

**COUNTRY
CHAPTER**

CAN

CANADA

BY THE GOVERNMENT OF CANADA



Canada Overview:

Resettlement programme since: 1978	Selection Missions: Yes	Dossier Submissions: Rare
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Resettlement Admission Targets for 2011:

Admission targets for UNHCR submissions:	7,400 - 8,000
Total Resettlement Admission Target:	11,200-14,000

Regional Allocations for 2011:

Africa and the Middle East:	4,175
Asia and Pacific:	2,010
Europe:	1,010
Americas:	405

Sub-quota features:

Designated sub-quota/acceptance for:	2011 Description, additional comments:
Emergency resettlement procedures	100 cases maximum
Medical cases	No quota
Women-at-risk cases	No quota
Unaccompanied children	Moratorium against resettling separated minors
Family Reunion (within programme)	No quota, one year window
Other, please specify	None

1. Resettlement Policy**1.1 Description of Canada's resettlement policy**

Canada's resettlement program is administered by the **Department of Citizenship and Immigration Canada (CIC)**. Canada has a long history of providing humanitarian assistance to people fleeing persecution in their homeland or displaced by conflicts.

The objectives of Canada's refugee program are to save lives, offer protection to the displaced and persecuted, meet Canada's international legal obligations with respect to refugees, and respond to international crises by providing assistance to those in need of resettlement.

With the implementation of the **Immigration and Refugee Protection Act** in 2002, Canada has placed emphasis on the following principles for refugee resettlement:

- A shift toward protection rather than ability to successfully establish
- Long term, multi-year planning
- Group processing where possible to increase efficiencies where common group resettlement needs are present
- Rapid family reunification
- Accelerated processing of urgent and vulnerable protection cases
- Balancing inclusiveness with effective management through a closer relationship with partners

Within its overall immigration plan, Canada resettles both Convention refugees and members of Humanitarian-protected Persons Abroad Classes (HPC) - persons who are not Convention refugees but who are in refugee-like situations and require protection through resettlement.

Through its **government-assisted program**, Canada allocates a target each year for the resettlement of refugees who are eligible to receive financial assistance from the government of Canada. In addition, Canada has the **private sponsorship of refugees program**, which enables organizations and private individuals to submit undertakings for refugees and persons in refugee-like situations (members of the HPC) for consideration for resettlement. Upon approval, the sponsor is responsible for providing financial assistance for a limited period of time and assisting the refugee with integrating in Canada.

1.2 Ministries or Departments responsible for resettlement policy

The Department of Citizenship and Immigration Canada (CIC). Ministère de l'immigration et communautés culturelles (Québec)

1.3 Process for deciding the annual resettlement quota and its composition, including the timelines for the process

An annual resettlement range is established by the Minister of Citizenship, Immigration and Multiculturalism following consultations with provincial governments. The Minister submits the proposed resettlement level in a report to Parliament in November of each year. Operational targets are set in accordance with levels. Visa offices receive their initial target allocations in December for the coming year. Targets are then shared with resettlement partners, including the UNHCR.

2. Criteria for Recognition of Refugee Status Eligibility and Asylum

2.1 National legislation defining refugee status eligibility

The Immigration and Refugee Protection Act (2002) and its related Regulations.

2.2 Distinction, if any, between refugee status criteria for asylum-seekers, and that for resettled refugees

Canada uses the same definition to confer Convention Refugee status on resettled refugees from abroad and asylum-seekers in Canada.

Both streams acquire Permanent Residence status in Canada upon a successful refugee claim.

However, there is a distinction between eligibility criteria for asylum-seekers and resettled refugees. Following are the major distinctions:

i) Basis for the claim

Asylum seekers in Canada may make a claim based on the provisions of the Refugee Convention, the fear of facing torture or the risk to life, or risk of cruel and unusual treatment or punishment. On the other hand, refugee applicants abroad must meet either the criteria of the Convention or of the Humanitarian-Protected Persons Abroad Classes.

ii) Ability to Establish

Refugee applicants abroad must show potential to become self-sufficient and to successfully establish in Canada within a 3 to 5 years time frame. Asylum seekers in Canada do not have to meet this requirement.

iii) Previous Refugee Claim

Asylum seekers in Canada will be deemed **ineligible** if:

- a) They came directly from a “safe third country” defined as a country designated by the Immigration and Refugee Protection Regulations, other than a country of the claimant’s nationality or former habitual residence¹; or
- b) They made a previous refugee claim in Canada which was determined to be ineligible, or was rejected, withdrawn, or declared abandoned by the Immigration and Refugee Board of Canada.

These restrictions do not exist for refugee claimants abroad.

iv) Durable Solution

Refugee applicants abroad must prove that they have no reasonable prospect, within a reasonable period, of a durable solution in a country other than Canada. This forward-looking assessment of a possible durable solution does not exist for asylum seekers in Canada.

v) Determination of Refugee Claim

Claims of refugee applicants abroad are determined by CIC visa officers overseas (administrative process). On the other hand, claims of asylum seekers in Canada are adjudicated by the **Immigration and Refugee Board of Canada** (quasi-judicial process).

3. Criteria for Resettlement

3.1 Refugee resettlement eligibility criteria

Canada will only consider an applicant for resettlement as a Convention Refugee if s/he is referred by:

- UNHCR
- Another (designated) "Referral Organization"
- A Private Sponsor (i.e. already has an approved private sponsorship)²

An applicant must meet the criteria of the 1951 UN Convention or meet the criteria of the Humanitarian-protected Persons Abroad Classes (HPC). In addition, the applicant must have no reasonable prospect, within a reasonable period, of a durable solution in a country other than Canada.

Normally, applicants must show potential to become self-sufficient and successfully establish in Canada within a 3 to 5 year time frame. Factors such as education, presence of a support network (family or sponsor) in Canada, work experience and qualifications, ability to learn to speak English or French and other personal suitability factors such as resourcefulness will be taken into account by visa officers. However, these criteria do not apply to refugees determined by a visa officer to fall within the categories “urgent need of protection” or “vulnerable” (see section 7).

¹ The only country that has been designated to date as a “safe third country” is the United States

² Only in certain geographic areas, determined by the Minister of CIC, are applicants able to apply directly to the Canadian visa office without a referral. For updated information on such areas, please refer regularly to www.cic.gc.ca

3.2 Admissibility criteria

For a refugee to be accepted by Canada he/she must pass:

- **A medical examination** - Successful applicants must not be suffering from a medical condition which is likely to be a danger to public health or safety. However, unlike applicants for other immigration categories, refugee applicants are not refused on grounds of medical inadmissibility due to excessive demand on Canada's healthcare system;³
- **Criminal screening** - Refugees are not required to submit police certificates from their country of origin;
- **Security screening** - Canada will not accept any person who participated in criminal activity, criminal organizations, or violation of human or international rights. For example, combatants who have participated in war crimes or crimes against humanity, senior officials, including former or serving senior military officials from certain regimes or individuals who belong to organizations that engage in acts of espionage, subversion against a democratic government or institution, subversion by force of any government or acts of terrorism, are inadmissible under the Immigration and Refugee Protection Act. For more information, please contact a Canadian visa office.

3.3 Other humanitarian immigration programmes

Either upon request of the foreign national or on the Minister's own initiative, the Immigration and Refugee Protection Act gives the Minister of Citizenship and Immigration the authority to apply judgment and flexibility in cases that do not meet the requirements of the Act, but which are justified by humanitarian and compassionate considerations or public policy. In the case of applications submitted abroad, the Minister's authority is discretionary. He/she has no obligation to consider an application on humanitarian and compassionate grounds.

4. Resettlement Allocations/Processing Priorities

4.1 Resettlement allocation including sub-quotas

An annual resettlement target is established by the Minister of Citizenship and Immigration for government-assisted refugees following consultations with provincial governments. Government-assisted refugee levels have remained in the range of 7,300-7,500 for the past several years. With the passage of the Balanced Refugee Reform Act in Canada's Parliament in 2010, an additional 500 resettlement spaces will be created and phased in over a three-year period. The annual operational target, which is set within this range, is then allocated among visa offices on the basis of estimated resettlement need, combined with existing inventory and available processing resources.

Visa offices that identify refugees in need of resettlement but which do not have sufficient space in their target can make a request to CIC for additional places. Should CIC approve the request, there will not be an increase in the overall target. Rather, CIC would reallocate places from one visa mission to another in order to accommodate the request. Resettlement needs and visa office targets are monitored continuously throughout the year and adjustments are made to each visa office targets on a quarterly basis, or incrementally as required.

³ Note, however, that in order to give the various CIC missions advance notice on cases with additional medical needs, CIC requests that the referral from the UNHCR include the complete medical/health details of the person(s) referred.

The target number refers to individuals, not cases, and operates on the calendar year. Refugees must arrive in Canada and be granted permanent residence to be counted toward the annual target. Processing can be carried over into the next calendar year for refugees not able to travel the same year in which processing begins.

4.2 Processing Priorities: urgent and vulnerable cases

See section 7

4.3 Non-UNHCR allocations, including role of referral organisations

In addition to establishing the number of government-assisted refugees to take in a calendar year, a range is established for the number of persons expected to be resettled under the Private Sponsorship of Refugees program (see section 8.6). For 2011, the range established for privately sponsored refugees is 3,800–6,000 individuals. By calendar year 2013, the range will be 4,500-6,500 persons.

Through the Private Sponsorship of Refugees Program, the Government of Canada encourages Canadian public involvement in the resettlement from abroad of Convention refugees and members of the Humanitarian Protected Persons Classes. Through this program, NGOs, churches, communities, organizations and groups of individuals agree to sponsor refugees by entering into an agreement with the Department of Citizenship and Immigration.

Sponsoring groups commit to providing the sponsored refugee and his or her immediate family members with basic assistance in the form of accommodation, clothing, food and settlement assistance normally for one year from the refugee's date of arrival in Canada. The sponsoring group also assists the refugee to find employment and become self supporting within the period of the sponsorship agreement. Private sponsors may identify a refugee they wish to assist or may ask that a Canadian visa office refer an appropriate case to them.

5. Submission and Processing via Dossier Selection

Canada does not accept refugee applications on dossier basis. Interviews are required in most cases. In addition to verifying the identity and eligibility of refugee applicants, interviews are used to elicit detailed family composition and background information, as well as answer statutory questions and give authorizations that are not included in the UNHCR Resettlement Registration Form (RRF). In emergency cases where an urgent protection need has been identified, or in other cases that are fully documented and in locations that cannot be accessed by a visa officer, the interview requirement may be waived.

An applicant who is refused abroad can seek leave for judicial review of the decision before the Federal Court of Canada.

6. Submissions and Processing via In Country Selection

6.1 Selection mission policies

Applicants will normally be interviewed by a visa officer who will determine whether the applicant meets Canadian eligibility and admissibility criteria (see sections 3.1 and 3.2). Medical examinations are requested if a refugee has been accepted and must be carried out prior to issuance of an immigrant visa. Criminality and security screening also takes place at this time. The final decision to accept or reject an applicant will be made by the visa officer based on the results of the interview, medical examination, and criminality and security checks. If an applicant is refused he/she will be informed of the negative decision and a letter outlining the reasons for the refusal will be sent to the applicant. The visa office will also advise the UNHCR of the decisions made on the cases referred by the UNHCR.

6.2 Case Documentation

The following documents should be included with a submission to Canada:

- UNHCR Resettlement Registration Form (RRF), **ensuring all sections are completed** (to be sent electronically where possible);
- other relevant documentation (e.g. birth, marriage, divorce, death certificates, ID cards, school and employment documents, medical certificates, , etc. if available); and
- covering letter explaining why the refugee requires resettlement and whether he or she is at risk or falls into an urgent category (“urgent” in UNHCR terminology is the equivalent of “vulnerable” in CIC terminology).

For emergency cases (“emergency” in UNHCR terminology is the equivalent of “urgent” in CIC terminology), reasons for requesting urgent processing should be clearly stated (See section 7).

6.3 Routing of Submissions

Canada has a decentralized system in which cases are submitted and processed in the field. Submissions should be made directly to the responsible Canadian visa office. For more information on Canadian visa offices and their areas of responsibility, please consult the following website: www.cic.gc.ca.

6.4 Processing Times

Processing times vary among visa offices depending on such factors as communications and travel infrastructure, caseload at the visa office in refugee and other business lines, location of refugee populations, incidence of medical problems and processing resources available. In the event of an urgent/emergency case, the Canadian visa office should be clearly advised at the time of submission so that processing may be expedited.

For processing times at each of CIC missions, please visit:

<http://www.cic.gc.ca/english/information/times/perm-other.asp>

6.5 Recourses/Appeals

In the case of a refusal where the UNHCR requests reconsideration, the Immigration Program Manager at the responsible visa office should be contacted. There is no formal appeal system at the visa office. There is only the possibility of leave for judicial review of the decision at the Federal Court of Canada. If there are compelling reasons to believe that Canadian resettlement policy has not been interpreted properly, further advice can be requested from UNHCR Branch Office in Ottawa.

6.6 Other details: Immigrant Loans and Contributions

In the case of refugees who cannot afford to pay for their own immigration medical examination (see Section 9) or travel to Canada, an immigrant loan may be authorized to cover these costs.

Where necessary, transportation to the interview with the visa officer may also be included on the loan.

A refugee must demonstrate the need for, and the potential to repay the loan. Refugees are required to begin repaying the loan (in monthly instalments) shortly following arrival in Canada. Under certain circumstances, loan repayment may be deferred for up to two years. CIC may cover the cost in cases where refugees with special needs are unlikely to ever be able to repay the loan.

An arrangement is in place between CIC and IOM to manage the loan process. IOM covers the costs put on the loan up front and is reimbursed by CIC.

7. Emergency Cases/Urgent Cases

7.1 Policies and procedures for receiving referrals for emergency / urgent / vulnerable submissions & routing of submissions

Urgent Cases (“Emergency Cases” in UNHCR Terminology)

Canada’s Urgent Protection Program (UPP) is intended to respond to emergency requests from UNHCR to provide urgent protection to persons who qualify for resettlement (“emergency” in UNHCR terminology closely equates to CIC’s “urgent.”). These persons must be in need of urgent protection through resettlement due to immediate threats to their life, liberty or physical safety. Medical emergencies do not qualify for the Urgent Protection Program.

UNHCR emergency cases are to be submitted directly to the visa office that covers the area where the refugee resides. The visa office will then inform the UNHCR within 24 hours whether the visa office can respond to the emergency request.

In urgent protection cases, Canada’s preference whenever possible is to complete processing to permanent resident visa issuance so that refugees may become permanent residents on arrival in Canada. This process requires completion of expedited medical examinations and background checks. Canada aims to process UPP cases from submission to departure within 5 days. However, in many cases it is not logistically feasible to meet the 5 day guideline and, for this reason, visa offices maintain close contact with UNHCR on UPP cases.

When it is not possible to complete all requirements overseas, a visa office may issue a Temporary Resident Permit instead. The Temporary Resident Permit document allows a refugee to travel to Canada before all the statutory (medical, security, and criminality) checks have been completed. The refugee will undergo or complete medical and background checks in Canada. The refugee can apply for permanent residence once the necessary requirements are met.

Vulnerable Cases (“Urgent Cases” in UNHCR terminology)

Canadian visa officers may determine a refugee to be vulnerable, meaning the person has a greater need of protection than other applicants because of particular circumstances that give rise to a heightened risk to his/her physical safety or well being (“urgent” in UNHCR terminology is the most closely associated to CIC’s “vulnerable” category). The vulnerability may result from circumstances such as lack of protection normally provided by a family or a medical condition. If the UNHCR flags a case as “urgent”, the visa office will give consideration to whether processing can be expedited due to the applicant’s vulnerability. If cases are assessed as vulnerable they will be prioritized before regular refugee cases and will be eligible for expeditious processing (from one to four months).

7.2 Case documentation for emergency/urgent/vulnerable cases

Urgent (“emergency” in UNHCR terminology) protection and vulnerable (“urgent” in UNHCR terminology) cases should be submitted directly to the Immigration Program Manager at the relevant Canadian visa office with supporting documentation as described in Section 6. An explanation as to why UNHCR believes the case to be an emergency or urgent one should be included with the submission.

Both refugees admitted under the Urgent Protection Program and those determined by a visa officer to be vulnerable are not required to demonstrate an ability to successfully establish in Canada.

8. Special Categories/Special Needs

8.1 Refugees with Medical Needs

Refugee cases involving special medical needs should, where possible, be flagged for the responsible Canadian visa office. This includes situations where a dependent of the principal applicant has a medical condition. If the medical condition presents a danger to public health or safety, an applicant may fail Canada's medical examination.

In Canada, provincial governments are responsible for health care and social services. Some health conditions may require frequent or costly medical treatment. Depending on the circumstances of the case, refugees with medical conditions may need to be destined to particular areas where the required medical services are available. As a result, processing times for such cases may be lengthy. Other medical conditions may require substantial support from other persons. Thus, when recommending refugee cases with medical conditions it is worth considering the presence of accompanying or other family in Canada able to assist the refugee. It is recommended that UNHCR consult with the responsible Canadian visa office if there are questions regarding referral of a specific case.

8.2 Survivors of Violence and Torture

Persons who are survivors of violence and torture and who may need additional assistance establishing in Canada may be considered vulnerable or urgent cases, depending on the circumstances of each case (See section 7). Such cases may be processed under the Joint Assistance Sponsorship Program (please refer to section 8.7 for details). Treatment for such cases is available in a number of Canadian cities. Cases should be submitted directly to the visa office with any need for follow-up treatment noted in the submission.

8.3 Women at Risk

The aim of the Canadian Women-at-Risk program is to provide protection and assistance to refugee women who are in critical situations or in need of special attention. The program recognizes that refugee women in these circumstances require additional assistance to establish successfully in Canada.

To be eligible for this program, women-at-risk must be Convention refugees or members of one of the Humanitarian-protected Persons Abroad Classes. Canada defines women-at-risk as women without the normal protection of a family who find themselves in precarious situations and who are in a place where local authorities cannot ensure their safety. This definition also includes women who experience significant difficulties such as harassment by local authorities or by members of their own communities.

Urgent need of protection cases ("emergency" in UNHCR terminology) and vulnerable cases ("urgent" in UNHCR terminology) within this program are given priority. The ability to establish criteria will not be applied (see section 7). In other words, women-at-risk may be accepted despite having limited settlement prospects.

Not all women-at-risk face immediate danger. They can also be living in unstable conditions and resettlement in a third country offers the only solution. In this case, the ability to successfully establish will be assessed by Canadian visa officers on a 'sliding scale'; that is, the greater the need for protection the less weight will be placed on establishment considerations.

Routing of Submissions

All women-at-risk cases should be submitted directly to the responsible Canadian visa office. If the person is determined to be "vulnerable", she would be eligible for expedited processing, in accordance with section 7 above. Please complete the UNHCR RRF and Social Assessment forms. Urgent cases should be clearly marked and accompanied with an outline of the reasons for urgency.

8.4 Children

If an unaccompanied minor abroad has immediate family in Canada, he/she could be eligible for consideration under the one year window of opportunity (see section 14), can be privately sponsored or be sponsored under Canada's Family Class program.

If an unaccompanied minor abroad has extended family in Canada, the visa office refers the case to a Matching Centre at CIC headquarters in Ottawa. The Matching Centre will coordinate with the appropriate local CIC office to contact the minor's relatives in Canada to determine their willingness and ability to provide support and act as guardians for the minor.

If an unaccompanied minor abroad has no immediate family in Canada, the current policy is to not accept them for resettlement.

8.5 Elderly

Elderly refugees with immediate family in Canada can be considered for resettlement in order to reunite families that have been separated. Canada's policy is to keep families together. Therefore, if an elderly refugee is dependent on another refugee that is being referred to Canada for resettlement, he or she may be considered under the resettlement program. Elderly refugees with extended family in Canada will be examined sympathetically and can also be considered for resettlement.

Elderly refugees without close family ties in Canada and who are not accompanied by family members can be considered for resettlement when there are compelling protection needs. Such cases would likely require additional settlement assistance and may be eligible for a Joint Assistance Sponsorship (JAS – see section 8.7).

8.6 Private Sponsorship

The Government of Canada encourages involvement of the Canadian public in the resettlement from abroad of Convention refugees and members of the Humanitarian Protected Persons Abroad Classes. In some cases, these persons would not otherwise meet the eligibility requirements without the added support a private sponsor provides.

Under this category, NGOs, churches, community organizations and individuals agree to privately sponsor refugees. The sponsorship of refugees by Canadian citizens and permanent residents allows for the admission of refugees in addition to the number whose admission is financially assisted by the federal government. Sponsoring groups commit to provide the sponsored refugee with basic assistance in the form of accommodation, clothing, food and settlement assistance normally for one year after the refugee's arrival in Canada. The sponsorship period may be up to thirty-six months in exceptional circumstances. The sponsoring group also assists the refugee to find employment and become self supporting within the period of the sponsorship agreement. Private sponsors may identify a refugee they wish to assist or may ask that a Canadian visa office refer an appropriate case to them.

Criteria

Eligibility and admissibility criteria described in Section 2 apply to privately sponsored refugees.

8.7 Joint Assistance Sponsorship (JAS)

This program is intended for refugees with special needs, meaning that the person has greater need for settlement assistance than other resettled refugees. Those selected for joint assistance sponsorship include refugees whose personal circumstances may include a large number of family members, trauma from violence or torture, medical disabilities or the effects of systemic discrimination.

A Joint Assistance Sponsorship allows the Government and a private sponsorship group to share the responsibilities of sponsorship for refugees who are in need of assistance over and above that which is provided through either Government assistance or private sponsorship alone. The Canadian Government assumes financial responsibility while the group is committed to ensure the refugee's integration. The period of sponsorship may be extended for up to three years.

Eligibility and admissibility criteria are applicable. There is, however, some flexibility on the ability to successfully establish criteria because of the additional support available to the refugees. In exceptional situations, transportation and medical costs may be covered by CIC as opposed to a loan.

9. Medical Requirements

Canada does not admit applicants who suffer from a medical condition which is likely to be a danger to public health or safety. If applicants are diagnosed with a condition which would be a danger to public health (active tuberculosis or syphilis), they receive treatment. When further tests indicate they no longer pose a danger, their cases can be approved for visa issuance and travel to Canada. Refugee applicants are not refused based on medical inadmissibility due to excessive demand on Canada's health system.

All immigrants to Canada, including refugees, must pass a medical examination, which is provided by a local physician ("Immigration Medical Examiner") authorised by the Canadian Government. Refugee applicants will be made aware of any medical conditions found during the immigration medical examination by Medical Examiners and are advised to seek medical attention. Refugee applicants who test positive for HIV receive post-test counseling for their condition. A Canadian physician employed by Citizenship and Immigration Canada then assesses the results of the medical examination.

In the case of refugees and members of the Humanitarian-Protected Persons Abroad classes who do not have money to pay for a medical examination, a loan may be issued under the provisions of the Immigrant Loan Program. This program is available to both government-assisted and privately sponsored refugees. In countries where the International Organisation for Migration (IOM) is arranging travel for the refugees, IOM may also arrange and prepay medical examinations. Canada later reimburses IOM for the cost incurred on behalf of refugees resettled to Canada. IOM absorbs the examination costs of unsuccessful refugee applicants.

10. Orientation (pre-departure)

The Canadian Orientation Abroad (COA) program provides visa-ready refugees bound for Canada with orientation prior to their departure. COA sessions consist of 3-5 days of pre-departure training. COA covers topics such as introduction to Canada, the settling-in period, employment, rights and responsibilities, geography and climate, finding a place to live, living in a multicultural society, the cost of living, family life, education, communication systems and adaptation to Canada. COA emphasizes the importance of arriving to Canada with realistic expectations. The Government of Canada has contracted with the International Organisation for Migration (IOM) to deliver the COA. Participation is voluntary and free of charge.

11. Travel

11.1 Travel booking procedures

Arrangements for travel to Canada are generally made by the International Organisation for Migration (IOM) in co-ordination with the visa office. IOM also remains in close communication with the Matching Centre at CIC headquarters in Canada, which arranges

destinations for refugees based on available settlement services, presence of relatives or members of the same community, etc.

11.2 Payment

Loans from the Government of Canada are available to Government-Assisted Refugees and to Privately Sponsored Refugees in order to cover the cost of travel to Canada. Individuals identified as special needs refugees (disabled, women at risk, etc.) may be eligible for contributions to cover their travel costs. The visa office must request authorisation from the Matching Centre at CIC Headquarters for a travel contribution.

11.3 Travel documents issued

All foreign nationals travelling to Canada are issued a permanent resident visa in the form of a generic counterfoil coded for immigration (IM-1). In the case of refugees who are stateless, or cannot obtain passports from their countries of nationality on which the visa can be affixed, Canada permits travel with a Convention Travel document. In exceptional cases where none of these documents can be obtained, a single Journey Document for Resettlement to Canada (IMM 5485) can be issued by the visa office. It serves as travel identification and can only be used for the first trip to Canada for entry as a Permanent Resident.

12. Status on Arrival and the Path to Citizenship

Except for those who are issued a Temporary Resident Permit, all refugees processed overseas are granted permanent residence status upon arrival in Canada. Those who arrive with Temporary Resident Permits may apply for permanent residence once medical and background checks are passed.

Refugees who are permanent residents of Canada are eligible to apply for Canadian citizenship if:

- they reside in Canada for least three of the four years preceding the application
- are able to communicate in English and/or French
- can demonstrate some knowledge of Canada and the rights and responsibilities of citizenship

In 2010, the Citizenship Application fees were \$200 per applicant and the process took 12-19 months. Children born in Canada (before or after naturalization of their parents) are issued Canadian birth certificates and are Canadian citizens.

13. Domestic Settlement and Community Services

13.1 Overview of services, including providers and length of eligibility

Canada's settlement programs for newcomers help immigrants and refugees become participating and contributing members of Canadian society, and promote an acceptance of newcomers by Canadians.

A key element in Canada's strategy for integration of newcomers is a differentiation between the immigration stream and the refugee stream, thus creating two programming areas. Although the objectives of successful integration and permanent settlement are the same for immigrants and refugees, the special needs of refugees are recognized and efforts are made to meet these needs. Canada has the benefit of many years of experience resettling refugees from all parts of the world and offers settlement services to meet the diverse needs of these newcomers to Canada.

In Canada, settlement services are not delivered directly by the federal government. Rather, the department of Citizenship and Immigration Canada funds eligible individuals, non-profit organizations, agencies serving immigrants, community groups, businesses,

provincial and municipal governments, and educational institutions (together, called Service Provider Organizations or SPOs) to provide essential services. Many SPOs have individuals on staff from the refugee's country of origin who are able to speak the refugee's language and share the refugee's culture.

13.2 Reception

Upon arrival at a port of entry, refugees in transit are assisted with landing procedures (Permanent Residence processing), and inland transportation. Arrangements are also made for overnight accommodation and meals, if required. Arrangements are normally made for refugees who need additional reception assistance to be greeted at their final destination. Refugees who arrive in Canada between mid-October and mid-April are provided with any necessary winter clothing.

13.3 Orientation

Orientation materials have been developed to facilitate newcomers' understanding of the Canadian way of life and society. Both written and audio-visual materials are being used overseas in cultural orientation sessions at Canadian visa offices and in local offices and immigrant serving agencies across Canada.

After arrival in Canada, refugees receive orientation to assist with settlement into their new community. Topics such as renting accommodation, shopping, telephones, food and cooking, and local transportation are covered. Refugees also receive a **Needs Assessment**, whereby service providers help newcomers to understand their settlement needs and develop an informed strategy to achieve their settlement objectives and facilitate integration into Canada.

Referral to Mandatory Federal / Provincial Programs and Settlement Programs

Refugees are assisted with applications for medical insurance, social insurance numbers and child tax benefits and with transfer and translation of employment records. They are also referred to language training and other services provided through the settlement programs.

13.4 Housing

Temporary accommodation is provided to government-assisted refugees until permanent housing is secured. In some cases, this accommodation is provided commercially from hotels and motels. In other cases, accommodation is provided from organizations that have reception house services.

13.5 Health

Refugees are eligible for provincial health coverage no later than 90 days after arrival in the province in which they intend to reside. The federal government provides essential and emergency health care coverage to refugees in need of assistance as an interim measure pending eligibility for provincial health benefits.

13.6 Language Training

Acquisition of language skills in English or French is crucial for integration into Canadian society. Therefore, instruction in one of Canada's two official languages is available to adult immigrants and refugees through federally and/or provincially funded programs. Refugees who are permanent residents are eligible for free language classes funded by the government.

To begin language classes funded by the *federal government*, a newcomer must first get an assessment. To find the address and contact information for an assessment centre, please consult www.servicesfornewcomers.cic.gc.ca or call the CIC information number at 1-888-242-2100.

To find information about language training programs funded by *provincial governments*, please consult the website of the province/territory of settlement/residence.

As for children, they generally develop their language skills through regular attendance at school, with supplementary instruction as required.

13.7 Education

Elementary and secondary schools fall under provincial jurisdiction. All across Canada, immigrant and refugee children, once they are Permanent Residents, are required to attend provincially -funded public schools. Post-secondary education is not free in Canada, but neither is it restricted to the affluent. There are various scholarships and university student loan programs available. Entrance to colleges and universities is based on a person's educational abilities, as demonstrated through high-school grades, and sometimes through equivalent work and/or voluntary experience.

13.8 Employment and Employment-Related Training

Refugees who are Permanent Residents may seek employment immediately after arriving in Canada.

During the needs assessment exercise (see section 13.3), settlement workers assess the resettled refugees' skills, language knowledge, credentials and provide them with relevant labour market information and referral to the services explained below.

Federal employment and training programs are administered by **Human Resources and Skills Development Canada (HRSDC)**, with significant participation from provincial and territorial governments. While many of HRSDC's programs are available only to clients who are eligible for Employment Insurance (EI), all residents of Canada, including newly arrived immigrants and refugees, have access to the National Employment Service, which includes labour market information, the Electronic Labour Exchange, and the National Job Bank.

Furthermore, all unemployed Canadians have access to the services offered through community organizations that have been contracted under the **Employment Assistance Services (EAS)** support measure. Through the local planning process, local Human Resource Centers of Canada will work with provinces, other federal departments, and other partners to identify gaps in service, collaborate on alternative means of serving immigrants and refugees, and encourage the community to share in providing support to those individuals who are not eligible for employment benefits.

Immigrant focused employment-related services funded by the Government of Canada and delivered by provincial governments and Service Provider Organisations include assistance in obtaining required equivalences of foreign credentials and/or trade documents, job finding clubs which hold sessions on job search techniques, including résumé writing, interview skills and use of the telephone. There are also complementary programs funded by Provinces and Territories.

There are also activities in Canada to connect refugees with local support and social networks, to provide opportunities for labour market integration and cross-cultural interaction, as well as to encourage informal practice of language skills. Examples include:

- Opportunities to learn about Canadian ways of life;
- Mentoring to connect refugees with local support networks, mainstream organizations, and employment-related networks and opportunities;
- Conversation circles to support language learning; and
- Job placements and internship to provide the "Canadian experience" sought by Canadian employers.

For more information on work in Canada, please consult the following link: www.workingincanada.gc.ca

13.9 Financial Assistance

The **Resettlement Assistance Program (RAP)** is restricted to *government-assisted refugees*. It offers income that is comparable to welfare offered by the provinces and a range of other immediate essential services. *Privately-sponsored refugees* receive financial and integration assistance from their sponsor. The goal of these programs is to support refugees in their efforts to become self-sufficient as quickly as possible.

RAP's financial assistance for the basic needs of life (food, clothing, shelter) is available for up to 12 months after arrival, or until the refugee becomes self-supporting, whichever comes first. Assistance may be extended for an additional 12 months for special needs cases processed as a Joint Assistance Sponsorship (JAS) (See S.8.7). In addition, a one-time financial assistance is provided to GARs to assist with initial costs such as furniture, clothing and household items.

13.10 Supplemental support for refugees with specific needs

The specific needs of GARs are considered when CIC's Matching Centre determines a final destination within Canada. Whenever possible, survivors of torture or women-at-risk, for example, are placed in centers with related available support. High needs GARs may have access to financial assistance to pay for travel and/or medical exam costs associated with resettlement to Canada. In addition, GARs with special dietary requirements due to a health condition may be eligible for an additional allowance as part of their RAP monthly income assistance.

Life skills support for high-needs refugees

This program provides intensive and short-term life skills help/enhanced orientation to high needs GARs after arrival and once they have moved into their new community. Life skills workers provide culturally appropriate help with basic life skills in the refugee's own language. Help may also be provided for using appliances, budgeting, Canadian cultural orientation and other needs.

13.11 Mechanisms to share information with service providers; including details on expected populations, specific cases and integration issues

CIC's Matching Centre at National Headquarters in Ottawa ensures critical information (e.g. refugee needs, arrival itineraries, etc.) is provided to CIC's in-Canada delivery network to ensure an efficient and nationally coordinated refugee resettlement movement. When available, cultural profiles of expected populations are also shared.

In addition, Form IMM5544 "The Supplemental Medical and Resettlement Form" is filled out by Immigration Medical Examiners and is used to identify health-related issues early. It is anticipated that all Canadian visa missions will be using this form by the end of 2011.

13.12 Other Services

Interpretation and Translation

Interpreters are available to assist refugees in their day-to-day activities and in accessing services prior to their becoming functional in English or French. Translation services are available for documentation relating to employment, health, education and legal matters.

Para-Professional Counselling

Non-therapeutic services (identifying needs, determining how to meet those needs and helping the newcomer get help) are available to refugees having difficulties adjusting to life in Canada.

14. Family Reunification of Refugees

14.1 Definition of family within the Canadian resettlement program context

For the purpose of refugee resettlement and refugee asylum, Family members are spouses, common-law partners, dependent children, dependent children of the spouse or common-law partner, and dependent children of the principal applicant's or the spouse's or common-law partner's dependent children.

In addition, administrative guidelines allow the inclusion of individuals who do not meet the legal definition of family member, but who are emotionally or economically dependent on the family unit. These individuals are de facto dependants. It is important to note that even when a relationship of dependency is established, de facto dependants must meet the definition of refugee in their own right.

An example of a de facto dependant would be an elderly relative who has always lived with the family. Canadian visa officers are asked to use their discretion and make every effort to keep refugee families together at the time of selection.

14.2 Legislation regarding family reunification & eligibility

One of the objectives of the Immigration and Refugee Protection Act is to keep families together and, where not possible, reunite them in Canada as quickly as possible. In order to facilitate the expeditious reunification of families, the Refugee and Humanitarian Resettlement Program allows for the concurrent processing of refugee families if members of the same family are located in separate countries. At times, however, a family member's whereabouts are not known or conditions in the country of origin will prohibit the application of family members from being processed concurrently with that of the principal applicant. In these cases, the **"one-year window" (OYW)** regulations allow separated family members to derive the principal applicant's (PA) refugee status and to apply without the need of a family class sponsorship (another category in Canadian immigration law -see S. 14.7). Individuals, who make a successful claim in Canada and are recognized as a "Protected Person" in Canada, also benefit from concurrent processing of family members' applications overseas.

Eligibility

Resettled Refugees chosen overseas: For separated family members to qualify for one-year window processing, the principal applicant must have identified family members on his/her application for permanent residence (IMM0008) prior to departure for Canada. In addition, the family members must subsequently submit their own application for permanent residence at a visa office within one year from the date the principal applicant arrives in Canada. It is therefore very important that all immediate family members be identified on the principal applicant's application even if their present location is unknown or they are thought to be deceased. As a result, visa officers abroad counsel refugees at the interview to list all their dependants on their IMM 0008, including those who are accompanying, non-accompanying, missing (whereabouts unknown), or thought to be deceased.

Persons granted asylum in Canada: To qualify, the principal applicant must identify family members on his/her Permanent Residence application submitted in Canada. The family members who are not accompanying the principal applicant but who are included on the principal applicant's application for Permanent Residence must submit an application for Permanent Residence at a visa office within one year from the date the principal applicant becomes a Permanent Resident of Canada. It is therefore very important that all immediate family members be identified on the principal applicant's application even if their present location is unknown. Family members may also be added to the principal applicant's Permanent Residence application at a later date, provided it is done within 180

days from the date of the decision in Canada to recognize the principal applicant as a protected person.

De facto dependants of refugees do not qualify under the OYW. However, they may qualify as refugees in their own right, or may be sponsored under the Private Sponsorship of Refugees Program.

14.3 Details on whether family reunification cases are counted within the resettlement quotas

When One-Year Window cases are processed overseas, they are counted towards the GAR or PSR target for that mission in the year they were processed, depending on which category the principal applicant was resettled under.

14.4 Routing of submissions/Case Documentation

Upon receipt of the "Request to process following family members under the One-Year Window of Opportunity Provisions" [IMM 5571] from the principal applicant (PA), the local CIC office screens the identified family members for eligibility and, if necessary, sends any queries to the visa office which issued the Principal Applicant's permanent residence visa.

Where family members are found not to meet eligibility criteria, the local CIC Office sends a letter to the Principal Applicant explaining why particular family members listed on the request form were found to be ineligible and advising them that applications for permanent residence in Canada cannot be submitted for these individuals under the one-year window program.

Where family members are found to meet eligibility criteria, the local CIC Office sends a letter to the principal applicant indicating that their family members have been found to be eligible for OYW and instructing them to send copies of the application for permanent residence directly to their eligible family members abroad. The Principal Applicant is reminded to instruct their family members to ensure that the completed application is submitted to the appropriate visa office within the one-year window period. This period starts on the day of arrival of the principal applicant in Canada.

14.5 Processing times

Processing times for applications vary greatly among visa offices depending on their geographic location, caseload inventory, medical and health issues prevalent among particular refugee populations, processing capacity, and communication infrastructure. In the event of an urgent protection case, the Canadian visa office should be informed at the time the application is submitted so that processing may be expedited.

14.6 Entitlements for family members including travel assistance, status on arrival, and support on arrival

Financial Assistance

In the case of **government-assisted refugees**, family members of the Principal Applicant are not automatically eligible for financial assistance under the Resettlement Assistance Program (RAP). Rather, an eligibility assessment based on the total family income will be undertaken by the local CIC office upon the family member's arrival in Canada.

In the case of **privately-sponsored refugees**, the visa offices abroad are instructed to ensure that any family members identified on the Principal Applicant's application have also been included in the sponsoring group's undertaking. If the sponsoring group refuses to add the non-accompanying family members to the undertaking and does not find another sponsoring group for the family members, then the sponsorship application is likely to be refused.

Status on Arrival

Status on arrival is the same as that of the Principal Applicant (see S.13).

Travel

Travel arrangements are the same as those for the Principal Applicant (see S.12).

14.7 Other immigration channels available for family reunification

Under the **Family Class category**, a Canadian citizen or a permanent resident of Canada (including resettled refugees) can sponsor their spouse, common-law partner, conjugal partner, dependent child (including adopted child) or other eligible relative (such as a parent or grandparent) to become a permanent resident.

If the resettled refugee sponsors a relative to come to Canada as a permanent resident under the Family Class, he/she would be responsible for supporting that relative financially when the relative arrives. As a sponsor, the person must make sure that their spouse or relative does not need to seek financial assistance from the government.

The process to sponsor family members begins when a citizen or permanent resident in Canada applies to be a sponsor.

The processing times for this category will depend on the region and the relationship to the sponsor. For example, parents generally have different, and usually longer, processing times than spouses.

After the family member has had his/her eligibility interview, the relevant visa office will conduct the required admissibility checks. Once eligibility and admissibility assessments are complete and finalized, the family member travels to Canada and obtains the status of Permanent Resident upon arrival in Canada.

For more information on the family class, please consult the following link: <http://www.cic.gc.ca/english/immigrate/sponsor/index.asp>

15. References/Resources

The following documents may be obtained through Canadian Visa Offices or by visiting the CIC website www.cic.gc.ca :

- Manual on Selection and Processing of Convention Refugees Abroad Class and Members of the Humanitarian-protected Persons Abroad Classes (OP 5)
- In-Canada Processing of Convention Refugees Abroad and Members of the Humanitarian Protected Persons Abroad Classes (IP3)
- Immigration and Refugee Board Guidelines on Women Refugee Claimants Fearing Gender-Related Persecution

Websites

Citizenship and Immigration Canada: www.cic.gc.ca

Immigration and Refugee Board: www.irb.gc.ca

Ministère des Relations avec les citoyens et de l'immigration (Québec): www.immq.gouv.qc.ca