



# Black Legal Action Centre

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The Honourable Bill Blair  
Federal Minister of Public Safety  
Ottawa, Ontario  
[Bill.Blair@parl.gc.ca](mailto:Bill.Blair@parl.gc.ca)

The Honourable Marco Mendocino  
Federal Minister of Immigration, Refugees and Citizenship  
Ottawa, Ontario  
[Minister@cic.gc.ca](mailto:Minister@cic.gc.ca)

The Honourable Patty Hajdu  
Federal Minister of Health  
Ottawa, Ontario  
[Patty.Hajdu@parl.gc.ca](mailto:Patty.Hajdu@parl.gc.ca)

April 2, 2020

Dear Ministers Blair, Mendocino and Hajdu:

**Re: Laval Immigration Holding Centre & Hunger Strike**

The Black Legal Action Centre (BLAC) is a not-for-profit corporation incorporated under the laws of Ontario to combat individual and systemic anti-Black racism by providing legal services to members of Ontario's diverse Black communities.

We are writing this Open Letter to you to voice our support for the migrants in detention, who were on hunger strike for eight days at the Laval Immigration Holding Centre. These migrants, many of whom are people of African descent, face serious health risks related to the COVID-19 virus and we support their demand for the immediate release of all migrant detainees as part of public health recommendations to socially distance from others. Human rights and medical organizations have noted that social distancing is not possible for incarcerated populations, including detainees, and that during the ongoing COVID-19 pandemic, detention poses a catastrophic risk to the health of these populations. It is unconscionable that detainees - many of whom have pre-existing health conditions – were forced to go on hunger strike for eight days in order to access the basic protections being recommended to the general public.

As a signatory to the United Nations International Covenant on Civil and Political Rights, the Canadian government has failed to take action to prevent the devastation that COVID-19 has done, and will do, to prisoners held at the Laval Immigration Holding Centre and in other prisons and detention centres. According to a decision by the Human Rights Committee, the obligations under article six, the right to life, "... concerns the entitlement of individuals to be free from acts and omissions that are intended or may be expected to cause their unnatural or

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premature death...”<sup>1</sup> The Committee further stated that, “even if such threats and situations do not result in loss of life....as a minimum States parties have the obligation to provide access to existing health care services that are reasonably available and accessible, when lack of access to the health care would expose a person to a reasonably foreseeable risk that can result in loss of life.”<sup>2</sup>

BLAC echoes the UN High Commissioner of Human Rights, Michelle Bachelet’s comments that, “the consequences of neglecting them are potentially catastrophic.”<sup>3</sup> BLAC is calling upon the Canadian government to release migrants who are detained at the Laval Immigration Detention Centre. We support the immediate release of all detainees, and their safe and appropriate housing, in the name of public health.

Sincerely,

The Black Legal Action Centre

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<sup>1</sup> *Toussaint v. Canada*, GA July 123/2348, CCPR, 123rd Sess, UN Doc C/123/D/2348/2014 (7 August 2018), at para, 11.3.

<sup>2</sup> *Supra*, note 1, at para 11.3.

<sup>3</sup> UN rights chief urges quick action by governments to prevent devastating impact of COVID-19 in places of detention, March 25, 2020. Accessed March 30, 2020.