



March 10, 2021

The Honourable Omar Alghabra  
Minister of Transport  
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The Honourable David Lametti  
Attorney General of Canada  
[David.Lametti@parl.gc.ca](mailto:David.Lametti@parl.gc.ca)

**Re: Ongoing Issues Associated with Travel Restrictions**

Delivered by email

Dear Ministers,

We are writing with respect to the federal government's travel restrictions and the rules implemented by Order-in-Council 2021-0075 on February 22, 2021. As noted in our correspondence of February 3, 2021, we have significant concerns about the impact of these rules on the mobility rights and liberty interests of those entering Canada, and the way in which the new scheme has been implemented has given rise to additional questions. We urge you to repeal these new regulations or, at a minimum, temporarily suspend their operation.

Restrictions on *Charter* protected rights must be both reasonable and *demonstrably* justified. In our view, at least as currently implemented, the travel restrictions are neither. We are not aware of *any* evidence that the government has produced, to date, to demonstrate the necessity of these new restrictions or to show that the previous requirement that travelers self-quarantine on arrival was ineffective or unenforceable. The government has acknowledged that travel is not a significant source of transmission or cases.

We have received reports of Canadians seeking to comply with the rules face barriers in booking rooms, have been denied timely access to meals (including specialty diets required for religious reasons), and have been required to pay exorbitant sums even when a quick test result has allowed them to cut their hotel stay short. Further, we note that many travelers have decided that the costs of complying with the rules is greater than the costs of non-compliance - choosing to take a ticket issued at the airport and quarantine at home. The media stories of individuals choosing to violate the rules undermine the rule of law and call into question the wisdom and reasonableness of the new regulations. If voluntary compliance is the bedrock of emergency management, then you have created a false hope in a legal rule that overshoots the mark, losing the trust of Canadians and thereby diminishing compliance.

Your government ought to repeal or suspend the operation of the travel regulations until the issues raised herein have been adequately addressed.

Sincerely,

Cara Zwibel, Director, Fundamental Freedoms Program