WORKING PAPERS

Extraction, Dependence, and Responsibility-Sharing: Taking Stock of Canada's Role in Western Hemispheric Migration Governance

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Introduction

This working paper is an exercise in thinking about Canada's role in Western hemispheric migration governance – i.e. its engagement in managing mobility and responding to forced migration throughout North, Central, and South America. It was spurred by the vulnerability of temporary foreign workers in Canada during the COVID-19 pandemic, the increase in asylum seekers from Latin America and the Caribbean arriving in Canada since 2016, the stark disparities between the scale of the region's displacement crises and refugee resettlement to Canada in comparison to other regions, and Canada's muted response to the impacts of Trump Administration policy changes on hemispheric migration dynamics.

The argument, as it stands, is that Canada's dependence on extracting raw materials and human capital from Latin America and the Caribbean create a normative duty and rational self-interest in greater responsibility-sharing for the region's displacement crises. It is based on two broad observations. First, Canada's relationship with Latin America and the Caribbean is predominantly one of extraction and dependence. Major portions of the Canadian economy are bound up in foreign resource extraction and mining, which are supported and driven by Canadian diplomacy. Canadian-based mining firms are complicit in major social, ecological, and political ills associated with resource extraction, with evidence suggesting they drive internal and international displacement. This relationship extends to human capital given that Canada's agri-food sector and overall food security depend on temporary foreign workers from the region. Unlike the majority of immigrants to Canada, temporary foreign workers in the agricultural sector have slim chances of permanent residency and eventual citizenship, and are structurally vulnerable to abuse.

Second, while Canada is connected to Latin America and the Caribbean through economic, political, and social dynamics, it has engaged in limited responsibility-sharing for growing and complex displacement in the region. Indeed, Latin America is undergoing two major displacement crises – with over four million displaced in the region from Venezuela and over 400,000 displaced from states in the North of Central America. The region is also experiencing food shortages, the effects of climate change, economic stagnation, and historically-high rates of violence. Thirty percent of people in the region live under the poverty line, and eleven percent live in extreme poverty (ECLAC, 2019). It is undergoing fundamental political changes including mass protest movements against democratic backsliding and the re-emergence of repressive regimes (see Freedom House, 2020). US policy under the Trump Administration is now uniformly geared to containing migrants in the region and preventing them from accessing international protection. Some have argued that the hemisphere is undergoing a period of "order upheaval" as the hegemonic power pulls back from any semblance of supporting good governance, rights, or human development (Legler, 2020). The situation is rendered even more complicated by the impacts of the COVID-19 pandemic.

Canadian development aid to Latin America and the Caribbean is stagnant. Its responses to regional displacement crises are largely through short-term contributions to emergency appeals. International resettlement, a major pillar of Canada's soft-power and humanitarian foreign policy, have all but ignored the hemisphere. Only one percent of refugees resettled to Canada come from its own hemisphere, which is startling given that there are as many displaced people in Latin America as have been displaced from the Syrian Civil War.

I begin by outlining definitions of hemispheric migration governance and my argument that Canada has a both a normative duty and rational self-interest in sharing the responsibility for the region's displacement crises. Next, I describe Canada's extractive relationships and dependence on Mexico, Central America, and South America – particularly

in relation to Canadian mining operations and the recruitment of temporary foreign workers for Canada's agri-food sector – both of which are crucial for Canada's economic wellbeing. I then move on to examine Canada's place in institutionalized mobility frameworks in the hemisphere, which are limited to facilitating small-scale business travel with free trade partners and partnering with the US to stop asylum-seekers from arriving in Canada. Finally, I outline Canada's commitment to responsibility-sharing for growing displacement crises in Latin America, which stands in sharp contrast to its engagement in other regions. Here I draw on in-depth interviews I conducted in 2018 with civil servants in the Federal Government, UN personnel, and frontline NGO workers to examine Canada's engagement with regional responses to displacement in the region. I suggest that the number of asylum seekers from the region in arriving in Canada in recent years, despite the existence of the Canada-US Safe Third Country Agreement, are a symptom of the need for safe pathways for international protection. My conclusion revisits the relationship between Canada's extractive dependence on the region and attendant normative duties and self-interest in greater responsibility-sharing, before offering some possible avenues for greater and more immediate engagement.

Regional Migration Governance and the Norm of Responsibility-Sharing

There are various scholarly definitions of "migration governance," all of which centre on norms, institutions, laws, and practices for facilitating or controlling human mobility, and ensuring the rights of migrants (see Awad, 2017; Betts & Kainz, 2017; Martin & Weerasinghe, 2018). Facilitating mobility for economic gains and controlling it for political reasons often conflict in profound ways. Modes of cooperation over migration governance can include bilateral, multilateral, or supranational consultative processes, treaties, and institutions, and engage a range of actors including states, civil society organizations, international financial institutions, regional bodies, and UN institutions. In short, migration governance encapsulates broad and often overlapping frameworks and actors, and can often be quite convoluted (see Betts, 2010; Hansen, Koehler, & Money, 2011). I include mobility frameworks for labour migration and family reunification, responses to forced migration, and modes of controlling entry of asylum seekers in my definition migration governance.

With the exception of treaties and laws around refugees and asylum, there are no binding global mobility regimes. Instead, most formalized mobility arrangements are bilateral or regional, or focus on travel rather than migration governance (Hansen, 2010; Hollifield & Wong, 2015). Regional migration governance is often highly fragmented between subregions and issues areas – thus high-skilled labour migration, short-term temporary foreign worker schemes, asylum admissions, and coordination around displacement crises are the purview of different laws, norms, institutions, and practices. Robust migration governance frameworks are often an outgrowth of regional economic integration (as was the case with the development of the European Union (EU's) Schengen rime) rather than a primary driver of regional integration (Lavenex, 2019). Even where trade and economic integration are significant (as is the case with Canada and the US) states often maintain a high degree of control over the movement of people in comparison to other transboundary flows. Even in the EU's Schengen area, the world's most developed space of free mobility, enforcement mechanisms for responsibility-sharing around forced displacement are profoundly politicized, prone to internal burden-shifting, and focused on externalized migration controls to keep asylum seekers at bay (Gottwald, 2014; Greenhil,l 2016; Thielemann, 2018).

Existing migration governance regimes in the Western hemisphere are functionally divided between North America, Central America, and South America. While Canada has agreements on business-related travel through its free trade region with the US and Mexico, further south its engagement is limited to participation in non-binding consultative forums like the Puebla Process, and ad hoc and rather limited engagement with multilateral responses to regional displacement crises. It has no meaningful engagement in more institutionalized mobility frameworks in South America like MERCOSUR. Its most robust and institutionalized mode of asylum governance is arguably through the bilateral Canada-US Safe Third Country Agreement (STCA), the original purpose of which was to keep refugee claimants from Latin America and the Caribbean out of Canada. All of which illustrates that there exists no truly hemispheric migration regime with which to integrate Canada, and it would be unrealistic to suggest that Canada is situated to champion such a regime.

While recognizing the functional and institutional barriers to hemispheric governance, state behaviour is nonetheless informed and often driven by international norms, by which I mean expected behaviour from actors with a given identity (Katzenstein, 1996; Finnemore & Sikkink, 1998). Practices, institutions, laws, and political culture all inform state identity and behaviour. To make this definition concrete, Canada's international reputation and political culture are profoundly intertwined with large-scale immigration, including well-established practices around international refugee resettlement and supporting multilateral humanitarian and development efforts for displaced people. Engaging in such behaviour is a normative act expected of Canada's international practices.

In 2018 Canada became the world's top country of resettlement after the US slashed its quotas from 100,000 to 15,000 over four years (see Radford & Connor, 2019). Resettlement has moved from a primarily domestic issue to a central plank of Canadian foreign policy agenda. Canada has sought to export its private refugee resettlement programmes through the Global Refugee Sponsorship initiative, which it lobbied to have included in the 2018 Global Compact on Refugees (Smith, 2020). Canada's identity, and thus its expected behaviour, is significantly influenced by its refugee resettlement practices and supporting international efforts for effective responsibility-sharing.

Responsibility (or burden) sharing is one of the fundamental norms of the international refugee regime, and is included in the 1951 Convention on Refugees and most regional agreements around refugees and asylum. It assumes that states share a common but differentiated responsibility to address the inherently international problem of forced displacement (Dowd & McAdam, 2017). In practice, poorer, less-stable states in refugee-generating regions bear most of the responsibility by hosting over 85% of the world's refugees. More stable states in the global North enjoy the choice as to whether to support refugees and host states through resettlement, aid, or some combination thereof. To further complicate the situation, duties toward responsibility-sharing have no clear benchmarks or binding oversight mechanisms. While state practice is often *normative*, they generally only risk reputational costs for not accepting a "fair" share of the burden.

States also have self-interested reasons for addressing security issues abroad, including displacement crises (Loescher, Betts, & Milner, 2008; Betts, 2011b). Support for host states can help ensure local and regional stability and ameliorate the chances for protracted refugee situations (see Salehyan & Gleditsch, 2006; Greenhill, 2008). Providing early solutions to displacement, including safe mobility pathways, might also help forestall irregular migration as long-term refugees undertake secondary movements to seek international protection – though rich states are hesitant to embark on bold experiments to test these policies (see Zimmerman, 2009; Triandafyllidou, Bartolini, & Guidi, 2019). Conversely, it has been shown with a high degree of confidence that limiting access to asylum and short-term visas leads to an increase in irregular migration (Czaika & Hobolth, 2016). As is discussed below, Canada is already seeing a major increase in asylum seekers

from the region, and it has not offered safe and legal pathways for arriving in Canada, nor has it addressed the impacts of US policy on the region.

Canada also has a long-term domestic interest in fostering more orderly and well-managed migration. Canadian immigration policy is not (and has never been) purely altruistic. Its economic prosperity is deeply dependent on large-scale immigration. Its capacity to select immigrants and thus ensure a predictable and stable flow of newcomers plays a significant role in broad public support for immigration, including humanitarian protection and resettlement (see Bloemraad, 2014; Besco & Tolley, 2019). Unlike the majority of liberal democracies, anti-immigrant populism has (to date) failed to gain a toe-hold in Canadian electoral politics. To wit, some Conservative Party of Canada (CPC) candidates in the 2015 Federal election called for the establishment of a (dog-whistle Islamophobic) "barbaric cultural practices hotline". The proposal was widely derided, and the CPC was soundly defeated in that election. In the 2019 Federal election, and despite their best efforts, the CPC was unable to elevate irregular migration or asylum to the level of a ballot-box issue (Hill, 2019). Maxime Bernier's new far-right populist People's Party, which ran on a platform of opposing Canada's "extreme multiculturalism," gained only 1.6 percent of the popular vote. Bernier, previously a leadership contender for the CPC, lost his seat in Parliament. There is no guarantee that Canadian public sentiment would remain the same if the country were to experience large-scale and sustained influxes of asylum-seekers. Addressing displacement in Latin America and the Caribbean would mean proactively engaging with the most proximate of the world's displacement crises, where Canada has a vested economic interest in regional stability.

To summarize, while there are no migration governance frameworks through which Canada can more fully engage with the hemisphere, its international practices show a clear commitment to the norm of responsibility-sharing. Its refugee resettlement program is the cornerstone of that commitment and indeed part of Canada's international identity. As such, it can be expected that Canada's behaviour in the hemisphere would comport with its identity and practices in other regions.

Canada's Extractive and Dependent Relationship with Latin America

Canada's historical foreign policy toward Latin America has been described as "frustratingly hot and cold" (McKenna, 2018, p. 20), and has undergone a series of resets depending on the government of the day. While Conservative governments focus on the region and pivot away from development and security assistance to Africa and the Middle East, and Liberal governments in turn shifting away from the continent to focus further abroad (Macdonald, 2019). What has remained consistent and indeed deepened over time is Canada's extractive relationship with Latin America and the Caribbean, particularly through resource and mining interests, and the agri-food sector's recruitment of temporary foreign workers.

Canadian Mining

Canadian foreign policy toward Latin America and the Caribbean were largely influenced by Cold War politics until the late 1980s, with varying support for right-wing regimes or engagement with socialist governments, depending on the political stripe of the Canadian government. Canada developed its first coherent foreign policy to the region in 1989 under the Conservative Mulroney government, the same year it joined the Organization for American States (OAS) as a full member. The Harper government's 2007

"America's Strategy" sought to move away from humanitarian and development aid in Africa, and to place a renewed focus on instrumentalizing aid and diplomacy to serve Canada's economic and trade interests in the Western hemisphere (Brown, 2016). While it included language on democracy promotion, economic development, regional security, and poverty reduction, its major focus was signing bilateral free trade deals and opening the door for Canadian extractive capital (Shamsie & Grinspun, 2010; McKenna, 2018).

It is not possible to understand Canadian engagement with the region without addressing the role of Canadian mining interests. More than seventy percent of the world's mining companies are domiciled in Canada, taking advantage of permissive laws and tax breaks for extractive industries. Commodities companies including oil and mining make up over 40% of the Toronto Stock Exchange – one of the most important indicators of Canada's economic wellbeing. Canadian mining companies are involved in 60-70% of all mining operations in Latin America and the Caribbean, and are supported by Canadian diplomacy through Export Development Canada (a Crown Corporation) and Global Affairs Canada (and its precursors). The 2007 "Americas Strategy" effectively re-tasked Canadian diplomacy in the region to facilitate market access, particularly for mining companies (Blackwood & Stewart, 2012). In 2015 the OAS specifically singled out Canada, recognizing that "Canadian embassies are directly involved in procuring [mining concessions], labeled *economic diplomacy*, thereby deepening the necessary state connections for a framework of foreign state accountability" (2015, p. 46). Governments in the region have become increasingly reliant on the proceeds from concessions to Canadian mining companies, which in turn lends an outsized influence on state / society relationships (Grinspun & Mills, 2015). Some scholars have labelled the relationship between Latin America's contemporary dependence on commodity exports and the subsequent influence on domestic politics and society as new form of *extractivism* (see Grigera, 2017).

The establishment of Canadian mining operations often come at significant social cost. Canadian companies have been implicated in human rights abuses, environmental degradation, water scarcity, and the breakdown of local communities (Birn, Shipton & Schrecker, 2018). The Working Group on Mining and Human Rights in Latin America's (2014) submission to the OAS's Inter-American Commission on Human Rights provided evidence that new Canadian mining operations are directly responsible for displacing local communities, and that many "relocation" schemes for indigenous communities did not meet the benchmark for prior informed consent. The OAS's final report contains findings from several dozen consultations which link Canadian mining companies to internal and international displacement (OAS, 2015).

Canadian companies and their local subsidiaries have been directly implicated in cases of targeted killings of community members who oppose mining operations (see Imai, Garner & Weinberger, 2017). Indeed, Latin America is the site of the most targeted killings of civilians from local communities and solidarity groups organizing to resist the ecological damage and displacement, many of which are indigenous (Global Witness, 2019). Rather than working toward comprehensive reform and oversight, over the past decade Canadian companies have filed for international arbitration against Latin American countries when resistance from local communities has affected the value of their assets and operations (Moore & Perez Rocha, 2019). The Trudeau government has done little to broaden Canadian engagement beyond this extractive agenda or to help safeguard local communities, despite direct calls from victims or the stated good governance and rights protections in its Feminist Foreign Assistance policy (Garcia, 2016).

Seasonal Agricultural Workers

The extractive agenda and dependence on the region extend to human capital. Canadian agriculture – another major sector of the economy – is increasingly dependent on temporary foreign workers from Latin America and the Caribbean. The first cohort of the Seasonal Agricultural Workers Program (SAWP) recruited 266 workers from Jamaica to Ontario in 1966, and has grown yearly in the intervening 55 years, making the SAWP one of the world's most enduring programs of its type (Binford, 2019; Budworth, Rose & Mann, 2017). In 1974 the SAWP was expanded to include workers from Mexico and other Caribbean states, and in 2002 to recruit for secondary food production. The corporatization and consolidation of Canadian agriculture means that unremunerated family farms are increasingly rare, and the sector's reliance on foreign workers has major implications for production levels and food security (Falconer, 2020b).

SAWP visas allow migrants to work in Canada for a maximum of eight continuous months, though they can return to Canada for work without limit. The proportion of temporary foreign workers in the sector has increased by 52% from 2015 to 2019. In 2019 approximately 55,000 people arrived in Canada under the program (Falconer, 2020a). More than 50% are recruited from Mexico, followed by Guatemala and Jamaica, with the remainder drawn from other Latin American and Caribbean countries. They amount to 20% of Canada's food production workforce. Their earnings contribute to remittances, which are a higher and more stable source of foreign currency inflows than either foreign-direct investment or development assistance for middle-income countries (Wells et al., 2014; World Bank, 2019). Remittances are crucial since they often go directly to households and communities in home countries. While data is not available for overall remittances from the SAWP workers, Latin America and Caribbean countries are some of the world's most reliant on these flows as a proportion of GDP (see "Table 1"). In 2017 (latest available data), $1.24 billion USD in remittances flowed directly from Canada to the region.

Table 1: "Remittances to Latin America and the Caribbean, 2019"

Country	% of GDP	Total (billions USD)	From Canada (millions USD) (2017)
Haiti	37.1	3.2	133
Honduras	22	5.4	38
El Salvador	21	5.6	157
Jamaica	16.4	2.5	315
Nicaragua	13.2	1.6	25
Guatemala	13.1	10.6	142
Dominican Republic	8.1	7.2	34
Mexico	3.2	38.5	156
Ecuador	3.1	3.2	39
Colombia	2.1	6.8	113
Peru	1.5	3.3	57
Brazil	0.2	3.3	31

*Source: World Bank "Migration & Remittances Data (Apr. 2020); "Bilateral Remittances Matrix (2017)". Online: https://www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data.

Unlike the majority of immigrant categories in Canada, most SAWP labourers are explicitly barred from a path to permanent residency. Activists and civil society organizations have called on governments to offer more (and basic) rights for seasonal migrant workers and the same path to citizenship as enjoyed by other classes of immigrants (see UFCW, 2020).[1] Policy scholars have also highlighted various streams by which agricultural workers could be recruited as a category of permanent resident (Alboim & Cohl, 2020). Migrant farm workers in Canada are largely tied to a single employer, structurally vulnerable to unsafe working conditions, employer abuse, wage theft, and in some cases human trafficking. They are susceptible to retributive actions from employers, including being refused work for failing to meet production quotas, deportation during a contract if they lose their employment, and being blacklisted for future work in the event they attempt to advocate for themselves (Silverman & Hari, 2016). They are largely barred from the right to collective bargaining that most other workers in Canada enjoy. While unsafe working conditions have been documented for at least two decades, their outsized vulnerability during COVID-19 pandemic brought their precarious status to the attention of international media, some of which has highlighted the racist roots of the SAWP (see Beaumont, 2020; Triandafyllidou & Nalbanian, 2020; Porter, 2020).

Canada's dependence on migrant workers for a viable agricultural sector, and migrants' dependence on remittances, are wrought with inherent normative and political trade-offs. The program's endurance, as currently formulated, is predicated on maintaining migrants' temporary status (see Fudge, 2012). Calls for immediate permanent residency for all current and future temporary foreign workers, while ethically sound, risk ignoring the lessons around similar dynamics in other liberal democracies, particularly the "guestworker era" in 1970s and 1980s Europe (Doomernik, 2012).[2] European domestic court decisions on rights to citizenship had long-term implications for European capacities to meet labour market needs and for migrants to access work and crucial remittances – which still reverberate through the deep politicization of European immigration policy discussions (see Castles, 2006; Martin, 2015). These dynamics can be understood through what Ruhs and Martin described as the "rights / numbers trade-off" (2008). Demand for temporary workers is dictated almost entirely by industry, rather than by the overall domestic labour supply or permanent immigration schemes. Higher numbers of temporary labour migrants (and thus a greater flow of remittances to home countries) are correlated with employers offering fewer rights. The provision of more rights, higher wages, and higher labour standards in European states resulted in less demand from industry, upsetting the often-touted "triple win" for receiving countries, migrants, and source countries (see Joppke, 2003; Hollifield, 2004; Castles & Ozkul, 2014; Consterdine & Samuk, 2018).

Admittedly, the comparison to historical guest-worker schemes is not precisely analogous to Canada's SAWP. It is more readily comparable to contemporary temporary migration to the EU through the 2014 Seasonal Workers Directive for third country nationals (which came into force in 2017) allowing for nine-month residence for the purposes of "low-skilled" seasonal work in most EU Member States (see Zoetweij-Turhan, 2017; Guild, 2017). The Directive (and state agreement to it) is based on positive incentives for leaving within the given period of employment and thus avoiding unintended policy outcomes, which go beyond immigrants' rights or managing labour supply. Rather, the Directive is a recognition that the radical curtailing of labour immigration in the 1980s severed more organic circular

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[1] See the Migrant Rights Network's 2020 "Status for All" campaign: https://migrantrights.ca/status-for-all/.
[2] I do not offer a comparison to the sizeable temporary migration schemes in non-democracies, such as in Gulf States.

migration systems and contributed to massive increase in irregular migration and asylum in the 1990s. In turn, the asylum crises of the 1990s facilitated the rise of anti-immigrant parties in Western Europe, shifted the political centre to the right on immigration issues, and contributed to the continent's decades-long immigration and asylum policy morass (see Bade, 2003; Moch, 2003).

The longer-run historical cases suggest that immediate access to permanent residency for all SAWP migrants currently in Canada would potentially only benefit a single cohort, and might result in the end of the program writ large as industry looked elsewhere to meet labour demands. In turn, this could profoundly affect Canadian food security since there would likely be little to no uptake for the skilled, hard-labour agricultural jobs from citizens or Permanent Residents, and would also severely curtail opportunities for relatively high-paying jobs and remittances for tens of thousands of people. While perhaps not ethically justifiable (see Carens, 2008; Wright, Groutsis & van den Broek, 2017), the program fundamentally implies trade-offs between Canada's interests in extracting labour with few rights provisions in return for migrants' interests in working for higher wages than they would earn in their home countries (see Ruhs, 2013).

Canada's Role in Western Hemispheric Migration Governance

Migration governance in the Western hemisphere is essentially divided into three sub-regions: North America (including Canada, the US, and Mexico), Central America, and South America. Despite significant interconnectedness through migratory flows, migration governance in the sub-regions remains institutionally divided. Other than the extractive and dependent relationships described above, and despite its role as an exemplar of a well-managed immigration regime and engagement in multilateral fora, Canada plays a limited role in hemispheric migration governance beyond business-related travel from the US and Mexico, and bilateral cooperation with the US to prevent asylum seekers from arriving in Canada.

Functional and Institutional North/South Divisions

In North America, formalized migration governance has been limited to trade-associated mobility through the North America Free Trade Agreement's (NAFTA) Chapter 16 – which offered short-term visas for business and investment travel, longer-term inter-company transfers, and mutual recognition of professional credentials. It was monitored by a side agreement on North American Agreement on Labour Cooperation (see Lavenex et al., 2016). NAFTA fostered localized circular migration between Canada and the US and the US and Mexico, rather than any substantial regional integration (Duina, 2016). NAFTA's mobility mechanisms were included as Chapter 16 of new Canada-United States-Mexico Agreement which entered into force on July 1st, 2020, under "Temporary Entry for Business Persons". In effect, it carried over business-related travel from NAFTA, with little predicted impact on broader North American labour mobility.[3]

South and North American migration governance are geographically divided by Central America, where Canada is part of the Puebla Process (or the Regional Conference on Migration) along with the US, Mexico, and several Central American states. Established

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[3] See CUSMA Chapter 16, (10 December, 2019): https://www.international.gc.ca/trade-commerce/assets/pdfs/agreements-accords/cusma-aceum/r-cusma-16.pdf.

in 1996, the Puebla Process is a technical and non-binding regional consultative process focusing on the relationships between migration, rights, and development, in addition to regional cooperation to counter-smuggling and trafficking.[4] The process is predominantly a consultative forum, with no cooperation or responsibility-sharing clauses. It does not include clauses for facilitating mobility from the region to Canada or vice versa.

Further South, Canada has no meaningful connections with MERCOSUR (the Southern Common Market), the most comprehensive and robust regional arrangement in the hemisphere, which offers mobility and labour rights between South-American member states.[5] Launched in 1991 (the same year a the original NAFTA), it has seen a gradual expansion in terms of geographical scope and issue areas, including the opening of borders along similar lines as the European Union's Schengen Area (see Acosta & Geddes 2014). A 2002 Residency Agreement (which came into force in 2009), while not uniformly applied, has had significant positive impacts, for example by facilitating the successful regularization of hundreds of thousands of irregular migrants throughout the region. MERCOSUR's regional mobility arrangements, while limited in terms of supranational institutionalization, have seen a good degree of legalization at the domestic level (Brumat & Acosta, 2019). Only 1.5% of the population in the regions are migrants – half the global average (Acosta & Freier, 2018).

The region's openness is described as a paradigm-shift toward rights-based regional mobility arrangements, rather than a functional outcome of trade and economic integration (de Haas et al., 2019). Unlike in the European context, Mercosur was designed to alleviate and address the issue of irregular migration and irregularized status (Acosta, 2016). Regional mobility arrangements, as well as economic and financial integration in Latin America, particularly since the end of the Cold War, have been framed as an attempt to resist American influence, and since the early 2000s as a mode of moving past discredited neo-liberal / Washington-Consensus type structural adjustment programs (Bianculli, 2016). Some scholars see the current round of regional mobility arrangements as part of a project to develop "post-hegemonic" regional orders (see Riggirozzi & Tussie, 2017). Perhaps to its detriment in terms of diversifying its economic, cultural, and soft-power relationships, Canada has not made meaningful inroads into harnessing or engaging with these changes. However, the region's openness has been significantly challenged as a result of the COVID-19 pandemic, with several governments in the region imposing harsh restrictions and deportation policies.

Migration Controls and the Canada-US Safe Third Country Agreement

The Canada-US Safe Third Country Agreement (STCA) represents a more formalized mode of migration governance in North America. However, its purpose is to prevent asylum seekers from arriving in Canada, rather than to protect the rights of migrants or facilitate orderly mobility. The STCA was negotiated in the wake of the events of September 11th, signed in 2002, and came into force on the last day of 2004. It was negotiated to stop the so-called "border rush" of Central American asylum seekers from entering Canada in the mid to late 1990s (Garcia, 2006). Though framed in terms of mutual responsibility, the vast majority of asylum seekers crossing the border have historically

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[4] Puebla Process states: Belize, Canada, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, and the United States. See: www.rcmvs.org.
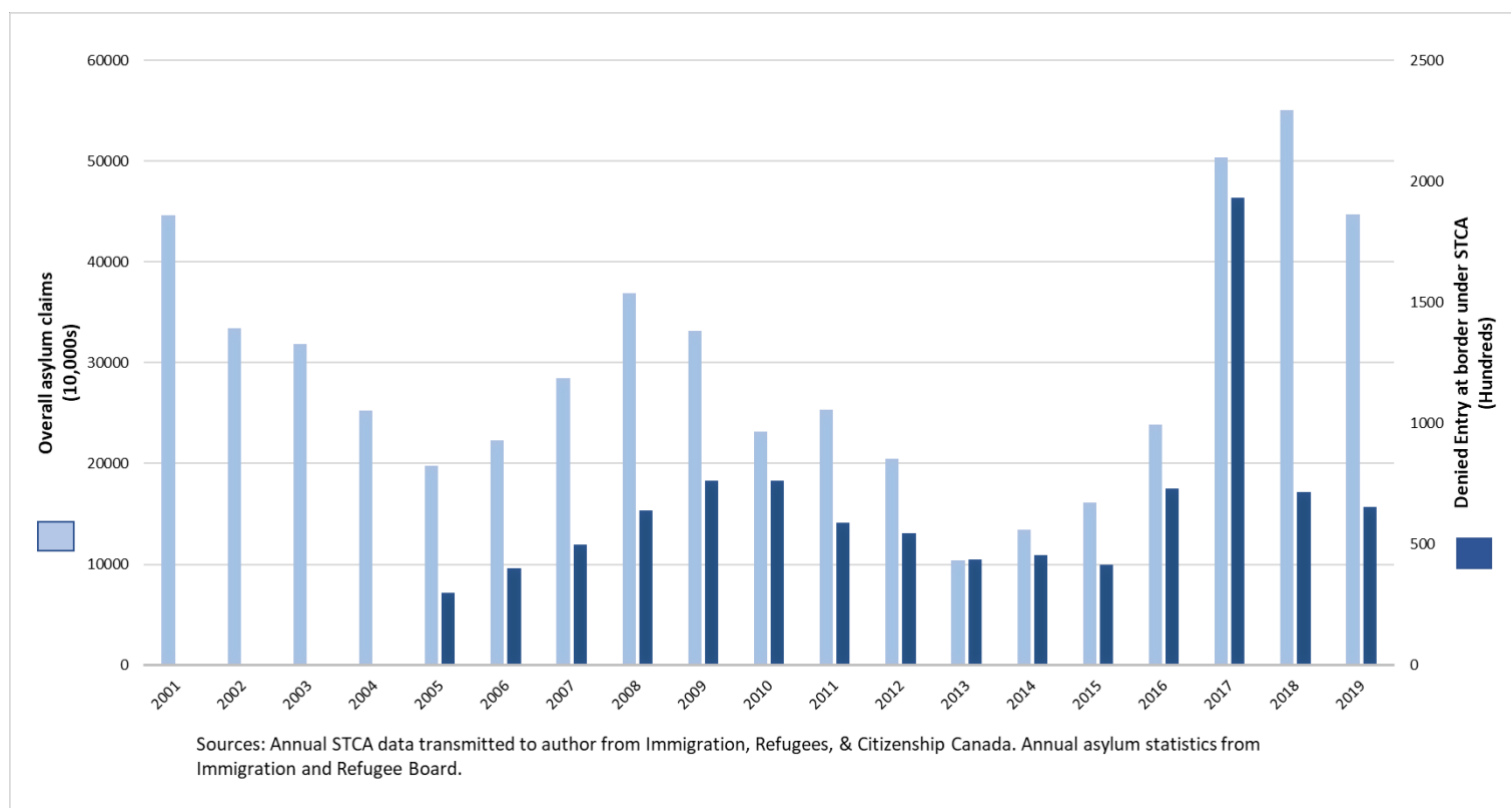[5] MERCOSUR member states: Argentina, Brazil, Paraguay, Uruguay, and Venezuela; MERCOSUR associate states: Bolivia, Chile, Colombia, Ecuador, Guyana, Peru, and Surinam.

moved North to Canada, where the provision of asylum and rights for asylum seekers are far more liberal. At the risk of putting too fine of a point on the matter, the STCA was always predicated on keeping asylum seekers from Latin America and the Caribbean out of Canada.

The STCA mutually recognizes both states as safe countries for international protection, and stipulates that asylum seekers can be turned back at the border if they try to enter from an adjoining state, with exceptions for unaccompanied minors, people with immediate family in either country, or those facing the death penalty. While often overlooked in academic and advocacy literature, the STCA is predicated on the norm of responsibility-sharing for international protection. The preamble to the STCA recognizes "both countries' traditions of assistance to refugees and displaced persons abroad, consistent with the principles of international solidarity that underpin the international refugee protection system, and committed to the notion that cooperation and burden-sharing with respect to refugee status claimants can be enhanced."[6] Importantly, the agreement only applies to official ports of entry on the land border, meaning that people who arrive at airports or cross between ports of entry are eligible to claim asylum.

From 2005 to 2019, 9,836 people were denied entry at the Canadian border and returned to the US under the STCA (See "Fig. 1"). While a small number in terms of overall asylum claims in Canada, various federal governments have claimed that the STCA is effective in controlling asylum venue shopping. It remains an open question as to how many people would have made the decision to claim asylum in Canada in the absence of the agreement. What is clear from the data is that ineligible claims under the STCA were low in global terms (an average of 730 per year from 2005 to 2015), and fluctuated more or less in tandem with overall asylum claims.

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[6] See full text of US / Canada Safe Third Country Agreement (2002, December 5): https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/policies-operational-instructions-agreements/agreements/safe-third-country-agreement/final-text.html.

Fig. 1 "Total Asylum Claims & STCA Ineligible Asylum Claims: 2001-2019"

Sources: Annual STCA data transmitted to author from Immigration, Refugees, & Citizenship Canada. Annual asylum statistics from Immigration and Refugee Board.

Overall asylum claims and people turned back at the border rose dramatically after the election of the Trump Administration in 2016. Beginning that Winter, a small number of asylum seekers began to cross the US / Canada border between Mid-Western states and Manitoba. Several people lost fingers and toes to frostbite before the flows shifted to the more accessible Roxham Road route, on the New York / Québec border. Once that route became popularized the number of people turned back at the border dropped precipitously from an all-time high of almost 1,800 in 2017, to 700 in 2019. Roughly 53,000 people claimed asylum at Roxham Road from the Spring of 2017 to March, 2020 when the route was effectively closed as a result of the border closure and domestic US travel restrictions in response to the COVID-19 pandemic.

While Canada felt relatively significant domestic impacts from the flow – particularly refugee status determination backlogs, major governmental expenditures, stress on municipal reception capacities, and intergovernmental burden-shifting – it is more salient to address the fact that the flow was caused by policy changes in the US, and what this means for Canada's role in hemispheric migration governance. The first major cohort of people arriving at Roxham Road were US-resident Haitians, who feared losing Temporary Protected Status under the Trump Administration, and who were spurred to move though misleading social media posts about Canada's asylum policies (see Noël, 2017; Stevenson, 2017). They were soon joined by co-nationals arriving from Brazil, Chile, Mexico, and Venezuela, as well as from Haiti itself. This latter cohort were spurred to claim asylum in Canada as a way to permanently regularize their status within the Western hemisphere.

Mainstream media attention quickly popularized Roxham Road, and routes to Canada became more transnational with a wider array of source countries. Internal government estimates suggest that roughly 40% of those who arrived at Roxham Road were US residents, and the remaining 60% had transited through the US with the intention of claiming asylum in Canada. While those who had or were able to obtain visas flew directly to the US, by late 2018 a significant number, predominantly from Sub-Saharan Africa, were flying to South America to join the long, overland route to Mexico, the US, and eventually to Canada. Asylum seekers from the Western hemisphere were well-represented in claims at Roxham Road, as is evidenced by the top 25 source countries per year. Canada thus endured the impacts of policy changes from the US – with which it had signed a responsibility-sharing agreement – and was brought in to long-standing mixed migration routes (which had previously terminated in the US) as asylum seekers from the Western hemisphere now perceived Canada as a viable destination.

Table 2: "Top 25 Countries of Origin & Yearly Totals at Roxham Road"

	2017		2018		2019		2020	
1	Haiti	5,845	Nigeria	7,645	Nigeria	2,915	Haiti	395
2	Nigeria	3,730	Colombia	1,075	Colombia	1,470	Nigeria	320
3	U.S.A.	1,305	U.S.A.	1,040	DR Congo	995	Colombia	320
4	Turkey	540	DR Congo	690	Pakistan	980	Pakistan	255
5	Eritrea	450	Pakistan	635	Haiti	865	Angola	150
6	Syria	435	Haiti	595	U.S.A.	855	DR Congo	140
7	Yemen	415	Turkey	580	Sudan	715	Sudan	135
8	Brazil	280	Sudan	440	Angola	700	U.S.A.	125
9	Sudan	245	Angola	420	Turkey	425	Sri Lanka	75
10	Djibouti	225	Bangladesh	285	Venezuela	405	Venezuela	65
11	Burundi	220	Eritrea	270	Yemen	320	Afghanistan	60
12	Pakistan	215	Burundi	270	Burundi	280	Turkey	55
13	Colombia	205	Venezuela	245	Egypt	280	Yemen	55
14	Chad	190	Sri Lanka	245	Rwanda	280	Ethiopia	50
15	Angola	180	Syria	240	Sri Lanka	275	Rwanda	45
16	Azerbaijan	165	Yemen	235	Stateless	235	Brazil	45
17	DR Congo	165	Chad	225	Libya	230	Zimbabwe	45
18	Palestine	150	Stateless	215	Bangladesh	220	Burundi	40
19	Egypt	100	Egypt	200	Chad	205	Nicaragua	35
20	El Salvador	90	Palestine	195	Brazil	190	Liberia	35
21	Venezuela	90	Ethiopia	160	Zimbabwe	185	Stateless	30
22	Libya	45	Zimbabwe	150	Nicaragua	175	Palestine	30
23	Bangladesh	40	El Salvador	145	Palestine	155	South Africa	30
24	Ethiopia	40	Rwanda	130	Ethiopia	150	Eritrea	25
25	Iraq	40	Libya	125	El Salvador	140	Cameroon	25
Totals	(Apr-Dec)	**16,040**	(Jan-Dec)	**18,310**	(Jan-Dec)	**15,985**	(Jan-Mar)	**2,935**

*Source: Data transmitted to author by Immigration, Refugees, and Citizenship Canada

The STCA has twice been challenged in Canadian courts. The first challenge in 2005, brought by advocacy organizations, centred on an anonymous Colombian national who had not sought asylum in Canada given the understanding they would be turned away at the border. The appellants argued the STCA breached Canada's constitutional obligations under the Charter of Rights and Freedoms, and international legal responsibilities under the 1951 Refugee Convention and Convention on the Prohibition of Torture because the would-be asylum seeker would face persecution in Colombia if removed from the US. While the trial judge upheld the challenge, a Federal Appeals Court judge struck down the decision on the grounds that the appellants did not have standing to bring the case, that the judge ruled on a hypothetical scenario given that the asylum-seeker never attempted to enter Canada, and that the case was moot because they had received protection in the US in the interim. The Supreme Court of Canada declined to hear the case in 2008, ending the appeals process.

In 2017 a judge ruled the appellants had public interest standing, allowing them to bring a new challenge. A second Federal Court case, heard in late 2019, centered on asylum-seekers who faced removal to the US after entering Canada at a port of entry. Importantly, it argued that Trump Administration asylum and immigration policies had fundamentally changed the nature of access to protection in the US to the extent that the safe country designation could no longer stand, and that rejected asylum-seekers would face punitive detention in the US.

The July 2020 the court decided in favour and declared the STCA invalid, arguing that Canada was responsible for returning refugee claimants to conditions of inhumane, arbitrary, and punitive detention and possible réfoulement from the US.[7] The decision focused narrowly on detention, and did not address broader changes to the American asylum system or growing divergence with Canadian procedures. The Court gave the Federal government six months to respond – a deadline that fell four days after the 2020 US Presidential election – in effect offering an opportunity to prepare contingency plans for its outcome. Though it was considered a victory for refugee rights, the Minister of Public Safety announced the government would appeal the decision on the grounds that the STCA was effective and the US remained a safe country for asylum seekers.

The Canadian government's insistence that the US is a safe country is belied by radical changes under Trump Administration toward asylum seekers and other vulnerable migrants. But it is perhaps even less tenable from a responsibility-sharing perspective given that the US has all but defected from the international refugee regime. In effect, the STCA now ties Canada's commitment to international protection to the policies of a neighbour with a clear policy agenda of dismantling its domestic asylum system, defecting from the international refugee regime, and containing migrants in Mexico and Central American transit states where protection standards are low and from which large numbers of asylum seekers flee.

That the government wants to avoid change is understandable given the Trump Administration's record of cross-issue retributive responses toward neighbouring states, for example threatening crippling tariffs or withdrawing development aid to Mexico and Central American states if they did not contain and take back asylum seekers. These policies have had significant direct and downstream effects on migration enforcement, asylum dynamics, and protection standards throughout the region (see Ruiz Soto, 2020). But perhaps more importantly from a domestic perspective, the Canadian government sees the STCA as a tool to insulate Canada from the types of large-scale irregular migration flows that severely

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[7] For the full Federal Court decision see: https://decisions.fct-cf.gc.ca/fc-cf/decisions/en/item/482757/index.do.

undermined international protection norms and practices in other liberal democracies and emboldened anti-immigrant populism (see Stockemer, 2016; Donnelly, 2017).

Like the relationship with temporary foreign workers, Canada's response to irregular migration and the changing situation in the US is politically and ethically complicated. While the government has refused to overtly call out US policy changes, it also resisted domestic calls (and international precedent) to close Roxham Road or extend STCA rules to the whole border (c.f. Mercier & Rehaag, 2020). As I have argued elsewhere, Canada established a *de facto* humanitarian corridor for asylum seekers coming from and transiting through the US, while at the same time not risking retributive policies from the Trump Administration (Smith, 2019). The government was offered a reprieve, as it were, by the COVID-19 pandemic. Regardless of the outcome of the November presidential election, irregular migration levels to Canada will be significantly influenced by US policy.

Canada's (Non-Response) to Hemispheric Responsibility-Sharing

Given its dependence on extractive relationship with Latin America and the Caribbean, and some evidence that mining operations directly contribute to displacement, Canada arguably has a duty and a self-interest in addressing the region's growing displacement crises and supporting regional stability. Indeed, supporting host states and establishing safe channels for international protection would comport with Canada's identity as a liberal state with a commitment to solidarity and responsibility-sharing through both resettlement and international humanitarian aid.

Regional Displacement Crises

The Western Hemisphere is experiencing two significant displacement crises: the exodus of almost five million refugees and migrants escaping economic collapse, food insecurity, and political repression in Venezuela, and the regional displacement of more than 400,000 people from the countries of the Northern Triangle of Central America (NTCA) - El Salvador, Honduras, and Guatemala. This means that roughly ten percent of the world's displaced people reside in the Western hemisphere. To date, Canada's efforts at responsibility-sharing in the region have predominantly taken the form of modest financial support and political activism, which stand in stark contrast to its engagement with other crises.

As of 5 March, 2020, UNHCR recorded 4.9 million Venezuelan refugees and migrants living outside the country, 4.1 million of whom were still in the region (UNHCR, 2020a). The scale of displacement from Venezuela thus mirrors the displacement from the Syrian Civil War, from which 5.6 million people have fled, predominantly to neighbouring states. Regional host states have taken differentiated approaches to the influx, with some instances of backlash from host populations and citizens around border regions, and a cooling response to local integration as the crisis wears on (see Selee & Bolter, 2020). By and large, however, neighbours have kept borders open and worked to regularize status and access to social welfare, employment, and education (see Freier & Parent, 2019; Chaves-González & Echeverría-Estrada, 2020). MERCOSUR states have established mechanisms for responsibility-sharing and local integration (see Cantor, Freier & Gauci, 2015).

While not institutionally integrated with regional responses, Canada takes part in the Regional Coordination Platform for Refugee and Migrants from Venezuela (RV4), and a Regional Interagency Platform, comprised of states, IGOs, NGOs, and civil society

organizations. From a more political standpoint, Canada has taken a lead role in the Lima Group – a group of 14 states allied in their calls for regime change in Venezuela, which recognizes the opposition politician Juan Guaidó claim as the country's leader. The Lima Group is predominantly made up right-wing governments with poor records on human rights, good governance, and rule of law, in addition to often brutal persecution of indigenous peoples and repression of opposition politicians, civil society groups, and protestors. These dynamics have led to democratic backsliding in countries with which Canada is allied (see Amnesty International, 2019; Kimber & Kirk, 2019; Freedom House, 2020). From a financial perspective, Canada contributed $2.2 million CAD in emergency humanitarian relief for Latin America from 2017 to 2019. In 2019, it pledged $52.9 million in longer-term support to regional responses, including humanitarian and development aid, with an additional $27 million promised in May 2020 to assist host states during the COVID-19 pandemic, for a total contribution of $80 million CAD. The regional response framework has a current funding gap of over $1.1 billion USD.[8] The Canadian government has explicitly ruled out any special resettlement initiatives for Venezuelan refugees.[9]

Closer to home, NTCA states are characterized by endemic poverty, corruption, criminality, generalized violence, lack of access to education and services, gender and sexual-identity-based violence and discrimination, and weak or repressive states. Violence in the region is staggering. Latin America and the Caribbean accounts for only 8% of the world's population, but 33% of global homicides (Muggah & Tobón, 2018). Violence is particularly acute in cities (see Chioda, 2017). The homicide rate for young men is ten times higher than for women, at an average of 94 in 100,000. Coupled with the effects of political repression, economic decline, climate change, ecological degradation, and natural disasters, the situation has given rise to a major displacement crisis with regional and international impacts. At the end of 2019 there were over 400,000 refugees and asylum seekers from the region worldwide, most hosted in neighbouring states. Almost 322,000 asylum claims from these countries were lodged between 2014 and 2019, an increase of 632% from the previous five-year period. An additional 98,000 people were forced to flee from Nicaragua since April 2018 (UNHCR, 2020a). Internal displacement is likewise significant. The Internal Displacement Monitoring Centre estimates at least 714,000 internally-displaced persons (IDPs) in the NTCA countries. Secondary displacement is common, with refugees and IDPs displaced twice on average (Norwegian Refugee Council, 2017). As of July 2020, Canada had contributed $3.9 million USD to the UNHCR's humanitarian operations in the region, which are currently only 33% funded.[10]

Canada and Regional Response Frameworks

The international community has recognized that traditional humanitarian "care and maintenance" approaches to displacement are failing displaced and host populations alike, and that return to countries of origin and international resettlement for most refugees is

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[8] For up to date statistics see the RV4 website at: https://r4v.info/es/situations/platform.
[9] Government of Canada. (2020). "CIMM – Additional Information – International Relations." Retrieved from: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/committees/march-12-2020/additional-information-international-relations.html.
[10] UNHCR. (2020, July 9). *North of Central America Situation Funding Update*. Retrieved from: https://reporting.unhcr.org/sites/default/files/North%20of%20Central%20America%20Situation%20Funding%20Update%2009%20July%202020.pdf/

exceedingly unlikely. In September 2016 all UN Member States signed the New York Declaration for Refugee and Migrants. The Declaration initiated the process of drafting two Global Compacts on migrants and refugees. The content of the Compacts, signed in 2018, reflects various elements of the UN's Agenda 2030 Sustainable Development Goals around inclusive and sustainable development, and safe, orderly, and productive migration management. The Global Compact on Refugees is framed around the goals of "predictable and equitable burden and responsibility-sharing" and "collective outcomes and progress" toward easing pressure on host states, enhancing refugee self-reliance, expanding access to third country solutions (i.e. resettlement), and supporting conditions for return to countries of origin.

Tools for effective responsibility-sharing are encapsulated in the Compact's Comprehensive Refugee Response Framework (CRRF), which calls for collaboration between humanitarian and development actors through what is referred to as the "Humanitarian-Development Nexus". It proposes novel international finance and development mechanisms to support host-state development, and livelihoods, educational programs, and inclusion in social systems to foster refugee self-reliance rather than short-term humanitarian assistance. Linking humanitarian and development assistance is necessary given that the majority of the world's refugees will spend decades displaced in host states close to their countries of origin. It is also particularly important given that most of the world's refugees do not live in camps, and instead live alongside host populations. Latin America has the world's most urbanized displaced population, with roughly 95% living in urban areas, making traditional humanitarian assistance challenging (Devictor, 2017). The next most urbanized region is Sub-Saharan Africa, where an estimated 68% are in urban or peri-urban areas. The UN, member states, World Bank, international financial institutions, civil society organizations, and some private sector actors have begun to engage in partnerships in pilot states. Importantly, the CRRF calls for the creation of *new, and additional* funding mechanisms "over and above regular development assistance." While calls to link humanitarian and development are not new, the CRRF offers a novel avenue for responsibility-sharing for displaced people at a unique historical moment.[11] Its success depends on offering stable and predictable multi-year funding and programing beyond short-term, appeal-based funding.

Six countries in Central America have signed on to a regional implementation of the CRRF. The Brazil Declaration and Plan of Action, signed in December 2014 by 28 countries and 3 territories, included "Solidarity with the NTCA in Seeking and Implementing Durable Solutions." In July 2016, Costa Rica hosted a High-Level Round Table with UNHCR and the OAS, resulting in the San José Action Statement on regional displacement. Through the Declaration of San Pedro de Sula, six states (Belize, Costa Rica, Guatemala, Honduras, Mexico, and Panama) signed the Comprehensive Regional Protection and Solutions Framework, known by its Spanish acronym MIRPS (*Marco Integral Regional de Protección y Soluciones*). MIRPS falls under the Humanitarian / Development nexus and "New Way of Working" agreed to at the 2016 World Humanitarian Summit, all of which reflect the broad goals of the 2030 Agenda to "leave no-one behind".

In 2018 I conducted a research project as a part of Global Affairs Canada's International Policy Ideas Challenge on Canada's contribution to MIRPS, for which I

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[11]EU models for Linking Relief, Rehabilitation, and Development have been around for decades, and UNHCR personnel have been probing at the disjunction since at least 2001. See Crisp, Jeff. "Mind the Gap! UNHCR, Humanitarian Assistance, and the Development Process," *International Migration Review* 35(1): 168-191.

conducted 18 in-depth interviews with personnel in the Canadian federal government, UNHCR, and civil society organizations operating in Latin America. To put the findings simply, Canada has yet to meaningfully contribute, or promise to contribute to any unique funding or responsibility-sharing through MIRPS. Canadian development projects included in official MIRPS documents are merely existing programming repackaged as "root-causes" interventions rather than new or additional support.[12] The lack of engagement is owing to functional siloing between humanitarian and development programming at Global Affairs Canada, endemic corruption and weak state capacity in the region, and overall decline in Canadian development assistance.

Canada's responsibility-sharing through financial support is complicated by rather paltry Official Development Assistance (ODA) to Latin America and the Caribbean. This is partly due to the fact that most countries in the region are considered middle-income states, and thus not considered a high priority for Canadian assistance (see Macdonald, 2019). The North and Central America sub-region accounts for a total of 7% of Canadian ODA. Canada's global development assistance will remain stagnant at 0.26% of GNI (a significant decrease from 0.31% from the 2012 assessment), and thus is set to decrease in real dollar terms against inflation and economic growth (CCIC, 2018). The 2018 ODA peer review by the OECD's Development Assistance Committee ranks Canada 17th out of 37 member states, despite the fact that Canada's economic performance is far above average (OECD, 2018).

Respondents argued that Canada's only genuine engagement with MIRPS was through Immigration and Refugee Board (IRB) twinning projects to increase protection and refugee status determination capacity in Mexico, by sending senior decision-makers to advise COMAR (Mexico's asylum agency). The IRB's 2019 budget listed $60,000 CAD for the project. In addition, Canada is cooperating with UNHCR's Regional Asylum Capacity Support Group, which is geared toward US and Canadian support for COMAR. They began meeting in June 2019 after a two-year hiatus. The idea is to support COMAR through country of origin information, translating country of origin profiles from IRB to Spanish, and developing institutional plans to increase COMAR capacity. Global Affairs Canada describes Canada's role as "In-kind contribution of human resources and expertise, ad-hoc funding for specific activities under a shared Plan of Action." It is the only program they list without a dollar amount.

Marginally increasing Mexican asylum capacity pales in comparison to the scale of the problem. More to the point, CSOs and international monitoring groups argue Mexico is far from a safe country for migrants, and the country systematically deports vulnerable people. Deportation of gangs from the US and Mexico demonstrably destabilized the region, and significantly contributed to displacement. More than 800,000 people were deported from the US to NTCA countries between 2007 and 2016, when gang violence and displacement spiked. During this period deportations were offset by Deferred Action on Childhood Arrivals and Temporary Protected Status in the US – both of which are now at risk of being cancelled by the Trump Administration.

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[12] See "Canada" under "Cooperating Actors" in *MIRPS: Comprehensive Regional Protection and Solutions Framework*, available at: http://www.globalcrrf.org/wp-content/uploads/2018/05/MIRPS-english-version.pdf.

The Absence of Resettlement from Latin America

Given the scale of displacement in Latin America and Canada's well-established practices in global refugee resettlement, it might be assumed that Canada would play a lead role in facilitating resettlement from the region in the absence of meaningful commitments to financial responsibility-sharing. From January 2015 to June 2020 (latest available data), Canada resettled a total of 154,820 people from around the world. Of those resettled during this period, 93,270 were from the Middle East and North Africa, 45,725 from Sub-Saharan Africa, and 13,420 from the Asia-Pacific region. Only 1,215 were resettled from the Western hemisphere, amounting to just under 1% of resettlement over the five-year period. Of those, 945 were resettled from Colombia. Overall resettlement numbers are complicated given the fact that private refugee sponsorship, which allows sponsors to name resettlement candidates and thus reinforces existing diasporic networks, now outpaces the resettlement of Government Assisted Refugees who are nominate by UNHCR on the basis of vulnerability. The overall figures illustrate quite clearly than Canada all but ignores the prospect of resettling refugees from the Western hemisphere, despite its complex and growing displacement crises.

Fig. 2 "Refugee Resettlement to Canada by Region of Origin: Jan 2016-Jun 2020"
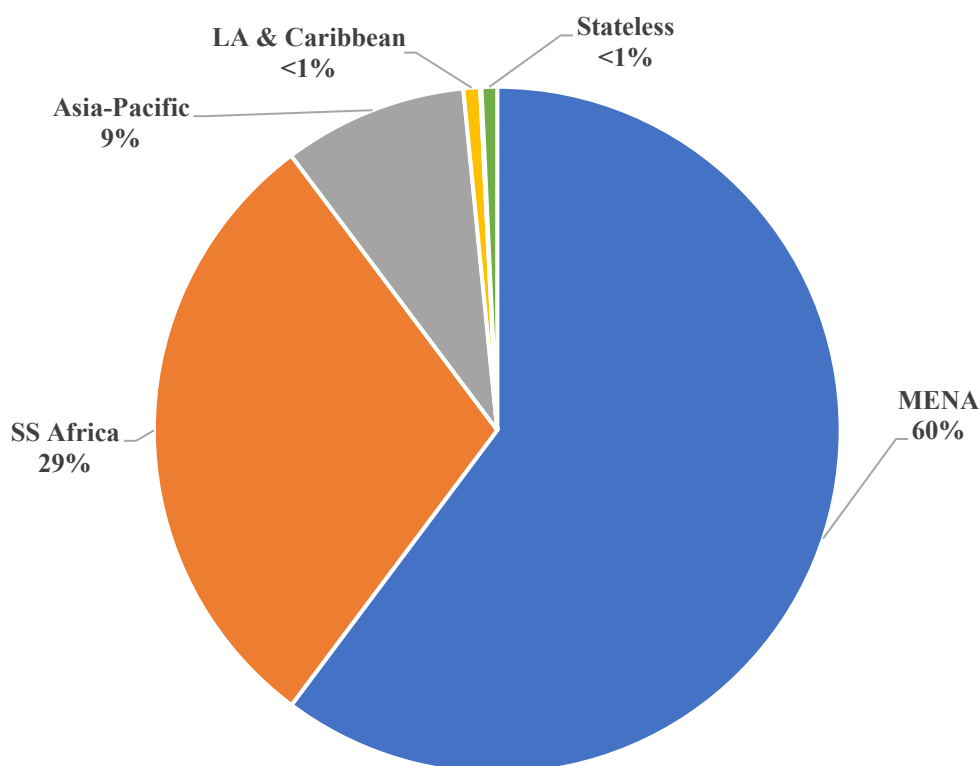
Source: Govt. of Canada / IRCC. "Admissions of Resettled Refugees by Country of Citizenship and Immigration Catego Retrieved from: https://open.canada.ca/data/en/dataset/4a1b260a-7ac4-4985-80a0-603bfe4aec11.

While resettlement from Latin America and the Caribbean is hampered by limited capacity to identify and register refugees with UNHCR or host states, by the end of 2020 UNHCR projects a total of just over 377,000 registered refugees and 1.4 million asylum

seekers in Latin America, in addition to the 4.1 million displaced from Venezuela, and over 6 million other people of concern or in refugee-like situations.[13] The region's displaced population are therefore not out of reach for governments considering resettlement as part of their responsibility-sharing agendas.

Canada, however, has largely ignored new resettlement programs under the MIRPS process. The Protection Transfer Arrangement (PTA) – an agreement for increased responsibility-sharing between UNHCR, IOM, and host state governments – was designed to resettle people identified as particularly vulnerable (see UNHCR, 2018). UNHCR recommended 785 people for resettlement in 2016, the first year of the program, 150 of whom were resettled to the United States. Since then, 3,100 people have been identified as requiring immediate resettlement. Canada accepted 11 people in 2017, zero in 2018, and zero in 2019. In 2020 Canada quietly ended its engagement with the PTA. The Canadian government also largely ignored appeals from UNHCR in Mexico to resettle vulnerable people trapped there, particularly LGBTQ asylum seekers (see Blanchfield, 2019).

Asylum Claims as an Indicator of Need?

As a final point, it is worth noting that while the numbers are relatively small in comparison to displacement in the region, asylum seekers from Latin America continue to arrive in Canada, and are well-represented in overall refugee claims. Just over 230,000 people claimed asylum in Canada from 2013 to 2020. Disaggregated by region of origin, asylum seekers from Latin America and the Caribbean comprised the second largest regional group overall, slightly more than from the Middle East and North Africa, but less than Sub-Saharan Africa. Their proportion of overall asylum claims has grown consistently in recent years, representing almost 30% of asylum claims in both 2017 and 2020. Yearly totals have increased dramatically since 2016, driven by both the scale of displacement in the region and Trump Administration immigration and asylum policies.[14]

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[13] See UNHCR "Global Focus: Latin America, 2020". Retrieved from: https://reporting.unhcr.org/node/40?y=2020.

[14] Statistics by region are significantly skewed by the arrival of almost 15,000 Nigerian asylum seekers from 2016 to 2020, the majority of whom claimed asylum at Roxham Road. Excluding Nigeria from the data means that asylum seekers with citizenship in Latin America and the Caribbean would increase significantly as a proportion of the whole.

Fig. 3 "Asylum Claims in Canada by Region of Origin: Jan 2013 - March 2020"
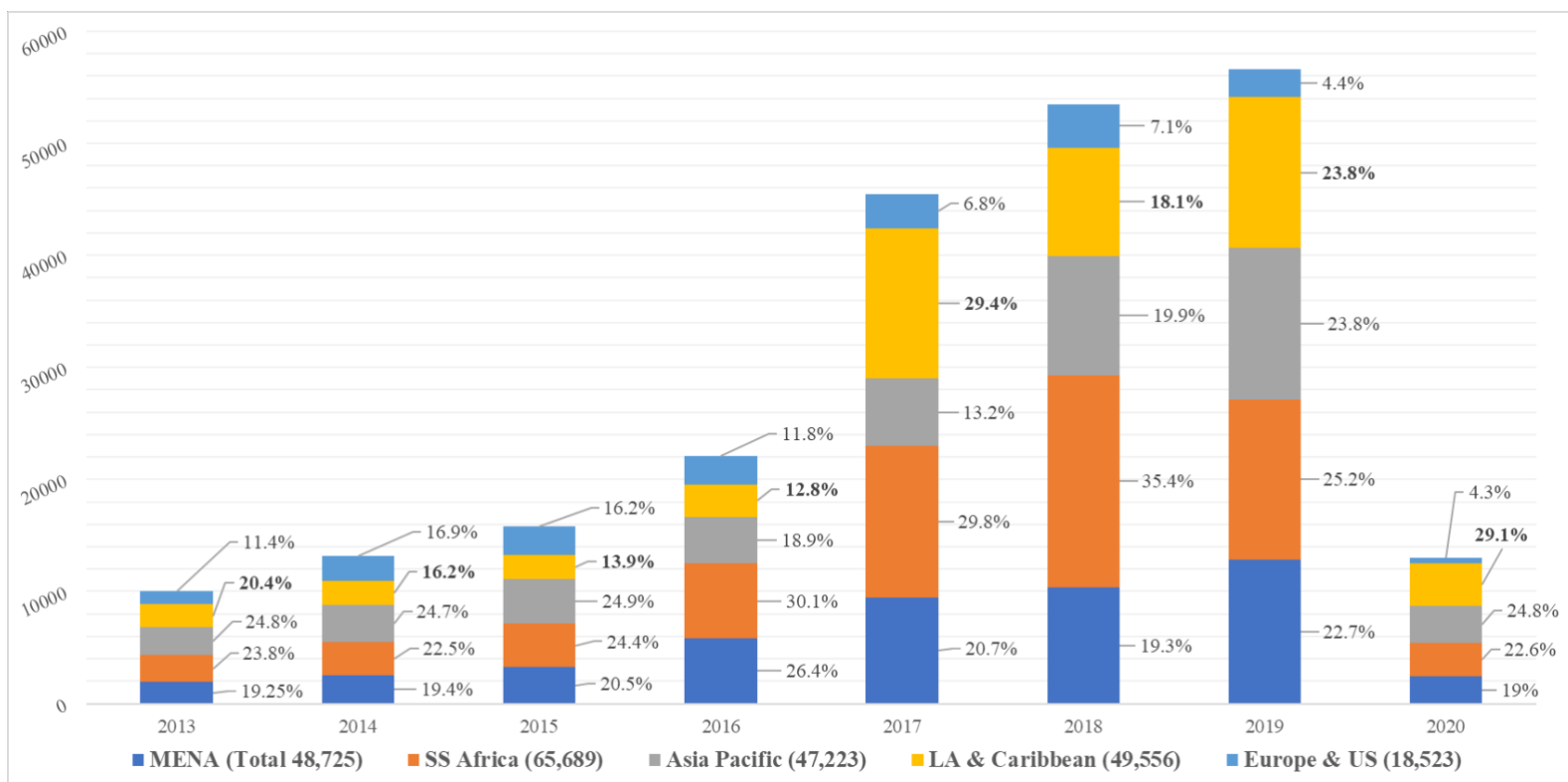
While there is some evidence that the increase in asylum claims from the Latin American and the Caribbean are an indicator of growing need and the sense that Canada represents a viable option for asylum, the situation is somewhat complicated by the relationship between Canadian visa policies and the number of asylum seekers from the region. The removal of visa requirement for Mexico in 2016 as part trade and tourism negotiations was followed by an immediate spike in asylum claims from the country. Mexicans lodged the highest number of asylum claims in 2020, and were in the top thee countries since 2016. This closely follows previous trends. The visa was imposed by the Harper government in 2009 after Mexico became the single largest country of asylum seekers in Canada, with acceptance rates far below the average for other source countries (see Yeates, 2019). While recognition rates for Mexican asylum seekers have increased modestly since 2016 to 36.5% in 2019, so have the number of claimants abandoning or withdrawing claims.

Table 3: "Mexican Asylum Statistics in Canada, Jan 2013 – March 2020"

Year	Referred	Accepted	Rejected	Rate	Abandoned / Withdrawn	Backlog
2013	128	16	39	29%	24	53
2014	86	28	43	39.50%	9	58
2015	111	40	39	50%	12	78
2016	250	29	53	35%	46	200
2017	1459	111	221	33.50%	99	1221
2018	3157	190	363	34%	295	3525
2019	5634	602	1045	36.50%	672	6829
2020 (March)	1518	291	448	39%	191	7427

Source: Immigration & Refugee Board of Canada "New System Refugee Claim Statistics".
Online: https://irb-cisr.gc.ca/en/statistics/protection/Pages/index.aspx

While Mexican claims skew statistics from Latin America and the Caribbean, so do similar trends in recognition rates and abandoned claims from some states for Sub-Saharan Africa, particularly from Nigeria. The major lesson is that with the exception of European states, Canada resettles far more refugees from other regions of origin with large numbers of asylum seekers arriving in Canada, particularly Sub-Saharan Africa and the Middle East and North Africa. Latin America and the Caribbean is the major outlier, even when we account for the significant increase in resettled Syrians in 2015 and 2016. Asylum seekers arriving in Canada from most regions are a symptom of the global need for international protection. In the Western hemisphere, large numbers of people who might consider asylum in Canada are effectively trapped in Central America as a result of US policy interventions in the region and the effective closure of the US / Mexico border. The current situation thus represents an acquiescence to American policy priorities to close the door to asylum seekers and effectively ignore the need for international protection.

Conclusions and Policy Options

Canadian economic dependence on extracting mineral wealth and human capital from Latin America and the Caribbean imply both a normative duty and rational self-interest in increased responsibility-sharing for displacement crises in the region. The lack of institutionalized migration governance frameworks with which to integrate Canada means it will have to look to more novel venues for fulfilling its normative duty and looking out for its interests.

To date, Canada has done very little to providing new and additional funding or additional resettlement spaces – both of which are at the core of the Global Compact's Comprehensive Refugee Response Framework. Not only did Canada help champion the compact, but at the UN General Assembly in September 2020 signaled its interest in holding

the next presidency of the MIRPS Support Platform.[15] This aspiration for leadership is at stark odds with Canada's lack of engagement to date and deference to US policies, which have effectively created a multi-state buffer for preventing asylum seekers from travelling through the US to Canada. Only those who are able to afford airfare and secure a travel visa have the option of claiming asylum in Canada. As such, those who arrive are not typically the most vulnerable. Canada has done very little to work around these dynamics to provide avenues for international protection or for helping those who will remain in the region.

The MIRPS process offers novel avenues for engagement, and Canada's institutional capacity developed in resettling an additional 30,000 Syrian refugees in 2015 and 2016 offers transferrable lessons and capacity for scaling up civil society engagement and settlement sector capacity. Small civil society initiatives have called on the Federal Government to use the opportunity presented by the Protection Transfer Arrangement to resettle some of the most vulnerable people displaced in the region (see Keung, 2019; Miller Llana, 2019). These demands have fallen on deaf ears in Ottawa.

Canada's role as a middle power and its relatively weak engagement with the region mean that the scope and nature of responsibility-sharing will be significantly impacted by the US presidential election. A change in administration could mean rejuvenated efforts at international resettlement and the return of a stable asylum system not designed to exclude asylum seekers from Latin America. Even in the event of a second term for President Trump, Canada could take a leadership role in working around the margins of a faltering hegemon to build relationships that uphold the norms of responsibility sharing and the right to international protection. In the longer term, support for human rights and good governance in the region will also mean rethinking Canada's alliance with right-wing governments, and seriously grappling with the effects of Canadian mining interests.

Canada already works with UN agencies, NGOs, and civil society organizations in central Latin America to address "root causes" of displacement in refugee-generating states given these organizations' relative effectiveness vis-à-vis endemic corruption and weak governance. These relationships can be expanded and supported with increased funding. More immediately, additional and flexible development aid for host countries will be crucial given that they are reluctant to borrow for non-nationals, and "even when aid is provided in grant, there can be a trade-off: within a set allocation, what is used for refugees cannot be used for nationals" (Divector, 2017, p. 129). Indeed, some of the most significant sticking points in Compact negotiations were around the fact that host states see the CRRF framework as imposing new obligations with no clear benefit for their nationals' wellbeing, while donor states set red lines around binding criteria for responsibility sharing (Ferris & Donato, 2019). The Compact on Refugees is far from perfect, and lacks mechanisms for measuring policy effectiveness. But engagement in the region could harness Canada's significant experience in refugee resettlement while building a base of evidence for more flexible and additional aid.

One starting point could be to emulate the partnerships between UN member states, IFIs, and development actors for the Syrian Refugee Response Framework which set predictable, long-term financing options for host states. For example, the Concessional Financing Facility for Lebanon and Jordan created an opportunity where for every $1 in grants that they accessed, states could leverage an additional $3-4 in financing. Financing for Vulnerability Assessment Frameworks led to cash-based aid models for urban displacement, which also benefit local economies (UNHCR,2015). Another approach would

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[15] UNHCR Canada. 25 September 2020. *Press Release: Stronger International Cooperation to Address Forced Displacement in Central America Urged.* https://www.unhcr.ca/news/stronger-international-cooperation-address-forced-displacement-central-america-urged/

be to emulate Canada's commitment to the Compact with Bangladesh in its support for the Rohingya refugee crisis, where Canadian grants opened the World Bank's IDA18 Refugee sub-window without drawing down on Bangladesh's development financing opportunities (World Bank, 2018).

Policy particularities aside, Canada is part of the Western hemisphere, and its economic wellbeing is tied to the region. Without assuming that Canada will fundamentally alter either of its major extractive relationships, it is worth thinking about how it can devote more sustained attention to addressing displacement crises in its own "backyard". The COVID-19 pandemic has meant hemispheric mobility has ground to a halt. While not ideal, it offers the government the chance to consult diasporic communities, civil society organizations, and settlement actors to understand the capacity and willingness to support resettlement, and to consider how its future development programming can help stabilize a region from which ever-more people are fleeing.

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