching on all manner of border-related issues. It administers over ninety acts and regulations. The agency has its own intelligence unit, collects and ensures compliance with customs levies, and monitors cross-border traffic. In terms of immigration enforcement, CBSA officers are involved in key aspects of the migration process. They inspect people arriving in Canada, conduct in-land policing

operations to find “inadmissible” persons, interview refugee claimants, administer multiple detention centres, and intervene in refugee hearings. Therefore, the expeditious enforcement of removal orders is only one part of CBSA’s much larger mandate.

Despite CBSA’s legal obligation to enforce removal orders expeditiously, circumstances routinely intervene to prevent their immediate enforcement. Sometimes a removal may be deferred so as not to disrupt a child’s school year. In other instances, it may be delayed so a person can continue important medical treatment, or it may be pushed back to give the government time to decide a pending application for status. In 2019, for example, 1,766 requests to delay a removal were made to the CBSA, of which 689 were granted (CBSA 2020b). In rare cases, deportation may be postponed to allow for the processing of a last-ditch humanitarian and compassionate application (*Baron v Canada [Public Safety and Emergency Preparedness]* 2008). Finally, removal may also be delayed by extraneous events beyond the government’s control. For example, a foreign government might not issue a necessary travel document, or a natural disaster could make deportations to a particular country impossible.

Deportations and the COVID-19 Pandemic

In January 2021, the media reported that in the previous year CBSA had enforced 12,122 removal orders (Mehler Paperny 2021). This statistic was surprising because the number represented a year-over-year *increase* of 875 deportations, even though CBSA publicly said it paused deportations for most of 2020 because of the COVID-19 pandemic (Public Safety Canada 2020b).

CBSA was one of the first government organizations required to respond substantively and publicly to the COVID-19 pandemic. As border and migration policy evolved, CBSA was required to adapt frequently. In January 2020, officers began to screen all travellers from Hubei province in China. On March 4, screening expanded to include travellers from Iran and then, on March 12, from Italy. On March 16, the Prime Minister urged all Canadians abroad to come home, leading to the sudden return of thousands of individuals at Canada’s airports. On March 17, the government postponed all scheduled removals from Canada. On March 18,

borders were closed to foreign nationals, except for various forms of essential travel, requiring CBSA officers to make important decisions about whether someone's travel was essential (Public Safety Canada 2020c). That same day, an officer at the Toronto Immigration Holding Centre began to exhibit symptoms and was sent home to self-isolate (Durrani 2020).

CBSA explained that during the deportation postponement, the only people it could remove were people who asked CBSA to help them leave Canada and people who were inadmissible for a serious reason (terrorism, organized criminality, serious criminality, etc.) with special permission (Public Safety Canada 2020b). On 4 August 2020, the agency resumed escorted removals—deportations where an enforcement officer must travel with the person—for some serious inadmissibility cases with the approval of senior managers at CBSA headquarters. In December 2020, the moratorium was officially lifted (Public Safety Canada 2020b).

The first question this chapter asks is simple: How can we square the claim that CBSA executed 12,122 removal orders in 2020 with the fact that, for most of that year, there was a moratorium on deportation? I begin my analysis by examining the data regarding removals from 31 March 2020 to 26 November 2020. This data set is meaningful because it spans almost the entire deportation moratorium period (17 March 2020 to 30 November 2020). Table 13.1 shows that CBSA executed 7,244 orders, or approximately 905 deportations per month. While this data would suggest business as usual, this is not the case. To show what was happening, I consider each specific sub-category of removal orders in turn.

To begin, we should discount the 425 point-of-entry removals. These are not deportations but cases of exclusion at the border. For example, a point-of-entry removal order might refer to an American who attempted to enter Canada, was found inadmissible because of an American criminal record and denied entry, immediately issued a removal order, and summarily sent back. It remains noteworthy that the number of point-of-entry exclusions is down on a year-over-year basis. In 2018–19, CBSA executed 2,800 removal orders at the point of entry (Auditor General of Canada 2020). This statistic may be an important and interesting area for future research. While there is little to no publicly available data at this stage, decisions made at points of entry were undoubtedly fraught during the

TABLE 13.1: Removals: 31 March to 26 November 2020

Removal orders executed at the point of entry	425
Serious inadmissibility cases (terrorism, security, serious criminality, organized criminality)	147
Voluntary removals	1,331
Administrative removals	5,341
Total	7,244

Source: Public Safety Canada 2020b

pandemic: Could a family reunite? Was someone’s work essential? Who was ultimately allowed in or denied access to Canada?

Serious inadmissibility removals were also down significantly. In 2018–19, the agency executed approximately 1,250 removal orders based on serious inadmissibilities (e.g., organized criminality, terrorism, security, etc.) (Auditor General of Canada 2020).¹ Following the first wave of pandemic lockdowns, the agency deported 147 people for serious inadmissibilities. The data is consistent with CBSA’s description of its pandemic deportation program (Public Safety Canada 2020b). Given that CBSA stated that it was prepared to remove some people inadmissible for serious reasons, deportations in this category were expected. Nonetheless, the rate of deportation dropped significantly. In 2018–19, there were 104 removals per month for serious inadmissibilities. During the pandemic deportation moratorium, the number of removals dropped to 18 per month.

The next category is “voluntary removals.” The agency describes voluntary removals as those initiated when the subject person “approach[ed] the CBSA with a request to leave voluntarily” (Public Safety Canada 2020b). The question here is whether this is an accurate account of what happened.

TABLE 13.2: Motions to stay a scheduled deportation decided by the Federal Court of Canada

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
2019	61	44	53	38	32	21	31	26	14	33	23	12
2020	26	33	17	0	0	2	1	0	0	0	6	4

Table 13.2 shows how many times the Federal Court of Canada decided motions for an interlocutory stay of removal in the past two years.² In lay terms, a person facing deportation may apply to a judge for an order to stop a deportation. These motions are a good barometer of how contentious the deportation program is because they are brought on an emergency basis and always decided with reference to a scheduled deportation. In other words, a case cannot be brought and decided until a deportation date is set and the person decides that they want to challenge their removal. Therefore, if CBSA attempted to force many people out of the country who did not want to leave, we would expect at least some percentage of those people would try to stop their deportations before the orders are executed.

Beginning in March 2020, there was a significant drop in the number of stay motions brought and decided by the Court. This decline shows that fewer people went to court to try and prevent their removals from Canada as the deportations pause started. These statistics are compelling corroborative evidence that the CBSA has accurately described voluntary removals as voluntary. If this were not the case, the Federal Court of Canada data would show deportees bringing motions to stop scheduled removals.

Likewise, a review of the data regarding immigration detention shows that the deportation program became markedly less coercive during the pandemic. The primary purpose of immigration detention is to secure a person's body to ensure their availability for removal. When CBSA establishes that a person is unlikely to participate in their deportation, it can obtain an order for their detention (*IRPA*, s. 58). In this way, detention and the act of deportation are connected: it exists to enable the machinery of

removal. A deportation program that makes a point of removing people who do not want to go will necessarily make greater use of detention facilities.

As table 13.3 shows,³ CBSA made substantially less use of the detention power in the first two quarters following the implementation of the deportation pause. The average daily detainee count and the aggregate number of days spent in detention dropped by almost two-thirds during the moratorium. Recent research shows that detention adjudicators acknowledged that the pandemic was making all detention cases uncertain because CBSA was unable to explain when, how, or if a deportation would happen (Arbel and Joeck 2021). Together, the data reveals a substantively less contentious and coercive deportation program. Fewer people went to court to challenge and contest their deportations, and CBSA detained fewer people pending their removal from Canada.

The final category of removal order are the administrative removals, of which there were 5,341. This category makes up 74 per cent of CBSA's reported deportation work during the pandemic. On an annualized basis, administrative removals are up almost five times, from 1,657 in 2019 to 8,215 in 2020 (Mehler Paperny 2021).

It is necessary to address a particular accounting problem that previously plagued CBSA databases to understand administrative removals. Often people who are the subject of a deportation order leave Canada without advising CBSA. In these cases, their deportation file remains open because the order is technically unenforced. As CBSA explained, "even when sufficient information exists to indicate to the CBSA that the person is no longer in Canada, the case remains open because there is no explicit regulatory authority that allows for the removal order to be administratively enforced" (Public Safety Canada 2018).

This problem, combined with others, began to impair CBSA's ability to manage its workflow and properly account for its work. A spring 2020 report from the Auditor General of Canada found that poor data quality, poor file management, and general disorganization substantively hampered CBSA's ability to enforce removals. The average time to enforce a deportation order ranged from four years for asylum claimants to eleven years for persons with criminal records on immigration warrants (Auditor General of Canada 2020).

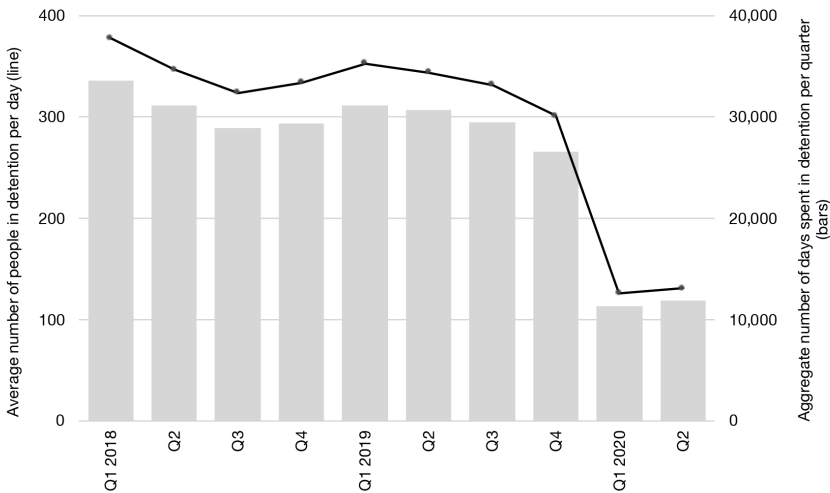


FIGURE 13.1: Immigration Detention and COVID-19

In 2018, the government enacted a new regulation to address this problem. Now, when CBSA has compelling evidence that the person under a deportation order has left Canada, their removal may be administratively enforced (*IRPR* s. 240(3)). Essentially, CBSA obtained the power to administer desk closures and address data-integrity problems in its databases.

As CBSA employees were not actively removing people from Canada during the pandemic, the agency had time to process administrative removals. As the agency explained, these “can be conducted by officers working from home in light of pandemic response measures and will contribute to additional removal statistics during the period of COVID-19 measures” (Public Safety Canada 2020a). As a result, administrative removals increased almost sevenfold between 2019 and 2020. It is not that Canada deported more people during the pandemic, but rather that in 2020 CBSA could finally count and account for self-deportations from years past.

The bottom line is that contrary to public reports, the deportation moratorium was real. CBSA did not deport thousands of people during the pandemic. In fact, it appears that the people against whom the agency

executed deportation orders were not interested or able to challenge their removals. The number of emergency deportation hearings dropped to negligible numbers and resort to immigration detention, the essential coercive power that makes deportation work, dropped precipitously. Nevertheless, CBSA did not sit idle. The agency worked to clear backlogs and data blockages identified by the Auditor General of Canada in keeping with the government's pre-pandemic commitments to step up immigration enforcement and deportations.⁴

Looking Forward: The Resumption of Deportations

On 30 November 2020, CBSA announced that it was resuming its general deportation program but explained that “removal volumes will continue to be significantly reduced for some time” (Public Safety Canada 2020b). While it is difficult to anticipate when global conditions will allow for the deportations to resume at scale, and even though the project of deportation has lost a year, it appears that CBSA will be ready to hit the ground running. This posture is in keeping with the pre-pandemic objective “to improve case identification and to ensure cases are processed in a timely and efficient manner” (Auditor General of Canada 2020).

Expeditious and efficient enforcement could, however, be problematic from a rights perspective. When the day comes, and CBSA is ready to scale up its operations, how comfortable should Canada be deporting people post-pandemic on the strength of pre-pandemic deportation orders? It is possible to fear that concerns about national security and law enforcement will have distorting effects on the post-COVID-19 deportation space. As long as deportation is conceived of as an integral part of CBSA's mandate, national security concerns may eclipse an important reality: security cases are a small percentage of all deportation cases and it can be inappropriate to generalize a strict law enforcement approach to all cases. Scholars have long recognized that security-based thinking can warp Canada's immigration program and can inappropriately rationalize a more mean-spirited and sharp immigration policy (Dauvergne 2016). Rather than tighten our grip on deportation, the pandemic's conclusion necessitates a softer touch.

In the pre-pandemic world, the Federal Court of Canada explained that a large part of the reason CBSA could be called upon to strictly and

diligently enforce removal orders is that the law countenances a range of mechanisms for a “person’s interests” to be “assessed” before deportation (*Baron v Canada [Public Safety and Emergency Preparedness]* 2008). In other words, the law already gives people a range of opportunities to obtain status before an order is enforced. Once CBSA finally issues an order, the agency can safely enforce it because every person’s case will have already been fully assessed and adjudicated. Parliament, of course, could never have anticipated the pandemic nor imagined how COVID-19 would reshape the world, let alone how it would impact people’s relationship with the immigration process.

There is currently nothing in the law that provides a means of revisiting deportation orders issued before the pandemic that CBSA has not yet enforced. It remains too early to know how people’s lives have changed during the pandemic. If nothing else, at least some people have since become entrenched in Canadian life and, for others, return to some parts of the world is no longer viable. For example, Canada should not deport someone with serious underlying health conditions to a part of the world where COVID-19 is not entirely under control. Moreover, there should be a way to account for and recognize that some people and their families just spent more than eighteen months further establishing themselves in Canada, and deportation from here could cause new hardships.

As such, it would be unfair and inappropriate for CBSA to resume deportations as if the pandemic were a temporary blip that only impacted the agency’s operations and not the lives of people subject to removal. It would be a mistake to say that the law should be enforced in the same way after the pandemic as it was before. Deportations are severe enough when they are “timely and efficient,” but they may be altogether inhumane at the tail end of a global pandemic.

The law, and the protections built into it, never countenanced this level of disruption. What should government then do? Even if CBSA can hit the ground running, it should walk first. Instead of looking at each deportation order as a law enforcement problem, the agency should recognize that the pandemic may, for some people, have produced a new compelling case to stay. In practical terms, when an officer encounters someone whose deportation was delayed because of the pandemic and who wants to stay, that person’s deportation case should be moved to the bottom of

the enforcement pile so that they can make a last-ditch compassionate application for status. Instead of crediting CBSA for meeting targets, this is the time to credit CBSA for making the fair and generous decisions that account for the scope of the pandemic's disruptions.

NOTES

- 1 CBSA does not identify the number of different types of misconduct under the heading of serious inadmissibility. However, a review of Immigration and Refugee Board case files shows that these are overwhelmingly cases of criminality, as opposed to, for example, terrorism or espionage. For example, in 2019, 78 per cent of all serious inadmissibility (serious criminality, organized criminality, terrorism, or security) removal orders issued by the board resulted from a conviction of a criminal offence.
- 2 To obtain this data I reviewed all motions to stay a deportation reported on CanLii. For 2020, I additionally reviewed publicly available Federal Court of Canada dockets. Given the nature of these motions, settling on exact figures is more a matter of art than science. For example, for strategic reasons a lawyer may bring multiple motions regarding one person that are argued simultaneously but reported separately. Similarly, some motions may be summarily dismissed by the judge even before a hearing and no decision will be reported. To the extent that I have been able to identify outlier cases, this chart reflects the number of motions finally decided by the Court regarding a single person or family unit.
- 3 The data regarding detentions is reported quarterly at CBSA (2019).
- 4 In October 2018, CBSA set an internal target of 15,500 deportations in 2022 (IRC 2020).

REFERENCES

- Arbel, Efrat, and Molly Joeck. 2021. "Immigration Detention in the Age of COVID-19." In *Research Handbook on the Law and Politics of Migration*, edited by Catherine Dauvergne. Northampton: Edward Elgar Press. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3653452.
- Auditor General of Canada. 2020. *Reports of the Auditor General of Canada to the Parliament of Canada, Spring 2020: Report 1: Immigration Removals*. Ottawa: Office of the Auditor General of Canada. https://www.oag-bvg.gc.ca/internet/english/parl_oag_202007_01_e_43572.html.
- Baron v Canada (Public Safety and Emergency Preparedness)*, 2008 FC 341.
- CBSA (Canada Border Services Agency). 2019. "Quarterly Detention Statistics. Fourth Quarter (Q4)—2018–2019." Government of Canada, last modified 20 August 2019. <https://www.cbsa-asfc.gc.ca/security-securite/detent/qstat-2018-2019-eng.html>.

- . 2020a. “COVID-19: Appearance before the Parliamentary Standing Committee on Health (31 March 2020)—Removals and detentions.” Government of Canada, last modified 29 July 2020. <https://www.cbsa-asfc.gc.ca/pd-dp/bbp-rpp/hesa/2020-03-31/removal-detent-renvoi-eng.html>.
- . 2020b. “2019 Deferral of Removal Requests, A-2020-10346 / JBR0D.” Accessed through ATIP request; in possession of the author.
- Canada (Minister of Employment and Immigration) v Chiarelli*, 1992 CanLII 87 (SCC), [1992] 1 SCR 711.
- Dauvergne, Catherine. 2016. *The New Politics of Immigration and the End of Settler Societies*. Cambridge: Cambridge University Press.
- Durrani, Tebasum. 2020. “Why Immigration Holding Centres Could Become COVID-19 Hot Spots.” *TVO*, 30 March 2020. <https://www.tvO.org/article/why-immigration-holding-centres-could-become-covid-19-hot-spots>.
- Gibney, Matthew. 2013. “Is Deportation a Form of Forced Migration?” *Refugee Survey Quarterly* 32 (2): 116–29.
- IRC (Immigration, Refugees and Citizenship Canada). 2020. “PACP—Parliamentary Context PACP Appearance: OAG Report 1 on Immigration Removals.” Government of Canada 24 November 2020. <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/committees/pacp-nov-24-2020/pacp-parliamentary-context-pacp-appearance-oag-report-immigration-removals-nov-24-2020.html>.
- Immigration and Refugee Board. 2021. “Admissibility Hearings Finalized by Type of Allegation.” Accessed 23 March 2021. <https://irb-cisr.gc.ca/en/statistics/hearings/Pages/AdmHalle.aspx>
- IRPA (Immigration and Refugee Protection Act)*, SC 2001, c 27.
- Nesbitt, Michael, and Dana Hagg. 2020. “An Empirical Study of Terrorism Prosecutions in Canada: Elucidating the Elements of the Offence.” *Alberta Law Review* 57 (3): 595–645.
- Mehler Paperny, Anna. 2021. “Canada Deporting Thousands Even as Pandemic Rages.” *Reuters*. 22 January 2021. <https://www.reuters.com/article/us-health-coronavirus-canada-deportation-idUSKBN29R1EL>.
- Public Safety Canada. 2018. “Canada Gazette, Part I, Volume 152, Number 20: Regulations Amending the Immigration and Refugee Protection Regulations.” Government of Canada, 19 May 2018. <https://gazette.gc.ca/rp-pr/p1/2018/2018-05-19/html/reg4-eng.html>.
- . 2020a. “Binder for the Minister of Public Safety and Emergency Preparedness—Committee of the Whole: Removals.” Government of Canada, 5 August 2020. <https://www.passengerprotect-protectiondespassagers.gc.ca/cnt/trnspncr/bfrngmtrls/prlmntry-bndrs/20201201/012/index-en.aspx>.

- . 2020b. “Removals.” Materials prepared for Minister of Public Safety and Emergency Preparedness (PS-2020-2-QP-0014). Government of Canada, 1 December 2020. <https://search.open.canada.ca/en/qp/id/ps-sp,PS-2020-2-QP-0014>.
- . 2020c. “Timeline—CBSA Border Measures.” Government of Canada, last modified 4 September 2020. <https://www.publicsafety.gc.ca/cnt/trnsprnc/brfng-mtrls/prlmntry-bndrs/20200724/003/index-en.aspx>.