

URGENT ACTION

STOP DEPORTATION OF HEALTHCARE WORKER

Mamadou Konaté is an immigrant worker from Ivory Coast who is at risk of deportation on 30 September. In 2021, global mobilization by Amnesty International stopped his deportation but the Canadian government has set a new date. Risking his life if returned to Ivory Coast, the Canadian government must not deport him.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

The Honourable Sean Fraser
Minister of Immigration, Refugees and Citizenship
Ottawa, Ontario,
Canada K1A 0A6
Telephone: 613-992-6022 | Fax: 613-992-2337
Email: sean.fraser@parl.gc.ca

Dear Minister,

*I am writing to bring to your attention the case of **Mamadou Konaté**, an Ivorian immigrant worker who has been living in Canada for six years and is threatened with deportation on 30 September 2022. Mr. Konaté had previously been scheduled for deportation on 19 November 2021, then a federal judge granted a stay of deportation. I was pleased when Mr. Konaté's deportation was stopped, and I am alarmed by the news that it has been reinstated.*

Mr. Konaté worked performing janitorial tasks in residential and long-term care facilities accompanying seniors in care as one of Canada's "Guardian Angels" through months of fear and distress during the COVID-19 pandemic. Now, Mr. Konaté's fate is uncertain as the prospect of imminent deportation looms. Having received threats after trying to leave Ivory Coast at first and then in 2016 when he returned to the country, if he is deported by the Canadian government, his life would be in danger.

I am deeply concerned about the outcome of Mr. Konaté's case and I call on the Government of Canada to act quickly to put an end to this situation.

Canada must respect its international obligations, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), ratified by Canada in 1987. Article 3.1 of this Convention stipulates "No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture."

As Minister of Immigration, Refugees and Citizenship, you have the authority to stop the current deportation process of Mr. Konaté and to ensure that Canada respects its international obligations by not deporting a person at risk of torture. I therefore call on you to halt the deportation of Mr. Konaté to allow him to escape the violence and abuse he may face if deported to Ivory Coast. Your action is an opportunity to prevent Mr. Konaté's fate from being changed, but also to commit to upholding the human rights of all people in Canada.

Sincerely,

ADDITIONAL INFORMATION

Mamadou Konaté is an immigrant worker from the Ivory Coast. At the height of the COVID-19 pandemic he worked in facilities accompanying vulnerable seniors. Mamadou Konaté himself was infected with Covid-19 at that time and was unable to obtain health insurance due to his precarious status.

The Canadian government rejected his refugee claims in 2016 and 2021, and issued a deportation order on 19 November 2021. After global mobilization on his behalf, a Canadian federal judge suspended Mr. Konaté's deportation on 17 November 2021 and issued a stay of deportation while a judicial review was being processed. Mr. Konaté submitted an appeal to the federal court requesting a decision on his application for temporary status on humanitarian grounds on 9 May 2022, and it was denied. Following this decision, Mr. Konaté was promptly summoned by the Canadian Border Services Agency to advance his deportation file by having him sign paperwork for a travel document application at the Ivory Coast embassy. They have now set his new deportation date for 30 September 2022.

For several years, Mamadou Konaté has been living in an anguishing situation marked by four detentions for a period of three and a half months at the Laval Immigration Holding Centre and by the threat of deportation. Mr. Konaté has expressed that he has a fear of returning to Ivory Coast because there are no secure conditions for him to return to a country he fled in 2016 following threats to his life. Mr. Konaté has told Amnesty International that, in 2016, he received an immediate warning that his life was in danger from former members of the rebel group that he says forcibly recruited him in the early 2000s. As a result of this threat he fled to Canada, and should he be deported to Ivory Coast, where former rebel leaders became senior officers in the regular army, there is a serious threat to his life because he left.

In April 1999, the UN Human Rights Committee, after reviewing Canada's implementation of the International Covenant on Civil and Political Rights, noted in its Concluding Observations [Para. 13]:

"The Committee is concerned about the position taken by Canada that it is entitled to invoke the higher requirements of its security to justify the transfer of certain persons to countries where they would be at serious risk of torture or cruel, inhuman or degrading treatment. The Committee ... recommends that Canada revise its policy in this regard, in order to ... fulfil its obligation never to expel, extradite or otherwise transfer a person to a place where he or she would face a serious risk of treatment or punishment contrary to article 7"

Mamadou Konaté is currently in deportation proceedings as he is considered to be inadmissible to Canada under section 34 (1) (b) of the Immigration and Refugee Protection Act as well as article 34 (1) f). These sections state that a person who has been a member of a group that has sought to overthrow a government, or the perpetrator of acts aimed at the overthrow of a government by force is inadmissible to Canada.

Despite the accusations against Mamadou Konaté, which he denies, he still cannot be deported to a country where he faces a serious risk of human rights violations and/or torture. Canadian authorities are obliged to respect the Convention Against Torture (CAT) and ensure he is not deported to face torture, or to deport him to a country where there is a risk that he could be further extradited/refouled back to Ivory Coast. Mamadou Konaté claims to have been forcibly enlisted in a rebel group in the north of the Ivory Coast, as were many young people at the time, during the Ivorian civil war in 2002, to perform household chores.

PREFERRED LANGUAGE TO ADDRESS TARGET: French or English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 September 2022

Please check with the Amnesty office in your country if you wish to send appeals after the deadline. His deportation date is scheduled for 30 September 2022.

NAME AND PRONOUN: Mamadou Konaté (He/Him)