



LAWYERS FOR SECURE IMMIGRATION

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For Immediate Release

Lawyers for Secure Immigration recommend closing the 14-day loophole

The [Canada-US Safe Third Country Agreement](#) (STCA) applies to people entering Canada from the US along the land border. Such persons are ineligible to make a refugee claim in Canada and will be returned to the US unless they meet one of the relevant exemptions or exceptions under the STCA. This is because the United States is recognized as one that respects human rights and offers significant protections to asylum seekers.

Lawyers for Secure Immigration supports having a refugee system that is responsive to Canada's international obligations and ensures that Canada is not taken advantage of and overwhelmed by individuals whose interest is to come to Canada for economic reasons, rather than for protection.

Under the [Canada-US Safe Third Country Agreement](#), a person who enters Canada illegally, other than at a designated port of entry, and remains undiscovered for 14 days, is exempt from the prohibition on seeking asylum in Canada per the agreement. The STCA contains an exemption or loophole for those who are able enter Canada and remain undetected in Canada for a period of two weeks (14-day loophole). In bypassing immigration inspection by the Canada Border Services Agency, such persons become eligible to file an application for asylum from inside of Canada. It is important to note that such persons remain entitled to seek protective status in the United States, as permitted under American law.

Given the sizable undocumented population in the United States and considering President Trump's imminent plan to implement a new American immigration policy aimed at removing approximately 11 million people identified as illegal aliens, the 14-day loophole is an incentive for those without status in the United States, to consider seeking entry to Canada illicitly. The incentive to enter Canada unlawfully is significant as it offers those with precarious status in the USA to evade deportation from the United States to their home country.



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By leveraging the 14-day loophole provided for in the STCA, one can file an asylum application if entering Canada by irregular means and remaining underground for an initial period of 2 weeks.

The current waiting period for a refugee hearing in Canada is four years, and longer.

Consequently, Lawyers for Secure Immigration recommend that Canada seek the immediate temporary suspension of the 14-day loophole.

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