



Brief on Bill C-12, the
Strengthening Canada's Immigration System and Borders Act

Submitted to the
Standing Committee on Citizenship and Immigration

by the
International Civil Liberties Monitoring Group

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The International Civil Liberties Monitoring Group is a national coalition of 45 Canadian civil society organizations devoted to defending civil liberties from the impact of national security and anti-terrorism measures.

We have observed with deep concern the growing securitization of the Canadian border based on the framing of migrants and refugees as a national security threat even when evidence does not support such claims, as well as pressure from the United States for Canada to further align and integrate its border security with their own, to the detriment of civil liberties protections in Canada.

In June 2025, the ICLMG joined more than 300 other civil society organizations in speaking out over the dangers of Bill C-2, the Strong Borders Act, including the severe harms to fundamental rights if many of the provisions in Bill C-2 were adopted.¹ The introduction of Bill C-12 failed to alleviate these concerns, particularly by replicating changes to Canada's immigration and refugee regime included in Bill C-2.²

We continue to join others in calling for both C-2 and C-12 to be withdrawn in favor of consultations and, if warranted, the introduction of targeted legislation that upholds and protects fundamental rights.

Below we outline specific areas of concern with Bill C-12.

1. Part 5: Information Sharing — Immigration, Refugees and Citizenship

Part 5 of Bill C-12 would expand the ability of Immigration, Refugees and Citizenship Canada to share private information across federal, provincial and territorial governments, as well as with foreign entities. These changes would have a significant impact on privacy rights for all people in Canada, regardless of status. For migrants and refugees, the powers could inhibit their ability to access critical services without fear or harm, as well as pose serious risks for those seeking protection from persecution by foreign states. Permanent residents and Canadian citizens could also see their information impacted, including details collected in residency or passport applications.

Categories of information covered are very broad, including relating to identity, status, and the contents of any document issued to an individual, including information regarding the issuance, renewal, refusal, termination, revocation or suspension of a document.

¹ "Over 300 Organizations Unite to Demand Complete Withdrawal of Bill C-2," 18 June 2025: <https://iclmg.ca/withdraw-bill-c2/>

² "Bill C-12's introduction solves none of Bill C-2's problems," 9 October 2025: <https://iclmg.ca/joint-statement-bill-c-12/>

This could include information relating to finances, health, biometrics, employment or family and friends, changes in status or gender identity, or prejudicial information relating to decisions to refuse or cancel documents.

This information could be shared with a wide range of service providers including housing and health authorities, with police and security agencies, or with foreign entities for uses far beyond the original reasons the information was collected, exposing individuals to possible discrimination or harm.

Moreover, once information is shared outside of Canada, it is impossible to control. Protections to avoid foreign abuse would be limited to avoiding substantial risk of “mistreatment,” defined in legislation as “torture or other cruel, inhuman or degrading treatment or punishment”; it would fail to apply to other equally dangerous forms of persecution that do not meet that high bar.

Nor do these new powers include provisions for reporting, record keeping, or to ensure accuracy of information shared.

2. Part 7: Immigration and Refugee Protection Act (Certain Measures in Respect of Applications and Documents)

Part 7 would grant the Governor in Council extraordinary powers to issue orders, based on “Public Interest,” to not accept, suspend or terminate applications for various forms of visas, and to cancel, vary or suspend immigration documents, including temporary visas and permanent residency cards.

We oppose the creation of such broad powers due to the strong possibility of misuse in general. This is compounded by the lack of a definition for “public interest,” a term so vague and malleable that it could easily be used in prejudicial ways. For example, previous governments have sought to block specific nationalities from immigrating to Canada. By deciding that it is against the “public interest,” future governments would be able to do the same. The ability to cancel documents of individuals already in the country would also open up the possibility of mass deportations, again based solely on “public interest.” Nor would such actions be restricted to instances of a national emergency; future governments would have a carte blanche to determine when the “public interest” merited the use of these powers.

3. Part 8: Immigration and Refugee Protection Act (Ineligibility)

Changes in Part 8 of Bill C-12 would result in refugee claims made after a year had passed since a claimant first arrived in Canada (post-June 2020) being directed to a Pre-Removal Risk Assessment (PRRA), as opposed to adjudication by decision makers at the Refugee Protection Division (RPD), where they would have the right to an oral hearing and appeal to the Refugee Appeal Division.

PRRAs are much less robust: They lack independence since they are assessed by employees of Immigration, Refugees and Citizenship Canada (who do not have the same expertise or receive the same training). Nor are PRRAs more efficient, given that they are more likely to lead to error and heavy reliance on them is likely to overwhelm our federal courts.

The impacts of these changes would be severe. For example:

- An infant visiting Canada with her parents in 2022 would be ineligible to seek protection if she returns 20 years later due to persecution in her country.
- Three years into an international students stay in Canada, they come out as homosexual, and are unable to return to their home country for fear of persecution

These types of cases merit a fulsome refugee claim, and not be relegated to the PRRA system. While proponents have suggested this is a need to address abuse or inefficiencies in the refugee claim process, a universal bar is a blunt instrument that will have significant impacts on those seeking protection, with questionable benefits to the asylum system. These changes would also go against Canada's international legal obligations under the 1951 Refugee Convention and related UN guidance.