

**FROM: VAST - Vancouver Association for the Survivors of Torture**

**RE: EU HR Dialogue / UPR 2023 - Canada**

**April 4th, 2023**

Refugees and Refugee Claimants are entitled to the rights and bound by the duties contained in the UN's 1985 Convention Against Torture and the 1951 Refugee Convention, both of which Canada is a signatory to. As such, Canada has an obligation to protect and provide rights and freedoms to refugees, including the Right to Rehabilitation (Article 14, UNCAT), and to provide safe haven to those who may be at risk of persecution. Despite this, over the last eight years, VAST (Vancouver Association for Survivors of Torture) and the CNSTT (Canadian Network for Survivors of Torture) have seen a decline in government funding which has only intensified following the pandemic and in the inflationary and cost of living crisis that we all find ourselves in today. We have also reviewed and support the statement from the CCVT (Canadian Center for Victims of Torture) for this same consultation.

Prior to 2014, VAST and others providing specific and qualified services to Survivors of Torture received Federal funding support from CIC, Settlement and Multiculturalism. After this, federal funds for our Trauma Support Services were defunded and repatriated to the Canadian Provinces. Since that time, VAST and others have been actively advocating for additional support from Provincial Health Ministries and Health Authorities, but have been unable to secure any significant commitments. VAST provides training to community-based partner organizations all around BC, and we do unfortunately consistently hear that mental health referrals to local Health Authorities that they provide for newcomer survivors often create more harm than good. The professionals with the most robust skills and training for working with severely traumatized newcomers from across wide cultural gaps, tend to be Clinical Counsellors. Unfortunately, although the majority of VAST's Clinical team are RCC (Registered Clinical Counsellors), we are not able to bill to the Interim Federal Health Program, which would otherwise be a helpful source of revenue. VAST understands that the BCACC (BC Association of Clinical Counsellors) is not considered a formalized enough oversight body to allow for RCCs in BC to be registered federally. Additionally, IFHP funds do not cover VAST's Expressive Arts therapists, or our multilingual intake team, all of whom are essential to the provision of effective Community Trauma Services. This continues to mean that newcomers arriving in BC with complex trauma do not get equitable access to services.

In 2022, the IRCC (Immigration, Refugees, and Citizenship Canada) requested that VAST submit a proposal for a collaboration with Canada's other Torture Rehabilitation centers to launch a National online consultation system and training program to support Ukrainians and other survivors of War, Genocide, and Torture. We did submit an extensive proposal to which the IRCC responded they are planning to release a call for proposals for this same work beginning in 2025. Throughout this time, VAST has continued to represent the realities of newcomers with lived experience of torture or trauma at policy advisory bodies Provincially and Federally (as well as internationally). We have also continued to provide our individual counselling and group trauma services during a time of influx of newcomers fleeing the crises in Afghanistan, Syria and Ukraine, amongst others, consuming our financial reserves as a result. However, we are now at the stage where we and others in this sector may be forced to curtail our Community Trauma Services.

There is currently a significant gap between the specific needs of newcomer survivors of torture and trauma who have arrived in Canada, and the services that are provided by primary healthcare facilities. Recent research has highlighted that the traumatic experience of survivors contributes to dynamics preventing individuals and family groups from successfully forming and integrating within community in destination countries, including Canada (Chimienti et al. 2018; Ghahari et al. 2020; Jeyasundaram et al. 2020).

The context of this significant gap in a National Trauma-informed approach for survivors of war and torture is currently exacerbated by two additional trends further problematizing the situation for the individuals served by VAST and the two other official Torture Rehabilitation Centers in Canada (CCVT - Canadian Center for Victims of Torture - Toronto) and RIVO (Réseau d'intervention auprès des personnes ayant subi la violence organisée - Montreal).

The first is the recent changes to the Safe Third Country Agreement (STCA), and its devastating impacts on tens of thousands of people who have been forcibly displaced and are seeking protection. According to the Canadian Council on Refugees (CCR), “the Agreement will force more people back to the US, where they will be at risk of arbitrary detention and potential return to persecution and possibly death. The Supreme Court is expected to rule soon on whether the existing Safe Third Country Agreement violates the Canadian Charter of Rights and Freedoms...Applying the Safe Third Country Agreement between Ports of Entry will not stop irregular crossings – it will simply make them more irregular, dangerous, and underground. We can expect to see an increased number of people hurt or even dying as they attempt risky routes across the border, including in deep winter. Unscrupulous smugglers will take advantage of the opportunity to make money out of people’s desperation. The fact that the revised agreement requires people not to make a refugee claim within 14 days of entering Canada means that people may be under the control of smugglers for two weeks, vulnerable to abuse, and knowing that if they flee the smugglers they will lose the opportunity to make a refugee claim” (<https://www.ccrweb.ca/en/statement-expansion-safe-third-country-agreement>).

The second is the detention of asylum seekers in Provincial Prisons. While four Canadian provinces have now made moves to begin to end their contracts with CBSA (Canadian Border Services Authority), the remaining provinces are still coordinating to place legal asylum seekers in detention with other criminals in our provincial jails.

We appreciate your time and allowing us to raise these concerns in this forum.