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Problems at the U.S. Border

PUBLISHED 11 APRIL 2025 by Warren Creates and Articling Student Sierra Forster

Key Background Chronology

On 20 January 2025, U.S. President Donald Trump signed two (2) Presidential Executive Orders:

- #14159, Protecting the American People Against Invasion; and
- #14161, Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats. ¹

On 4 April 2025, the Government of Canada (Global Affairs Canada) issued a Travel Advisory relating to travel to the United States.

On 7 April 2025, the *U.S. Supreme Court* issued a ruling, upholding the lawfulness of the 1787 American law (*The Alien Enemies Act*), and its recent use by the U.S. government to round up and deport citizens of Venezuela in the United States who are considered to be gang members and whose primary allegiance is to a foreign power who might also pose a national security risk. Before now, this ancient law had only been used during times of war.

N.B: Can U.S. border guards search your phone? Your rights explained - National | Globalnews.ca

Global News interviewed Warren Creates regarding what Canadians need to know with the recent Presidential Executive Orders and Travel Advisory referenced above on 8 April 2025. Please see the link <u>here</u> for details:

Sean Boynton, "Can U.S border guards search your phone? Your rights explained (8 April 2025)



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Analysis:

As of April 11, 2025, visitors to the United States and foreign nationals visiting for periods longer than 30 days are required to register or face potential penalties, fines or even "misdemeanor prosecution." ² This requirement primarily applies to those entering the U.S. at a land border entry, as those flying in by air often already receive what is known as an I-94 admission form. ²

The Canadian Government (*Global Affairs Canada*) most recent Travel Advisory of 4 April 2025 includes the following,

"Every country or territory decides who can enter or exit through its borders and the Government of Canada cannot intervene on your behalf if you do not meet entry or exit requirements for the United States.

Individual border agents often have significant discretion in making those determinations. U.S. authorities strictly enforce entry requirements. Expect scrutiny at ports of entry, including of electronic devices. Comply and be forthcoming in all interactions with border authorities. If you are denied entry, you could be detained while awaiting deportation.

We have obtained the information on this page from the U.S. authorities. It can, however, change at any time."³

The updated advisory does not raise the travel risk level from "take normal security precautions" but adds guidance for long-term visitors.

The change comes amid reports of foreign nationals, including a Canadian, being detained or turned away at the U.S. border despite holding valid travel documents. Canadian citizen Jasmine Mooney was detained for nearly two weeks earlier this month after attempting to re-enter the U.S. under a NAFTA (2.0) professional work category. She has since described the experience, saying she was not initially given access to a lawyer and was held under restrictive conditions in two separate immigration detention centres. ⁴

Other countries have issued similar advisories in recent weeks. Germany cautions that a visa or ESTA (Electronic System for Travel Authorization) is not a guarantee of entry, while the U.K. warns travellers may be arrested or detained if they violate entry rules. France, Finland and Norway have flagged risks for transgender and nonbinary travellers due to binary gender requirements in U.S. immigration documents.



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What Canadians Should know about the new rule for longer visits

As of 11 April 2025, U.S. authorities will require all foreign nationals visiting for longer than 30 days to register with *U.S. Citizenship and Immigration Services (USCIS)*. ⁵

The rule applies to travellers aged 14 and older who have not already gone through a registration and fingerprinting process during a past U.S. visa application. Canadians who are issued a Form I-94 are considered registered and may be exempt from this new step. ⁶

Those who do not have a Form I-94 are required to register with *USCIS* for stays of more than 30 days. According to the advisory, "failure to comply could result in penalties, fines or misdemeanour prosecution."

The New Registration Requirement

Canadians staying in the U.S. for longer than 30 days, and who do not have a Form I-94, must register online with *USCIS* by submitting Form G-325R through a *USCIS* account. The form is only accepted electronically (paper submissions and in-person filing are not allowed) and must be completed before travel. 8

Form I-94 is the *Department of Homeland Security (DHS)*Arrival/Departure Record issued to aliens who are admitted to the U.S., who are adjusting status while in the U.S. or extending their stay, among other things. A *Customs and Border Protection (CBP)* officer generally attaches the Form I-94 to the non-immigrant visitor's passport upon U.S. entry. The visitor must exit the U.S. on or before the departure date stamped on the Form I-94.9

Children who turn 14 while in the U.S. are required to register within 30 days of their birthday unless they are U.S. citizens. Canadian citizens are exempt from providing fingerprints as part of the registration process. ¹⁰

Not all travellers need to register under the new rule. Exemptions apply to:

- U.S. permanent residents (Green Card holders)
- Canadians who entered the U.S. under a non-immigrant visa category (i.e. H-1B, L-1 or TN) and were issued a Form I-94, even if their stay has technically expired
- Canadians who have previously been issued a U.S. visa through a consulate or embassy. ¹¹



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U.S. Citizenship and Immigration Services

On 20 January 2025, President Donald Trump issued Executive Order 14159, *Protecting the American People Against Invasion*, which directed the *DHS* to ensure that aliens comply with their duty to register with the government under section 262 of the *Immigration and Nationality Act (INA)* (8 U.S.C. 1302), and ensure that failure to comply with the registration requirement is treated as a civil and criminal enforcement priority. ¹²

The *INA* requires that, with limited exceptions, all aliens 14 years of age or older who were not registered and fingerprinted (if required) when applying for a U.S. visa and who remain in the United States for 30 days or longer, must apply for registration and fingerprinting. Similarly, parents and legal guardians of aliens below the age of 14 must ensure that those aliens are registered. Within 30 days of reaching his or her 14th birthday, all previously registered aliens must apply for re-registration and to be fingerprinted. ¹³

Once an alien has registered and appeared for fingerprinting (unless waived), *DHS* will issue evidence of registration, which aliens over the age of 18 must carry and keep in their personal possession at all times.¹⁴

It is the legal obligation of all unregistered aliens (or previously registered aliens who turn 14 years old) who are in the United States for 30 days or longer to comply with these requirements. Failure to comply may result in criminal and civil penalties, up to and including misdemeanor prosecution, the imposition of fines, and incarceration. ¹⁵

Criminal Penalties for Failure to Carry Evidence of Registration

Any alien required to register who is 18 years of age and older and who fails to comply with the requirement that they carry evidence of registration and have in their personal possession evidence of registration will be guilty of a misdemeanor and will upon conviction for each offense be fined not to exceed \$5,000 or be imprisoned not more than 30 days, or both. ¹⁶

President Donald Trump's Travel Ban - Upcoming

In President Donald Trump's first term serving as President, he a placed travel ban on 7 majority-Muslim countries (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen). There were various bans with the most recent one being upheld by the Supreme Court. President Donald Trump is expected to ban or severely restrict travel to the United States by citizens of more than a dozen countries, including Iran and Venezuela, in the near future. ¹⁷

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T: 613.238.2022 F: 613.238.8775 President Donald Trump ordered his administration to establish vetting and screening standards and procedures for entry into the U.S. and submit a list of countries that do not meet them by 21 March 2025. The order follows a campaign pledge and an initiative from President Donald Trump's first day in office. ¹⁸

He also directed officials to identify and potentially remove nationals from designated countries who entered the U.S. during the former President Joe Biden administration.

Supposedly, a list of more than 40 countries whose citizens could be barred or limited from entry into the United States is reportedly under consideration. That list includes, Afghanistan, North Korea and even tiny Bhutan, a majority-Buddhist Himalayan nation.¹⁹

President Donald Trump signed an Executive Order on 20 January 2025, calling on Cabinet members to submit a report identifying countries "for which vetting and screening is so deficient as to warrant a partial or full suspension" of admission to the U.S. He also asked for the report to identify "how many nationals from those countries" have entered or been admitted to the United States since 20 January 2021, the first day of former President Joe Biden's term. ²¹

President Donald Trump tasked four individuals with producing the report: Secretary of State Marco Rubio, Attorney General Pam Bondi, Secretary of Homeland Security Kristi Noem and Director of National Intelligence Tulsi Gabbard. The structure of the second term ban of President Donald Trump's administration appears to be different than the first one, creating a three-tiered list of nations that do not provide the United States with the level of information it is seeking or are otherwise deemed by officials as a national security threat. Countries on the "red" list would see travel to the United States banned altogether, while countries on the middle, or "orange" list would face visa restrictions. A lower tier of nations may be put on notice by the administration. Travel could be banned from 11 countries, according to *The New York Times*, which obtained a draft list of recommendations for the travel ban. Those are Afghanistan, Bhutan, Cuba, Iran, Libya, North Korea, Somalia, Sudan, Syria, Venezuela and Yemen.

President Donald Trump previously banned travel from most of the countries on that list on 7 March 2017, with the exception of visa and green card holders. Bhutan and Cuba were not part of President Donald Trump's previous travel ban. The U.S. State Department lists Cuba as a state sponsor of terror.²³ An additional 10 countries, including Russia and Belarus, would see visas sharply restricted.



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T: 613.238.2022 F: 613.238.8775 The remaining 22 countries, which includes many African nations, would have 60 days to address security concerns. They could ultimately be moved up on the list or completely left off, depending on their response. Based on what has been reported publicly supposedly their report is less focused on majority- Muslim countries and more about the amount of data the country provides to the U.S. ²⁴ For example, one alleged factor the U.S. Administration is taking in consideration is how frequently a country reported lost or stolen passport data to Interpol. ²⁵

What should Canadians prepare for?

U.S Customs officers have lawful authority to look through your mobile phone. Check comments you have made on social media and look through your laptop. They can also take devices or download all of their contents. Canadians should consider leaving their technology at home or bringing a burner phone rather than their personal phones.²⁶

Several reports of people having their phones searched at the border, and a French researcher being denied entry reportedly due to *U.S. Customs and Border Protection (CBP)* finding messages on his phone critical of President Donald Trump. ²⁷ Agents with U.S. Border Patrol have long been able to ask to search travelers' belongings, but the Canadian government updated its online guidance on 4 April 2025 suggesting that the rules were being followed more stringently. It said that the Canadian government "cannot intervene on your behalf" if travelers do not meet entry or exit requirements for the U.S. and that individual border agents had "significant discretion" in making those determinations. ²⁸

Overall, the Government of Canada's Travel Advisory is this: "U.S. authorities strictly enforce entry requirements. Expect scrutiny at ports of entry, including of electronic devices...if you are denied entry, you could be detained while awaiting deportation." ²⁹

For a helpful summary of Executive Order 14161, please see the attached article written by Oliver Mercer, the Chief Editor at VisaVerge.com.³⁰

N.B. This is informational only. It is not legal advice.

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References:

- ¹ National Archives, Federal Register, "2025 Donald J. Trump Executive Orders" (last visited: 11 April 2025), online: *Federalregister.gov* https://www.federalregister.gov/presidential-documents/executive-orders/donald-trump/2025>.
- ² Sean Previl, "U.S clarifies new April registration rules, including for some Canadians" (March 12, 2025), online: *Global News* < https://globalnews.ca/news/11074444/canadians-travel-us-registration-rules-explained/>.
- ³ Government of Canada, "United States travel advice" (Date modified: 2025-04-04), online: *Government of Canada* https://travel.gc.ca/destinations/united-states>.
- ⁴ Sofia Misenheimer, "What Canadians should know about a new U.S registration rule for longer visits" (April 1, 2025), online: *Ottawa Citizen MSN* https://www.msn.com/en-ca/news/canada/what-canadians-should-know-about-a-new-us-registration-rule-for-longer-visits/ar-AA1C1Q7w?ocid=BingNewsSerp.
- ⁵ Sofia Misenheimer, *Ibid*.
- ⁶ Sofia Misenheimer, *Ibid*.
- ⁷ Sofia Misenheimer, *Ibid*.
- ⁸ U.S Customs and Border Protection, "I94 Automation", (last visited: April 7, 2025), online (pdf): *U.S Customs and Immigration Enforcement* https://www.ice.gov/doclib/sevis/pdf/i94-fact-sheet.pdf>.
- ⁹ U.S Customs and Border Protection, *Ibid*.
- ¹⁰ Sofia Misenheimer, *Supra* note 4.
- ¹¹ Sofia Misenheimer, *Ibid*.
- ¹² U.S Citizenship and Immigration Services, "Alien Registration Requirement" (Last updated: 03/21/2025), online: *USCIS* https://www.uscis.gov/alienregistration>.
- ¹³ U.S Citizenship and Immigration Services, *Ibid*.
- ¹⁴ U.S Citizenship and Immigration Services, *Ibid*.
- ¹⁵ Sofia Misenheimer, *Supra* note 4.
- ¹⁶ Sofia Misenheimer, *Ibid*.
- ¹⁷ Erin Mansfield and Francesca Chambers, "Trump travel ban 2.0 coming as soon as Friday. What countries it will affect" (March 21, 2025), online: *usatoday* < https://www.usatoday.com/story/news/politics/2025/03/21/donald-trump-travel-ban-countries-affect/82492460007/.
- ¹⁸ Erin Mansfield et al., *Ibid*.
- ¹⁹ Erin Mansfield et al., *Ibid*.
- ²⁰ Erin Mansfield et al., *Ibid*.
- ²¹ Erin Mansfield et al., *Ibid*.
- ²² Erin Mansfield et al., *Ibid*.

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T: 613.238.2022 F: 613.238.8775 ²³ Erin Mansfield et al., *Ibid*.

²⁴ Erin Mansfield et al., *Ibid*.

²⁵ Erin Mansfield et al., *Ibid*.

²⁶ Muriel Draaisma, "Expect extra questions, take a burner phone: Immigration lawyers weigh in on travel to the U.S" (April 1, 2025), online: *CBC News*

https://www.cbc.ca/news/canada/toronto/canadians-travel-to-united-states-advice-1.7498326>.

²⁷ Brendan Cole, "Canada Updates Travel Warning for US Again" (April 5, 2025), online: *Newsweek* https://www.newsweek.com/canada-updates-travel-warning-us-2055799>.

²⁸ Government of Canada, "United States travel advice" (Date modified: 2025-04-04), online: *Government of Canada* https://travel.gc.ca/destinations/united-states.

²⁹ Government of Canada, *Ibid*.

³⁰ Oliver Mercer, "Canadian Born In Iran, Afghanistan Denied U.S Entry Under Trump Policy" (28 March 2025), online: *visaverge* < https://www.visaverge.com/news/canadians-born-in-iran-afghanistan-denied-u-s-entry-under-trump-policy/>.

For customized professional assistance on any particular case or situation, please consult qualified legal representation, which we are authorized and specialized to provide.

Please contact **Warren Creates**, head of immigration at Perley-Robertson, Hill & McDougall LLP/srl at **(613)238-2022** and/or wcreates@perlaw.ca.

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Can U.S. border guards search your phone? Your rights explained



By Sean Boynton · Global News

Posted April 8, 2025 4:34 pm · Updated April 8, 2025 9:51 pm · 5 min read



WATCH ABOVE: The U.S. has toughened up its scrutiny on any foreign national crossing its border. Touria Izri reports on what Canadians need to know before heading south, including the new rules on long-term stays, and the concerns about phones being searched.

Canadians have little recourse in the event U.S. border agents seize electronic devices for searches when seeking to enter the country, **immigration** lawyers say.

That doesn't mean there's nothing you can do to prepare, though.

The federal government said in an updated travel advisory Friday that Canadians should "expect scrutiny" when crossing ports of entry, including additional questioning and the potential search of their electronic devices.

The updated advisory warns Canadians denied entry to the U.S. may face detention while they wait to be deported.

Lawyers say the update reflects the more strict approach U.S. authorities are taking to immigration law under the Trump administration, rather than any changes to the law itself.

Most importantly, they say Canadians should expect longer wait times, questioning and a higher chance of denial of entry — but that there are ways to protect yourself.

"The government is definitely looking closer," said Rosanna Berardi, managing partner of Berardi Immigration Law in Buffalo, N.Y.

"The government can search, seize, look at anything that they want. So we've been advising our clients for 20 years, make sure your story matches your stuff."

What does U.S. law say about searching phones?

The office of Canada's privacy commissioner says U.S. border officials "have broad inspection powers which can include seeking passwords to your laptop, tablet or mobile phone."

"You don't have any rights at a U.S. border crossing or pre-flight inspection, which is an extension of that," Berardi said.

U.S. Customs and Border Protection says its authority to conduct searches of anyone "regardless of citizenship" entering or leaving the U.S. — enshrined by U.S. Supreme Court precedent — "extends to electronic devices crossing our nation's borders."

"This is not a new power that the Americans have," said Warren Creates, who heads the Immigration Law Group at Perley-Robertson, Hill & McDougall in Ottawa.

Travellers are "obligated to present their electronic devices" and the information stored on it "in a condition that allows for the examination of the device and its contents," the agency says.

That includes providing passwords necessary to view that content.

If someone attempting to cross the border refuses to hand over or unlock their phone, that could play a factor into whether they're allowed to enter the U.S., a decision that is up to border agents' discretion.

Travellers can be denied entry or even detained pending deportation.

Border agents are only permitted by law to view content stored directly on a device during a search, and **cannot use the device to access data stored remotely** or in "the cloud" per a 2018 order.

CBP officials will ask travellers to turn off connectivity to Wi-Fi and Bluetooth or turn their device onto airplane mode, or do so themselves, the agency says.

However, Creates said border officials can also search people's email, text and WhatsApp messages, and other content that's accessible on a device. They may also look at a traveller's online presence, including social media and platforms like LinkedIn, he said.

"What they might say on social media might not be to the liking of the officer conducting the examination" and play a factor in a person's admissibility into the U.S., Creates said.

What should Canadians do?

Berardi and Creates said said in the last two months, immigration lawyers like themselves have seen an uptick in calls from clients asking for reassurance and advice on how to avoid being barred from the U.S. or detained. "It's a tsunami of inquiries that we're trying to struggle to keep up with," Creates said.

Berardi said her advice to clients is that "it's really business as usual, except it's taking a bit longer and they're (U.S. border agents) asking a bit more questions."

"So we're telling people, if you normally go (to the airport) an hour before the flight, go an hour and a half. ... And make sure you know where you're going. Don't say, 'I'm going to Atlanta.' Say, 'I'm going to Atlanta for a business meeting that is at the Hilton Hotel on Peachtree Street.' You want to make it easier for the border officers to facilitate your entry to the U.S."

Creates said Canadians should be "very clear about the purpose of your trip" and ensure they have all necessary documents to prove their citizenship, residence and details of their travel to the U.S.

That transparency also applies to phones and other electronic devices, Berardi said: "Don't say you're going to Vegas for the weekend but have your cellphone that has business meetings in New York City (in the calendar)."

The Canadian privacy commissioner says Canadians should consider removing photos and other evidence of cannabis use or receipts of cannabis purchases from their devices, to reflect the drug's illegality on the federal level in the U.S.

The American Civil Liberties Union recommends foreign nationals store and upload any sensitive materials remotely — either an external hard drive or an online "cloud" — before arriving at the U.S. border.

Travellers should even consider using a "travel-only" phone or laptop that doesn't contain any private or sensitive data during their trip, the ACLU says.

Canadian rights groups like the **British Columbia Civil Liberties Association** have shared similar guidance.

If a device is seized for a forensic examination, travellers can request a receipt that includes information about how to get that device back.

Ultimately, lawyers say if travellers have nothing to hide and are patient while encountering officials at the border, they shouldn't face any issues beyond a potentially longer wait time.

"I always advise clients to be cooperative, to be friendly, be balanced," Creates said. "None of us are perfect. So if there's an issue, anticipate it, deal with it if it comes up in questioning, including a possible criminal record deep into your past."

Berardi said a border inspection should be "like a job interview: if you show up and you're prepared and you're professional and you're early ... you're going to make it so much easier for them to do their job and move on to the next traveller."

-with files from Global's Touria Izri





Canadians Born In Iran, Afghanistan Denied U.S. Entry Under Trump Policy

The U.S. and Canada share strong economic and travel ties, with millions of Canadians visiting annually for work, family, or leisure. However, recent U.S. immigration policy changes have strained this relationship, particularly affecting Canadians born in Iran or Afghanistan. These shifts highlight the impact of border policies on longstanding bilateral connections.

By Oliver Mercer - Chief Editor • 13 Min Read
Last Updated: March 28, 2025 6:16 Pm



Key Takeaways

- Executive Order 14161 enforces stricter U.S. travel restrictions, targeting individuals from Iran and Afghanistan, including Canadians born in these countries.
- Canadians born in Iran or Afghanistan face heightened U.S. border scrutiny, including interrogations, visa denials, and mandatory registration for stays over 30 days.
- Canada's response includes retaliatory tariffs, travel advisories, and advocacy for exempting affected Canadians from Executive Order 14161's restrictions.

The United States has always been a significant travel and economic partner for Canada [1], with millions of Canadians crossing the border each year for work, family, or leisure. This bond, however, has been shaken by recent changes in U.S. immigration policy. Canadians born in Iran and Afghanistan are now facing new challenges at American border crossings due to updated executive orders signed by President Donald Trump. These orders, explained as necessary for national security, are causing diplomatic strains, affecting personal freedoms, and raising questions about racial and religious discrimination.

At the center of this issue is Executive Order 14161, which has reinstated and expanded policies similar to earlier travel bans from President Trump's first term.



—— Canadians Born In Iran, Afghanistan Denied U.S. Entry Under Trump Policy

Overview Of Executive Order 14161

In January 2025, President Donald Trump signed Executive Order 14161, officially titled "Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats." It marked a return to stricter immigration rules, with specific attention on individuals connected to countries like Iran and Afghanistan. According to the Trump administration, these heightened measures were designed to curb perceived risks related to

terrorism and ensure more rigorous vetting of individuals traveling from nations deemed as "security threats."

This executive order has revived memories of the controversial 2017 "Muslim Ban," officially Executive Order 13769. That earlier measure sparked global protests and legal challenges but was upheld in a revised form by the U.S. Supreme Court in 2018. It targeted travelers from seven predominantly Muslim countries, including Iran, and led to accusations of religious and racial profiling. While President Biden rescinded that policy during his administration in 2021, Trump's return to office has reintroduced similar ideas, this time with broader implications. Executive Order 14161 goes further, applying stricter restrictions and impacting even U.S. allies, like Canada.

Why Canadians Are Affected

Under the new order, U.S. Customs and Border Protection (CBP) officials have been given expanded authority to question travelers, delay their entry, and, in some cases, deny admission entirely. Canadians born in Iran and Afghanistan are being subjected to additional scrutiny—sometimes involving lengthy interrogations or immediate denial of entry. Travelers have reported confusion, unexpected detentions, and difficulty understanding the reasoning behind these actions.

Even though these individuals are Canadian citizens, their country of birth or dual nationality can still subject them to the new rules. For many, these policies feel like targeted discrimination, particularly as they see others entering without facing similar treatment. Critics argue that the blanket assumptions used in the executive order punish innocent individuals simply for their place of birth.

The order also includes a provision that restricts visas for individuals from 10 countries entirely, with Afghanistan and Iran included. Canadians who previously had no issues traveling to the U.S. now feel caught in a web of complex new requirements, furthering their frustration and fear.

Impact On Canadians Born In Iran And Afghanistan

For Canadians of Iranian and Afghan descent, these policies aren't just inconvenient—they disrupt family bonds, hinder professional opportunities, and add emotional stress. Many have loved ones

in the U.S. they cannot visit, and business travelers have found projects stalled or canceled due to their inability to enter the country. Students, too, face challenges in pursuing educational exchanges or continuing studies in the U.S. universities due to visa suspension.

While President Trump has stated that these measures are meant to prioritize safety, the human toll cannot be ignored. For Canadians who frequently travel to the U.S., the refusal of entry feels isolating and unfair. More importantly, the lack of clarity at the border, where decisions are often made case-by-case by border officers, leaves many feeling helpless with no concrete path to appeal.

Adding to the difficulties is a new registration rule for visitors staying in the U.S. for over 30 days. Canadians must now register with U.S. Citizenship and Immigration Services during their visit or face penalties. Advocacy groups express concern that these new administrative requirements disproportionately target specific ethnic and religious communities.

Canada's Response And Growing Tensions

The policy changes have not gone unnoticed by Canadian officials. Prime Minister Justin Trudeau has emphasized Canada's commitment to standing up for its citizens' human rights. During a parliamentary session, Trudeau remarked, "Canada will always speak out against discrimination and uphold the values of inclusivity and equality that are at the heart of our identity." The Canadian government has also issued travel advisories to warn citizens of the new U.S. entry requirements, particularly those born in Iran or Afghanistan.

Canada's response has not been limited to diplomatic dialogue. In February 2025, the Canadian government announced retaliatory tariffs on certain U.S. goods, signaling its disapproval of the discriminatory policies. Furthermore, Canadian representatives are actively lobbying their U.S. counterparts to exempt dual citizens and Canadian-born individuals from undue scrutiny at the border.

On the public front, there have been widespread calls for advocacy. Canadian communities, notably those with large Iranian and Afghan populations, are organizing rallies, meeting with lawmakers, and seeking legal remedies to protest the treatment of their members under Executive Order 14161.

Criticism From Advocacy And Human Rights Groups

The backlash against these policies extends beyond the Canadian government. Human rights organizations, both within Canada and the United States, have condemned Executive Order 14161 for promoting racial and religious discrimination. While the U.S. government has argued that the policy is necessary for national security, critics point out that the earlier "travel bans" under Trump's first term produced no proven improvements in safety.

Civil liberties groups highlight that the latest measures, instead of preempting security threats, harm law-abiding people who contribute to society and suffer unwarranted stigma. Many fear this sets a harmful precedent where individuals' rights are curtailed based on race, religion, or even perceived affiliations.

The Canadian Snowbird Association, which represents retirees who frequently travel to the U.S., has also expressed concern. These changes threaten longstanding cross-border norms that have supported economic and cultural exchanges for decades.

Diplomatic And Economic Consequences

The tensions between Canada and the U.S. aren't limited to immigration alone. The introduction of these policies has implications for trade, tourism, and diplomatic relations. Canada and the U.S. have historically depended on their shared relationship to ensure smooth economic cooperation, but policies like Executive Order 14161 create uncertainties that ripple across industries.

Canada's decision to impose tariffs on U.S. goods illustrates the economic tensions that can arise from such immigration decisions. American companies, particularly those in border-adjacent states like New York and Michigan, also risk losing business from Canadian travelers deterred by the complexities and stress of crossing the border.

Additionally, advocacy groups warn that escalating diplomatic tensions could result in long-term damage to shared initiatives, ranging from defense projects to environmental collaboration.

Looking Ahead

The evolving nature of U.S. immigration policy under Executive Order 14161 is unlikely to settle soon. While advocacy groups and legal teams attempt to challenge the order in U.S. courts, Canadians born in Iran and Afghanistan will remain in limbo, unsure of how future border policies may affect them. These cases highlight the broader implications of governance by executive orders, where individual freedoms and international relations become vulnerable to political shifts.

Amid these challenges, hopes remain for greater collaboration and understanding. The Canadian government, through diplomatic channels, continues to emphasize the need to restore fairness and consistency at the border. As Justin Trudeau urges Canada to preserve its principles of openness, the country finds itself a critical voice in the ongoing debate on global migration, human rights, and cross-border relations.

Conclusion

The denial of entry to Canadians born in Iran and Afghanistan reflects the far-reaching impact of immigration policies like Executive Order 14161. These measures not only affect individual travelers but also reshape the long-standing partnership between Canada and the U.S. As citizens, advocacy groups, and governments work to navigate the fallout of this executive action, they confront challenges extending beyond borders—challenges about identity, fairness, and the enduring question of how nations choose to balance security with inclusivity. For more information on ongoing U.S. border updates, visit *U.S. Customs and Border Protection*.

Learn Today

Executive Order \rightarrow A legally binding directive issued by the U.S. President to manage operations within the federal government.

National Security \rightarrow Measures taken by a government to protect its country from threats like terrorism, espionage, or other dangers.

Travel Ban \rightarrow A government policy restricting individuals from specific countries from entering another country, often for security reasons.

Diplomatic Tensions \rightarrow Strain or conflict in political relations between two countries, typically caused by disagreements on policies or actions.

Racial and Religious Discrimination \rightarrow Prejudicial treatment of individuals based on their race or religion, often leading to unfair restrictions or limitations.

This Article In A Nutshell

Canada-U.S. Relations Face Strain As Executive Order 14161 Imposes Strict Border Policies,
Targeting Canadians Born In Iran And Afghanistan. Citing Security, Measures Spark Claims Of
Racial Profiling, Disrupting Lives And Trade. Advocacy Groups, Alongside Canadian Officials,
Challenge These Actions, Urging Fairness. The Debate Highlights Fragile Balances Between
Security, Fairness, And Diplomacy.

- By VisaVerge.Com

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