

# UNCERTAIN TERRITORY: FAMILY REUNIFICATION AND THE PLIGHT OF UNACCOMPANIED MINORS IN CANADA

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## ABSTRACT

*In recent years, Canada has experienced a significant increase in the number of refugee claims from unaccompanied minors: those children who are separated from both parents and are not being cared for by an adult who, by law or custom, has the responsibility to do so. Following a brief examination of the nature and scope of the unaccompanied minor problem, the paper explores the difficulties the Immigration and Refugee Protection Act sponsorship schemes present to these children as they endeavor to reunite with their families. The author argues that the Act provides limited opportunities for these children to pursue family reunification, which both undermines Canada's international legal obligations pursuant to the UN Convention on the Rights of the Child, and conflicts with the objectives advocated by domestic immigration and refugee legislation. Having exposed several of the unique challenges these children create for current immigration law, the author concludes by proposing several legal and policy reforms that could assist in addressing the special circumstances and particular needs of unaccompanied minors who seek family reunification in Canada.*

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