



Donna's Rule: A Framework Entrenching the Right of Family Reunification During the Canadian COVID-19 Related Border Closures

By Dr. David Edward-Ooi Poon, Founder, Faces of Advocacy

At the end of March 2020, international COVID-19 travel restrictions were put into place between multiple countries in the world, as there had become no doubt that the spread of the virus had to be prevented. There were many stories of those courageously battling the virus. Most governments allowed only essential travel – medical personnel, truckers, food harvesters.

Family was not considered essential for travel. In Canada, during the border closures, a pregnant physician was separated from her physician husband, a cancer-stricken woman was denied the supportive presence of her UK fiancé, and more than one mother faced death without her children, because they were barred from entering the country. There were no entry exemptions for compassionate reasons, and families faced separation not only in Canada, but around the world. In a frightening, worldwide pandemic not seen in lifetimes, who would you want most at your side? How would you feel if you were denied that opportunity? The stories of separated families were told in miscarriages suffered alone, deaths without final goodbyes, children born isolated, and illnesses fought without supports. Donna McCall, a Canadian mother hospitalized with organ failure, had non-Canadian children who were barred from entering the country. According to Donna's widow, their children's last moment with their mother was by video chat.

“Facetime is not the same.”

The United Nations Global Compact for Migration explicitly states that governments must “facilitate access to procedures for family reunification,” particularly for migrants and children. Objective 16 clarifies that “national short, medium and long term policy goals” should be implemented by countries. The Harvard Educational Review has shown past immigration issues can result in the long term traumatic, depressive, and anxiogenic effects in children separated from their parents, and the detrimental effects of family separation have been well documented. Yet, as the COVID-19 related travel restrictions began, citizens around the world were forced to plead with their governments, asking that they allow multinational family reunification. Family and compassionate exemptions were never consistent, never accessible, or simply, never existed.

I founded Faces of Advocacy, a grassroots advocacy group who successfully petitioned the Canadian government to allow Extended Family and Compassionate exemptions to the COVID-19 related travel restrictions. I authored the Faces of Advocacy: Mental Health Index, assessing the toll on mental health decline due to family separation. The numeric rubrics were startling. In the initial index of over 1000 people, there was a near doubling of suicidal and self-harm thoughts since the implementation of the COVID-19 travel restriction related family separations. Using validated mental health screening tools (PHQ2, GAD7, PCL-C), 60-70% of respondents showed symptoms of moderate to severe depression, anxiety, and post-traumatic stress disorder. This was even more troubling when considering that 49% of respondents stated they had never been diagnosed with a mental illness prior. Given that the Government of Canada's own statistics showed domestic COVID-19 transmission due to contact with someone that travelled outside of the country to be less than 2 percent, the travel restrictions resulted in a disproportionate harm to an already disenfranchised group.

The public response varied from sympathetic to, “how can you be so selfish?” To the latter, I ask you to analyze the unnecessary dichotomy presented; be with your family and everyone dies, or stay apart and everyone lives. In a world where international sporting competition was still permitted - despite a pandemic - family reunification was not the problem.

The worldwide #loveisnottourism movement is predicated on one simple fact – family reunification is not a luxury. It is an unshakable need the core draw to be with your loved ones particularly during a worldwide crisis, not despite it. COVID-19 was not, and will not be, the only impetus for international travel restrictions. Historically, disease, war, and political discourse have all led to border closures and will undoubtedly do so in the future. What is necessary, then, is an approach that enables nations to consider the impact of policies that prevent immigration on multinational families in an increasingly globalized world.

An international crisis necessitates an international response. Be it through UN resolution or declaration, or through an amendment to the Global Compact for Migration; a clear, methodical approach to family reunification is required to protect future generations. In the upcoming International Migration Review Forum (IMRF) in May 2022, family reunification must be made a forefront priority. Given the countless families that suffered from travel restriction related separations, government officials and policy makers must take action to prevent these pains from occurring again. Unless the rights of families are entrenched, those rights are subject to be forgotten. Without the dogged perseverance of citizens, migrants, and communities, however, governments will continue to be apathetic. For instance, despite the multiple successes of the Faces of Advocacy, and my numerous attempts to speak to the Minister of Public Safety; I have still not received a reply to my policy proposals.

Civil society, migrants, citizens, leaders, and community authorities all have families – and as such, we are all stakeholders in the global conversation about family reunification. Our loved ones remain loved regardless of proximity. I ask families around the world to engage with our federal representatives to advocate for the right to be with our families in a safe and compassionate way. Our countries' respective representatives to the IMRF have a unique opportunity to bring multinational family separation to the agenda of the UN, to ensure that bureaucracy does not separate another dying mother from her children.

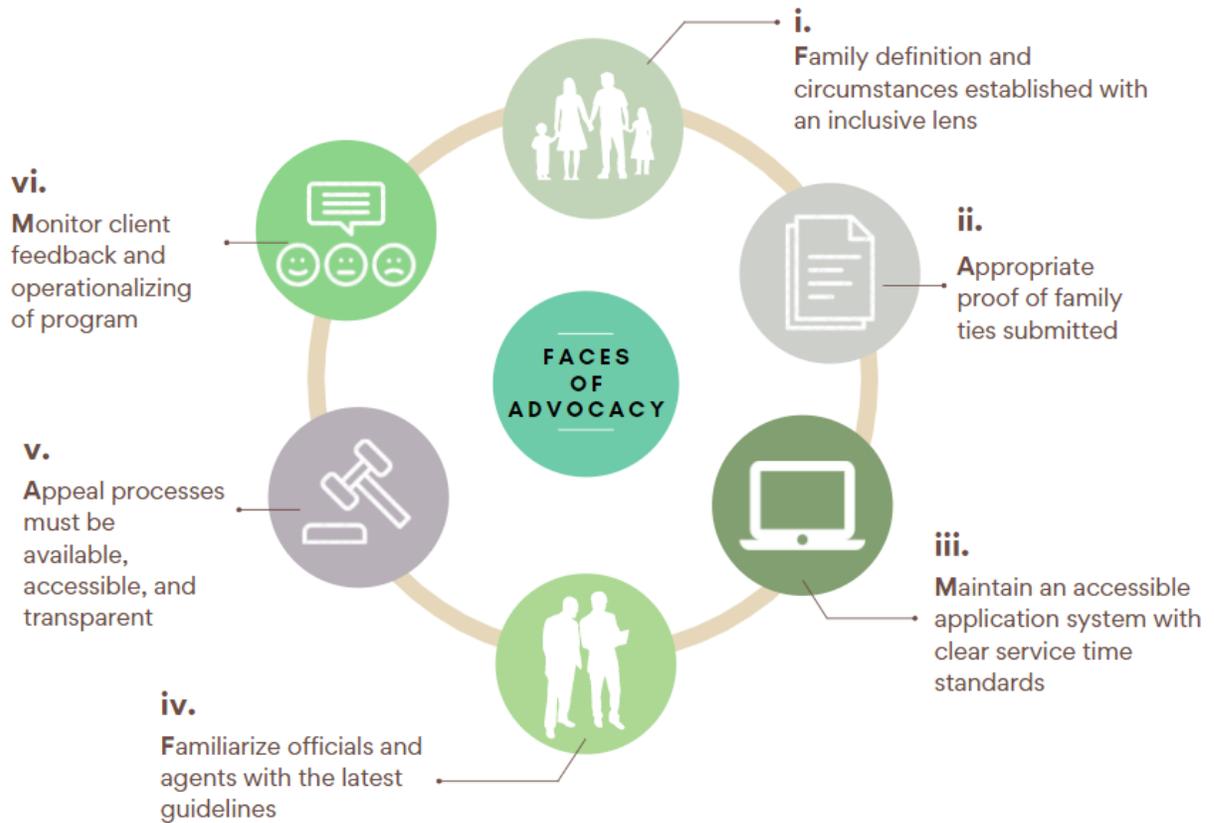
The Faces of Advocacy Family Reunification Framework was designed to be used by governments that plan to implement travel restrictions. It is based on the lessons learned from developing the Canadian family exemptions. It is an iterative template designed to aid policymakers to consider the impact border closures have on families, and to develop a system that accounts for the complexity and importance of modern relationships. If enough nations acknowledge the importance of family reunification, international agreements or a UN statement is possible. This will look different in each individual country, and may take various forms. For instance, Faces of Advocacy is pressing the Canadian government to adopt multinational family reunification as a federal public policy principle.

I suggest naming it Donna's Rule.

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The Faces of Advocacy Family Reunification Framework (FAMFAM). The proposed framework provides an incremental step-by-step process for governments to develop compassionate, effective, and safe border policies towards family reunification. i. Specifically define family, considering dependent/adult children, siblings, parents, marriage/common law, committed partners etc. ii. Choose an appropriate proof of family ties, considering socioeconomic barriers to some documents. iii. Maintain an accessible application system with clear service time standards. iv. Ensure that officials and agents in charge of implementing family reunification are aware of the policies. v. Develop an available, accessible, and transparent appeals processes. vi. Continue to monitor the program to identify inconsistencies and efficiency issues.

Alexandria Jasmin Aquino and Dr. David Edward-Ooi Poon, November 24th, 2021.



During the pandemic, Donna McCaul, a Canadian nurse and mother, died saying goodbye to her children through video call. The Canadian government would not issue an exemption for Donna's American children to enter the country. Picture taken 6 months before her unexpected death.

Rui Feng (Donna's daughter-in-law), December 25th, 2019.