



**Defence for Children  
International-Canada**

[www.dci-canada.org](http://www.dci-canada.org)

a worldwide movement for children's rights

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## **Media Release**

### **Re; Defence For Children International – Canada Intervenes at Supreme Court Of Canada**

**Date: November 28, 2024**

Defence for Children International (DCI)- Canada and the Centre for Refugee Children have intervened in the case of *Dunmore v. Mehralian*, a case under the *Children's Law Reform Act*, which is to be heard by the Supreme Court of Canada on December 9<sup>th</sup>, 2024.

At issue in the case is the determination of the 'habitual residence' of a child who resided both in Canada and in a country that is not a signatory to the Hague Convention on International Child Abduction. This case has the potential to produce harmful precedent for vulnerable children in Canada particularly those touched by an immigration process.

"Canada must always strive to ensure the rights of all children afforded to them under the United Nations Convention on the Rights of the Child are realized", said Irwin Elman, President, Defence For Children International – Canada, "

The position of DCI – Canada before the Supreme Court is that the habitual residence analysis undertaken by the Court must take into account the reality of the child, and be consistent with a child's human rights under the *Child Convention on the Rights of the Child*, the *Hague Convention*, and the *Canadian Charter of Rights and Freedoms*.

Elman said, "Children have the right to be heard. Children have the right to have decisions to be made about them to be made in their best interests. We call upon the Supreme Court to Act as a duty bearer for these fundamental rights"

For More Information Contact [office@dci-canada.org](mailto:office@dci-canada.org)

DCI-Canada is the Canadian section of a global movement promoting and protecting the rights of children and youth

CRC provide settlement services and legal support to refugee and migrant children in Ontario.

DCI- Canada and CRC are represented, in this case, by Fareen Jamal and Fadwa Yehia of Jamal Family Law Professional Corporation.

A copy of our factum can be found [here](#).